



MISSOULA COUNTY POLICY BOOK
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1983-A	12/21/1983	Emergency Closures
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1980-C	07/14/1980	Enforcement of Plat Filing Deadlines
1980-A	04/14/1980	Data Processing Steering Committee

***Policies Amended or Rescinded (Listed Alphabetically)**

Policy	Original Policy #	Date Adopted	Action	Date of Action	Amended Policy #
Accident and Injury Reporting	1977-F	12/16/1977	Rescinded	10/31/2018	2018-2
Auction of Surplus Property	2000-10	05/01/2000	Rescinded	5/31/2011	N/A
Business Meals, Food, and Other Miscellaneous Costs	2006-02	04/20/2006	Amended	01/13/2015	2015-01
Business Meals, Food and Other Miscellaneous Costs	2015-01	04/02/2019	Amended	03/xx/2019	2015-01
Civil Litigation	2015-06	06/30/2015	Amended	03/10/2016	2016-02
Conflict of Interest	2015-04	06/30/2015	Amended	06/02/2020	2015-04
County Investments	1985-xx	09/00/1985	Amended	07/xx/1993	1993-xx
County Investments	1993-xx	03/02/2004	Amended	xx/xx/2000	2000-02
County Investments	2000-02	xx/xx/2000	Amended	03/02/2004	2004-01
County Vehicles and Motor Pool	2007-05	09/20/2009	Amended	04/24/2018	2007-05
Displaying Art from the County's Collection	2007-06	11/29/2007	Amended	11/13/19	2014-01
Disposal of County Surplus Property	2011-02	05/31/2011	Amended	10/02/2012	2011-02
Disposal of County Surplus Property	2011-02	05/31/2011	Amended	06/02/2020	2011-02
Electronic Communications	1996-G	06/27/1996	Rescinded	02/18/2016	N/A

Grants	2000-04	05/01/2000	Revised and Renamed	09/18/2012	2012-02
Grants and the Schedule of expenditures of federal awards	2012-02	09/18/2012	Rescinded	06/02/2020	2020-2
Grants and timesheet approval and allowable costs for federal awards	20125-01	09/18/2012	Rescinded	06/02/2020	2020-2
Nutrition Standards for Healthy Food and Beverages in the Workplace	2013-03	04/10/2013	Amended	7/30/2015	2015-07
Petty Cash	2000-16	05/01/2000	Rescinded	09/17/2019	N/A
Purchasing and Contracts	2008-02	05/28/2008	Amended	04/28/2011	2011-01
Purchasing and Contracts	2011-01	04/28/2011	Amended	07/09/2013	2013-05
Purchasing and Contracts	2013-05	07/09/2013	Amended	12/16/2014	2014-03
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Travel	2017-01	04/02/2019	Amended	03/xx/2019	2017-01

MISSOULA COUNTY Grants Administration Policy

Purpose

The purpose of this policy is to provide internal controls that ensure adequate compliance with all federal, state, and county administrative rules and regulations regarding the application for, expenditure of, and tracking/monitoring for grants received by Missoula County.

All projects funded in whole or in part with grant money are not independent of County operations. Non-compliance (including improper or lack of reporting of receipt of grant funds, misuse of funding, late or inaccurate reporting, etc.) can lead to audit findings which reduce Missoula County's ability to receive future funding and jeopardize the County's bond rating.

Scope

This policy is applicable to all grant awards to all County departments and entities.

Administration

Program Directors are responsible for ensuring that all regulations pertaining to grant funding received by their departments are complied with.

The County Auditor is responsible for ensuring that all Federal awards are reported as part of the County's external audit.

References

[Title 2 of Code of Federal Regulations \(CFR\) Part 200](#)- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. This was created by the Office of Management and Budget (OMB) and is commonly known as Uniform Grant Guidance.

Missoula County Fiscal Policies:

Missoula County [Purchasing and Contracts Policy, No. 2014-03](#)

Missoula County [Travel Policy, No. 2017-01](#)

Missoula County [Conflict of Interest Policy, No. 2015-04](#)

Missoula County [Disposal of County Personal Property Policy, No.2011-02](#)

Missoula County [Business Meals & Misc. Costs Policy, No.2015-01](#)

Policy

1. The Program Director managing the grant is responsible for all administrative compliance requirements including accounting paperwork and reporting. For the purpose of this policy "Program Director" applies to the individual within a given department who will be responsible for the grant. These requirements are found in 2 CFR Part 200. Program directors should familiarize themselves with 2CFR Part 200. The most up to date version can be found at ecfr.gov. Program Directors should also familiarize themselves with Missoula County fiscal policies, referenced above.

2. Grant funding opportunities should be presented to the County Commission in a duly noticed public meeting to discuss the funding opportunity and whether or not to develop and submit an application.
3. Grant contracts requiring a signature from an authorized representative of the Board of County Commissioners must receive approval to do so at a duly noticed public administrative meeting or public hearing.
4. The County Commission, being ultimately responsible for the approval of the budget, has the authority to deny submission of a grant application or to accept a grant award, unless the department applying for the grant is governed by an independent board.
5. All federal grant funded activities must be conducted in compliance with Title 2 CFR 200, (Uniform Guidance), and all applicable terms, conditions, assurances, certifications, and requirements of all Federal and state laws, executive orders, regulations, and policies.
6. Regulations, compliance requirements, and reporting requirements of individual funding agencies are in addition to, not replacement for, County policies and procedures.
7. The majority of grants received by Missoula County are reimbursement grants in which funds are expended prior to receiving grant funds. In the case of service delivery or deliverable based grants in which funds are received prior to expenditures, Missoula County shall disburse federal funds in a timely manner to minimize the time those funds are held in accordance with CFR 200.305.
8. The Program Director for each grant shall determine the allowability of costs under applicable cost principles and grant terms in accordance with CFR 200 Subpart E. Costs deemed allowable will proceed to the claims or payroll process as appropriate for further review and approval in accordance with Missoula County policies and procedures.
9. Missoula County shall document all time and effort charged to grants in accordance with grant requirements and in compliance with CFR 200.430.
10. Travel related to grants must be in compliance with the Missoula County Travel Policy and CFR 200.474.
11. Procurement related to grants must be completed in compliance with the Missoula County Purchasing & Contracts Policy and legal requirements in accordance with CFR 200.318 - 326.
12. If real property or equipment purchased with grant funds is being disposed of, the Program Director must contact the funding agency for disposal instructions.
13. Under this policy, the Finance Department and County Auditor are authorized to create necessary and applicable procedures for the application for, expenditure of, and tracking/monitoring of grants received.
14. The Finance Department will assign unique account coding for each grant and provide the general ledger codes in a timely manner to the Program Director managing the grant. This account coding will be used to record revenues and expenditures in the County's accounting system.
15. If County matching funds are required, The Finance Department must be consulted when determining the availability of matching funds. A unique accounting code for each grant must be used to record expenditures using County matching funds.

16. A copy of all award letters completed grant agreements, and grant budgets must be given to the Finance department and County Auditor by the Program Director responsible for managing the grant.
17. A copy of all requests for payment or periodic financial reports sent to federal or state agencies must be sent to the County Auditor by the Program Director responsible for managing the grant.
18. The County Auditor is responsible for compiling the County's annual Schedule of Expenditures of Federal awards (SEFA).

MISSOULA COUNTY MEETING ROOM POLICY

Purpose

This policy establishes rules and guidelines for public use of the Sophie Muise meeting room.

Administration

The Board of County Commissioners is responsible for the implementation of this policy.

Policy

Missoula County makes the Sophie Moiese meeting room available for public use for open discussion and exchange of information and ideas. Missoula County reserves the right to change this policy at any time.

- The Sophie Moiese room is made available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting its use.
- Missoula County reserve the right to use the room divider for multi-use if minimum capacity is not met.
- Allowing a group to meet in the Sophie Moiese room does not constitute the County's endorsement of the group's policies, beliefs or practices. Advertisements or announcements by any group implying such endorsement are not permitted.
- Some restrictions regarding time, place, and manner of presentations may apply.
- No unlawful, hazardous, or dangerous activities may be conducted in the Sophie Moiese meeting room.
- Programs offered in the Sophie Moiese meeting room must be open to the public and free of charge. Before and during a program, no fees of any kind may be charged, and selling or sales promotions are prohibited. An exception may apply if approved the Board of County Commissioners prior to usage of the meeting room.

Any exception to this policy must be approved in advance by the Board of County Commissioners.

Rules and Guidelines

1. A completed application form must be turned in to the BCC office and approved by the Missoula County Chief Administrative Officer at least 48 hours prior to the meeting. Internal departments must reserve the room through BCC staff.

2. The Sophie Moiese meeting room may be reserved up to two months in advance, on a first-come, first-served basis, except when the space is needed for Missoula County business. Please be aware that Missoula County needs may pre-empt the use of this room. If we need to use this room at the time you have scheduled, we will do our best to give you at least one weeks' notice.
3. All publicity is the responsibility of groups using the meeting room and must clearly identify the sponsoring organization. The location of the Missoula County meeting room may be publicized, but outside agencies may not include County telephone numbers in the publicity.
4. The Sophie Moiese meeting room should be scheduled for use during regular Missoula County hours and be vacated 30 minutes before closing time. After-hour use must be approved in advance by Missoula County. Additional security guidelines may be required for after hour meetings at the room requestor's expense.
5. Groups using the County's meeting room are responsible for room setup. Chairs may be moved but must be returned to their original configuration.
6. Moving the three tables at the south end of the room is not allowed. Technology equipment is not available for use by outside agencies. Disregard of these provisions will result in loss of meeting room privileges.
7. Persons presenting and attending public programs in the meeting room are subject to these rules and guidelines.
8. Refreshments may be served in the meeting room, provided proper care is given to clean-up after the meeting. Alcoholic beverages may not be served or consumed on Missoula County property.
9. Missoula County does not assume responsibility for any private property brought into the County.
10. Groups must leave the meeting room clean. All trash must be placed in trash and recycling bins provided. Failure to do so will result in loss of meeting room privileges.
11. Repair or replacement costs due to damage of County facilities, furnishings and equipment will be charged to the program sponsor. Missoula County will be the sole determiner of who does repair to County property.
12. Use of meeting rooms after regular hours of operation is limited from 5:00 p.m. to 10:30 pm. The group using the meeting room is responsible for ensuring that everyone has left the room, waiting area, and restrooms. Meeting room keys must be returned to BCC staff the next morning or left in the meeting room key drop box located just outside the north entrance to the Courthouse.
13. For recurring meetings, the Sophie Moiese meeting room may be reserved up to twelve months at a time.
14. In consideration of the permission granted by Missoula County to individuals or groups for use of meeting room space, the individuals or groups shall, to the maximum extent permitted by law, defend, indemnify, and hold harmless Missoula County, its officers, directors, employees, agents, and volunteers from and against all claims, actions, suits, liabilities, losses, damages, costs, attorney's fees, expert's fees, and/or any other expenses, including without limitation to any injury, loss, or damage to property or person, including death, arising from or in connection with the use of the premises by the individuals or groups.

MISSOULA COUNTY ACCIDENT/INJURY REPORTING POLICY

Purpose

This policy establishes guidelines for county employees to follow in the event of an accident or injury involving county property, equipment, automobiles, employees or third parties who are on county property.

Scope

This policy is applicable to all County departments and entities. Departments may apply additional requirements if they are equal to or more restrictive than these standards.

Administration

Department heads are responsible for the implementation of this policy within their departments.

References

Loss Control Policy Statement
Safety Policy

Policy

The following procedure(s) should be followed in reporting accidents/injury:

FOR INJURY TO COUNTY EMPLOYEES:

Employees shall provide notice to their supervisor or department head of every work-related accident, injury or occupational disease. Any actual knowledge of the injury or accident by the supervisor or department head is the equivalent of receiving notice. As soon as possible upon receipt of notice, but no later than 30 days after the occurrence of the accident or injury, the supervisor or department head shall submit a "Supervisors Notice of Injury/Exposure" form to the Department of Human Resources. Forms are available from Human Resources

FOR ACCIDENTS RESULTING IN DAMAGE TO COUNTY PROPERTY AND/OR PROPERTY OR BODILY INJURY TO THIRD PARTIES:

For accidents involving County Vehicles:

1. Report the accident immediately, no matter how minor, to the appropriate law enforcement agency.
2. Report, by telephone or in person, to the Missoula County Risk & Benefits within 24 hours of the accident or on the next business day. The matter will be referred

to the Director of Risk Management and Benefits or other Risk & Benefits staff qualified to handle such reports.

3. If the vehicle is part of the Missoula County motor pool, a report must also be made to Central Services within 24 hours of the accident or on the next business day.
4. Complete the **AUTO ACCIDENT REPORT FORM** and return to your supervisor or department head who is responsible for submitting to Risk & Benefits in-person or by inter-office mail or email (claims@missoulacounty.us). This form should be submitted within seven days of the accident.
5. Furnish to third parties the following information:
Missoula County Insurance:MISSOULA COUNTY SELF-INSURANCE PLAN
200 W. Broadway
Missoula, Montana 59802
Phone: (406)258-4873
Fax: (406)523-4731
Email: claims@missoulacounty.us
6. Other than the statements required above, do not make written or oral statements to anyone else; don't admit liability or fault; do not lose your temper!

For accidents involving damage to County property (Structure/Building):

1. Supervisors or department heads shall report any damage to a County building to Facilities Management in person or by phone immediately upon discovering the damage.
2. Supervisors or department heads shall report any damage to County property in person or by telephone to Missoula County Risk & Benefits following contact with Facilities Management. The matter will be referred to the Director of Risk Management and Benefits or other Risk & Benefits staff qualified to handle such reports.
3. Supervisors or department heads shall complete **NOTICE OF LOSS OR CLAIM (Non-Auto Accident)** form and return to Risk & Benefits in-person or by inter-office mail or email (claims@missoulacounty.us) within seven days of discovering the damage.
4. Supervisors and department heads shall work with Facilities Management in getting the damage repaired. Facilities Management will work with Risk Management to resolve claims for the damages.

For accidents involving damage to County property (equipment, furnishings, etc.):

1. Supervisors or department heads shall report any damage to County property in person or by telephone to Missoula County Risk & Benefits immediately upon discovering the damage. The matter will be referred to the Director of Risk Management and Benefits or other Risk & Benefits staff qualified to handle such reports.

2. If there is damage to phone, computer, printing, scanning equipment, notice must also be giving to the Technology Department.
3. Supervisors or department heads shall complete **NOTICE OF LOSS OR CLAIM (Non-Auto Accident)** form and return to Risk & Benefits in-person or by inter-office mail or email (claims@missoulacounty.us) within seven days of discovering the damage.
4. Supervisors and department heads shall work with Risk Management to resolve claims for the damages.

For accidents involving bodily injury to a third-party:

1. Contact 9-1-1 to obtain emergency medical care as needed.
2. Report, by telephone or in person, to the Missoula County Risk & Benefits as soon as possible. The matter will be referred to the Director of Risk Management and Benefits or other Risk & Benefits staff qualified to handle such reports.
3. Complete the **NOTICE OF LOSS OR CLAIM (Non-Auto Accident)** form and return to Risk & Benefits in-person or by inter-office mail or email (claims@missoulacounty.us) within seven days of the incident.
4. Furnish to third parties the following information:
Missoula County Insurance: MISSOULA COUNTY SELF-INSURANCE PLAN
200 W. Broadway
Missoula, Montana 59802
Phone: (406)258-4873
Fax: (406)523-4731
Email: claims@missoulacounty.us
5. Other than the statements required above, do not make written or oral statements to anyone else; don't admit liability or fault; do not lose your temper!

MISSOULA COUNTY

PUBLIC INFORMATION AND RECORD REQUEST POLICY

It is the policy of Missoula County to operate in accordance with Montana law regarding public information, public record requests, and the public's right to know. Missoula County acknowledges that the constitutional right to privacy requires balancing of the public's right to know with the right to privacy, and that such balancing is an integral and necessary part of responding to requests for public records and public information.

1. Definitions

- a. "Public information" means information prepared, owned, used, or retained by any department of Missoula County relating to the transaction of official business, regardless of form, except for confidential information that must be protected against public disclosure under applicable law.
- b. "Public record" means public information that is:
 - i. fixed in any medium and is retrievable in usable form for future reference; and
 - ii. designated for retention by state records committee, judicial branch, legislative branch or the local government records committee.
- c. "Confidential information" means information that is accorded confidential status or is prohibited from disclosure as provided by applicable law. The term includes information that is:
 - i. constitutionally protected from disclosure because an individual privacy interest clearly exceeds the merits of public disclosure;
 - ii. related to judicial deliberations in adversarial proceedings;
 - iii. necessary to maintain the security and integrity of secure facilities or information systems owned by or serving the state; and
 - iv. designated as confidential by statute or through judicial decisions, findings, or orders.

2. Designation of Individual Responsible for Coordinating Responses to Public Information Requests

Missoula County designates Communications & Projects Director as Missoula County's public information request liaison ("Designated Individual"). Public information requests may be directed to this individual at ahughes@missoulacounty.us or directed to the department with the information requested.

3. Process for Responding to Public Information Requests

Upon receipt of a request for public information, the Designated Individual or receiving department shall respond in a timely manner to the requesting person by:

- (a) making the public information maintained by Missoula County available for inspection and copying by the requesting person; or

- (b) providing the requesting person with an estimate of the time it will take to fulfill the request if the public information cannot be readily identified and gathered and any fees that may be charged for fulfilling a public information request.

Missoula County is not required to alter or customize public information to provide it in a form specified to meet the needs of the requesting person.

If Missoula County agrees to a request to customize a records request response, the costs of the customization may be included in the fees charged by Missoula County.

4. Confidential Information and Information relating to individual or public safety

Pursuant to Mont. Code Ann. 2-6-1002 and 2-6-1003, Missoula County reserves the right to withhold from public scrutiny confidential information and information relating to individual or public safety or the security of county facilities, including public schools, jails, detention facilities, if release of the information jeopardizes the safety of facility personnel, the public, students in a public school, or inmates of a facility. Missoula County may not withhold from public scrutiny any more information than is required to protect individual or public safety or the security of public facilities.

5. Fee

Missoula County may charge a fee for fulfilling a public information request. Except where otherwise provided for in law, the fee may not exceed the actual costs directly incident to fulfilling the request in the most cost-efficient and timely manner possible. The fee must be documented. The fee may include the time required to gather public information. Missoula County may require the requesting person to pay the estimated fee prior to identifying and gathering the requested public information.

6. Legal Review

Upon receipt of a request for public information, the Designated Individual or receiving department shall gather and review the information requested. If an initial review suggests the following is included in the information requested, the Designated Individual or receiving department shall provide it to the county attorney's office for legal review:

- Employee information other than position, length of employment and salary
- Disciplinary actions taken or considered against employees
- Grievances filed by or against employees
- Correspondence involving attorneys that may be privileged attorney-client communications
- Documents created by attorneys that may be privileged work product
- Information relating to county detention or school facilities
- Information relating to physical security of county property or technology systems
- Information relating to judicial deliberations in adversarial proceedings
- Information relating to students in public schools
- Information relating to inmates in detention facilities

7. Time

Missoula County shall make every reasonable effort to respond to public information requests within 2 weeks. For large or complicated requests, the initial response should occur within 2 weeks, and may provide an update as to the steps taken to date regarding the request, and the estimated fee for processing the request, if known at that time.

8. Reason for withholding

If Missoula County denies a request for public information or records, Missoula County shall provide a written explanation for the denial.

Missoula County Cell Phone Policy

Purpose

Cellular (cell) phone technology is a valuable communication tool and is integral to the operation of Missoula County. The multipurpose functionality of cell phones has established them as necessary and effective communications tool for many employees. The purpose of this policy is to outline a two-tiered program for managing cell phone use by employees of Missoula County.

Scope

This policy is applicable to all County departments and entities. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards.

Administration

Department heads are responsible for the implementation of this policy within their departments and on-going compliance.

Other References

Internal Revenue Bulletin 2011-38 addresses the treatment of employer-provided cell phones. The bulletin states that a cell phone issued to an employee for substantial reasons relating to the conduct of the employer's business is not taxable as income, and any personal use is considered a *de minimis* fringe benefit. No record keeping is required to document the business use of the cell phone.

Other related County policies: 2016-01 Acceptable Use of Technology and 2007-01 Inattentive Driving.

Policy

An employee holding a position that includes the need for a cell phone (see eligibility requirements below) may receive a County owned device or use a personally owned cell phone and receive a stipend to compensate for the business-related costs related to its use.

Department heads are responsible for identifying positions where the ability to communicate with an employee during both work and non-work hours would be

enhanced through use of a cell phone, pager, mobile radio, or other mobile device. Once it has been established that a cell phone is the appropriate means to achieve enhanced communication, the department head will work with the employee to determine if the County will provide a cell phone or if the employee will be reimbursed for a portion of an existing cell phone plan (stipend plan described below).

Eligibility

An employee is eligible for a County provided cell phone or a stipend if at least one of the criteria is met:

- The job function of the employee requires considerable time away from the regularly assigned duty station, and accessibility is important during those times;
- The job function of the employee requires accessibility outside of scheduled or normal working hours where time sensitive responses, decisions, or notifications are required;
- The job function of the employee requires access to wireless data and the internet; or,
- The employee is employed in public safety or emergency response.

Stipend Plan

- A department head approval is required in response to a written request from an employee eligible for a cell phone stipend.
- The employee and the department head will agree to an amount based on the cost to the employee for cell service, pro-rated against the anticipated usage related to the business purpose. This amount may not exceed the actual cost of providing a County issued cell phone. (The current cost of standard Verizon service is approximately \$50 for voice, messaging, and data.)
- The employee agrees to allow the County to publish their number internally for business purposes and to accept business calls and/or messages on the cell phone.
- The employee and the service provider are responsible for the technical support of the device, plan, and functionality. The Information Technology Department will assist the cell phone user with establishing any needed interfaces with County systems.
- To be reimbursed on a stipend plan, the employee must submit the following documentation with each reimbursement request:
 - A copy of the stipend agreement signed by the department head;
 - A copy of the applicable page of the monthly bill showing the employee's name, billing period, amount due, and type of services provided (talk, text, and/or data).
 - A reimbursement form signed by the employee and approved by the department head or designee.

- Reimbursement requests must be submitted no less than quarterly.
- The County will not accept any liability for claims, charges, or disputes between the service provider and the employee.
 - Use of the cell phone contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the stipend.
 - Current security standards, including password protection and encryption, must be used on any cell phone with data capability.
 - An employee is expected to delete all County information from the device when employment terminates, except when required to comply with a litigation hold notice.

County Owned Cell Phones

The County may own cell phones for various business purposes, including public safety, emergency response, on-call functions, facilities management, development of technology related cell phone apps, select supervisory circumstances, etc. Employees who receive County provided phones should be aware that all data, files, apps, and communications records are the property of Missoula County and should hold no expectation of privacy in the use of the such property.

To obtain a new County owned cell phone, the employee must present department head approval to Telephone Services before new service is initiated. The phone model selected should be appropriate to the County's business needs. If the employee changes positions within the County, the cell phone must be surrendered if it is not required in the new position. On termination of cell phone holder's employment, the phone and number may be transferred to another employee performing the same function (e.g. Sheriff's deputy). Or, if the cell phone is no longer needed, it should be returned to Telephone Services.

Department heads must review annually all cell phone holders within their departments to ensure that only employees with a legitimate need hold County owned phones.

Cell Phone Stipend Agreement

Employee Name	Department Name
Job Title	Stipend Start Date (first day of billing period)
Stipend Amount	Cell Phone Number/Service Provider
Business Purpose	

I, _____, have read the Missoula County Cell Phone Policy and understand the terms for compliance stated in the section “Stipend Plan”.

As a recipient of a cell phone stipend, I have the following responsibilities:

- Purchase cellular phone service and equipment and agree to vendor terms and conditions, including termination clauses. I am responsible for plan choices, service features, and calling areas that meet the job-related requirements that the stipend is intended to cover.
- Comply with the requirements for reimbursement which include submitting the following documentation with each reimbursement request: stipend agreement signed by the department head, a copy of the applicable page of the monthly bill showing my name, billing period, amount due, and type of services provided; and an employee reimbursement form signed by the department head or designee.
- Report any changes in service levels in the cell phone contract which may alter the amount of the stipend.
- Agree to allow the County to publish my number internally for business purposes and to accept business calls and/or messages on the cell phone.
- Comply with other County policies relating to cell phone use (Inattentive Driving) and those pertaining to data security, acceptable computing use, and email (Acceptable Use of Technology).
- Delete all Missoula County data from the cell phone when my employment with Missoula County is terminated, except when required to maintain the data in compliance with a litigation hold notice.

By signing below, I certify that I have read, understand, and agree to the Cell Phone Policy and my responsibilities under the policy.

Employee Signature	Date
Department Head Signature	Date

Missoula County Travel Policy

Purpose

This policy establishes guidelines and procedures for the amount and type of travel expenses eligible for reimbursement. For purposes of this policy, “employee” includes all County employees, elected officials, and appointed members of boards, commissions, and councils.

Scope

This policy is applicable to all County departments and entities. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards. Law enforcement officers participating in extraditions or multi-state investigations are governed by departmental policy for extraditions and for multi-state investigation-related travel.

Limitations

Travel expenses must have a public purpose and serve the public interest. All travel expenditures must be reasonable and necessary, and reimbursement for expenses solely for the benefit of an individual is not allowable.

Administration

Department heads are responsible for: the implementation of the policy within their departments; employee compliance with travel policy; prior authorization of travel; approval of travel advances, settlements, and reimbursement requests; and management of expenditures within budgetary constraints.

The County Auditor has final authority for administering, interpreting, and applying the terms of this policy.

Employee travel time is governed by the federal Fair Labor Standards Act and the state of Montana wage and hour laws. Human Resources should be consulted prior to travel to determine appropriate compensation rates.

Except as noted, receipts are required to support requests for travel reimbursement.

Other References

For lodging, meals and incidentals, Missoula County follows the GSA Per Diem rates as provided in <https://www.gsa.gov/portal/content/104877>, updated annually. Incidentals are described as: Fees and tips given to porters, baggage carriers, hotel staff, and staff on ships.

Policy

Allowable Expenses/Modes of Travel

Air: All commercial air travel should be by the least expensive service available and will be reimbursed with appropriate receipts. The cost of one checked bag is an allowable expense, but the traveler is responsible for class upgrades and itinerary or booking changes which are not the result of an emergency or required to satisfy the business needs of the County. When a lower airfare can be obtained with an additional overnight stay, the County will pay the extra day's meals and lodging, if cost effective.

Rail: Coach or tourist class is reimbursable; however, the selection of this mode of transportation should be evaluated carefully in terms of cost and time requirements.

County Vehicle:

County vehicles are available for travel and must be used for business purposes only. If personal funds are used to purchase gas for the vehicle, a receipt must be submitted to obtain reimbursement.

Personal Vehicle: Personal vehicle mileage will be reimbursed at the applicable statutory rate allowed by the Internal Revenue Service. Departments will be notified of the current rate at the beginning of the calendar year.

If a personal vehicle is used, the driver must possess a valid Montana Driver's License and carry liability insurance which meets or exceeds the requirements cited in MCA 61-6-103. The County reserves the right to require proof of insurance for any personal vehicle used for County business. Any employee who chooses to drive a personal vehicle when one is available from the motor pool should be aware that the County does not provide coverage for loss or damage to personal vehicles.

If an employee chooses to use a personal vehicle over a common carrier, mileage reimbursement shall not exceed the cost of airfare.

Rental Vehicles: A rental vehicle is a justifiable expense if it is cheaper than other forms of transportation; anyone requesting use of a rental vehicle must demonstrate that it is the least cost alternative. A rental vehicle requested from the General Fund Training pool requires prior approval of the Human Resources Department; otherwise, the department head must approve a rental vehicle prior to travel. Employees traveling outside the state of Montana must purchase a Loss Damage Waiver (sometimes also called a Collision Damage Waiver or Physical Damage Waiver). If Liability Insurance is not provided in the rental contract, the employee must purchase such insurance from the rental car company.

Taxis, Airport Limousines, Shuttle Buses, Parking, Tolls: Such expenses are reimbursable, and receipts are required (parking meters excepted). Taxi fares, including gratuities of 15% or less, are allowable with receipts. If an employee chooses to take a taxi when a less expensive shuttle service is available, reimbursement will be limited to the cost of the shuttle. Valet parking, unless the only parking option available, and parking tickets are not eligible for reimbursement.

Public Transit (Buses, Subways, Street Cars): Fares are reimbursable without receipts if the total for such expenses is less than \$10 for the entire trip.

Lodging

All County employees are authorized the actual cost of lodging at a conference site. If no rooms are available at the conference site, an employee will be reimbursed for the cost of lodging at an alternative location as long as its room rate does not exceed the conference room rate. In any event, employees are encouraged to seek less expensive room options if available nearby. Documentation which shows the conference room rate must be provided with a travel advance or reimbursement request.

If a conference is held at a site which provides no lodging, or if lodging is unrelated to attendance at a conference, reimbursement will not exceed the maximum rate quoted for the city on the US General Services Administration (GSA) website, <https://www.gsa.gov/portal/content/104877>. If the city is not listed on the rate schedule for the destination state, the standard rate for lodging in the continental United States will apply. If all suitable lodging in the area exceeds the GSA rate, contact the Auditor's office prior to making any reservations. Employees are reminded to inquire if a government rate is available.

If an employee is accompanied by a spouse or family member, the lodging invoice must bear a notation, signed by an authorized representative of the establishment, as to the single room rate, including tax. The employee is responsible for the difference between single and double occupancy room rates.

Meals and Incidentals

GSA per diem rates will be used to reimburse travel meals and incidentals. Subject to the exceptions below for meals provided by a conference, seminar, or travel days, the reimbursement will be the rate for the entire day for the destination city, county, or the destination state, if the city or county is not listed on the GSA rate schedule. The first and last day of travel will only be reimbursed for meals actually eaten and incidentals.

If an employee's travel includes meals the County has prepaid (such as through a registration fee for a conference, seminar, or other event), such meals cannot be included in the meal per diem reimbursement. An employee with special dietary restrictions should ask the conference site if such restrictions can be accommodated as part of the registration fee. If not, per diem is allowable. Continental breakfasts, refreshments during breaks, and hors d'oeuvres served during social hours or receptions are not considered meals even though they may be included in the cost of

registration. Documentation from the conference (registration, agenda, etc.) which shows the meals provided must accompany a travel advance or reimbursement request.

If an employee's travel is confined to a single work day, any meals are considered taxable income by the IRS. Meals taken while traveling on county business will be reimbursed at the GSA rate for the destination city, county, or the standard rate for the state if the city or county is not listed in the rate schedule. A properly approved reimbursement claim must be submitted to payroll with the employee's timesheet.

Other Allowable Expenses

Business telephone calls, faxes, or other necessary business expenses are allowable if documented by receipts. Employees are encouraged to use cell phones or prepaid phone cards for personal calls; otherwise, such calls are limited to \$10/day.

Unallowable Expenses

Alcoholic beverages and expenditures of a personal nature are not allowable. Examples include: hotel/motel room service charges in excess of applicable per diem rates, mini-bar and amenity charges; porter service for personal luggage; laundry service; in room movies; transportation expense for dining out (unless the hotel/motel does not have dining facilities or there are none within walking distance); optional valet parking; parking tickets, and fees at a conference or meeting for social events such as golf, sightseeing, or the entertainment of a spouse or guest. Other expenditures, otherwise allowable, may be rejected without proper travel authorization or expenditure documentation.

Combining Personal Travel and County Business

When an employee combines personal travel with an official County business trip, reimbursements and payments will be made only for those costs necessary for the County's portion. Transportation costs and per diem will be allowed only for the most direct route to the destination of the County trip, and reimbursement and payment for meals and lodging will be allowable only during the time the employee is in County travel status. No costs will be reimbursable for vacation or personal days. If an employee chooses to drive, whether to accommodate family members or to provide additional excursion opportunities, mileage will not be paid in excess of the least cost airfare; per diem will be paid as if the employee had flown.

Travel Expenses for Non-County Employees

The County will pay travel costs for someone who is not an employee if the person: 1) is traveling at the specific request of the County, 2) is serving as a volunteer to a County program, or 3) is providing services under a County contract, which includes provision for reimbursement for travel related costs. Grant-related travel must be consistent with this policy, unless the grant provides otherwise. It is strongly recommended that departments consult with the County Auditor before travel arrangements are made for a non-county employee.

Travel Expenses Paid by Outside Entity

Entities outside the County may pay for authorized employee travel, with prior review and consultation from the County Attorney's Office, and this policy should be followed as a guide to allowable costs. The County will reimburse the employee as usual. The payment from the external agency must be made to the County and not to the employee or vendors providing services related to the travel. Such transactions should be documented for audit purposes. The following exceptions apply: 1) an employee who is a member of a professional association attending an association function as an association official (elected or appointed or invitee) may be reimbursed directly by the association for those travel expenses; 2) travel expenses chargeable to a grant or contract awarded to the County should be consistent with this policy, unless the grant provides otherwise, and recorded according to the requirements of the grant or contract and the County's fiscal procedures; and 3) an employee traveling on behalf of another government agency may have their travel plans arranged and reimbursed directly by the sponsoring agency.

Expenses Paid for Position Vacancy Interviews

The County will pay the expenses for a candidate coming to Missoula for a job interview for department head or other professional position with the prior approval of the appropriate authorizing official and subject to budgetary constraints. The cost of such travel will be charged to the applicable departmental budget. The County will reimburse the interviewee for transportation costs, meals, and lodging while in Missoula in accordance with this policy. The County will not reimburse employees for candidate interviews during mealtime; such interviews should be conducted in the work place.

Other

Employees are encouraged to make every effort to minimize travel expenses. When more than one employee is traveling to the same destination on the same date, every effort should be made to coordinate the activities, including carpooling and sharing motel accommodations.

Reimbursement Procedures

Travel claims must: be submitted for all requests for reimbursement; provide an explanation for trip; be signed by the employee and approved by the appropriate department head; be submitted per trip. No one may authorize his or her own claim for reimbursement. Amounts spent in excess of maximum per diem allowances will not be reimbursed.

Travel Advances

Advances for amounts greater than \$100 may be obtained on a Travel Advance form signed by the appropriate department head. A single page universal template for a travel advance and settlement may be found in Public documents [here](#). The advance should be based on the allowable per diem for the number of travel days, exclusive of meals provided by a conference, and reasonable estimates for the costs of lodging, personal vehicle mileage or airport shuttle. Advances must be submitted at least two, but no more than three, weeks prior to departure. In no event will per diem or other travel money be advanced without a properly completed Travel Advance form.

A travel advance must be settled within 15 days of returning to work. The employee must complete a travel claim and provide original receipts or other supporting documentation. If the claim is more than the advance, the employee will be issued a check. If the claim is less than the advance, the employee must reimburse the County for the difference using either a personal check or cash.

Travel advances which have not been settled within 15 days will be referred to the Auditor's Office, and the employee will be notified that the entire advance will be deducted from the next paycheck if settlement is not received.

Missoula County Digital Video Surveillance Policy

Purpose

Missoula County employs video surveillance cameras to ensure the physical security of Missoula County facilities, staff, and visitors. The purpose of this policy is to establish guidelines for the placement and use of video security cameras, as well as for the access and retrieval of recorded digital video images.

Scope

This policy is applicable to all County Departments and entities. Departments may not develop their own policies related to digital video surveillance, and this policy does not apply to the Missoula County Detention Center or to systems deployed specifically for law enforcement purposes.

Administration

The Missoula County Board of County Commissioners is responsible for administering, interpreting and applying the terms of this policy. Department heads are responsible for coordinating policy implementation within their departments with the Director of Technology and ensuring on-going compliance.

Policy

The approval, installation, operation and use of all video and electronic surveillance systems shall comply with all applicable state and federal laws, and all County policies and standards, including but not limited to, those laws and policies that prohibit discrimination and harassment and that honor an individual's reasonable expectation of privacy in accordance with accepted social norms.

Missoula County respects the privacy of individuals on County premises. The County will take pragmatic and measured steps to provide an efficient, effective, safe, and secure environment and avoid unnecessary intrusions upon individual civil liberties including privacy, freedom of expression, and freedom of assembly.

1. Security Camera Locations

The Board of County Commissioners, or a designee, shall have authority to determine the placement of security cameras in County buildings and shall approve any changes or additions. Examples of areas where cameras may be located include common areas of County facilities such as entrances, public hallways, public seating, and parking lots. Cameras will not be installed in areas where staff or the public have a reasonable expectation of privacy, such as restrooms, and may not be positioned to identify a person's reading, viewing, or listening activities. No audio recordings will be utilized with the video surveillance cameras.

Signage will be posted at entrances to Missoula County buildings informing the public that security cameras are in use. The video security cameras will be positioned to record only in those areas specified by the Board of County Commissioners and will complement other measures designed to maintain a safe and secure environment.

2. Access to Digital Video

Only the designated Systems Administrator(s), Director of Technology, or designated alternate are authorized to access the recorded digital video images for official purposes. Other staff members may be given authorization to access video recordings on a limited basis under special circumstances.

Occasional spot checks of the recorded data will be made by Missoula County's Director of Technology or designated Systems Administrator(s) to assure proper operation of the system and to review access procedures. The frequency of viewing and the amount of footage reviewed at one time will be limited to the minimum needed to give assurance that the system is working properly and to verify compliance with access policies. Video recordings will not be monitored in real time unless specifically authorized by the Missoula County Board of County Commissioners or designee.

3. Use/Disclosure of Video Records

Digital video may be provided to authorized individuals to identify those responsible for Missoula County policy violations, criminal activity on County property, or actions considered disruptive to normal County operations. Digital video records may be shared with County departments to maintain a safe, secure, and policy-compliant environment upon approval by the Board of County Commissioners or designee. Under certain circumstances, individuals authorized under this policy may use selected portions of recorded video to request law enforcement review for assessing the security risk of a specific individual or for investigating a crime on County property.

4. Release of Surveillance Information

All requests for video camera footage or still photographs shall be made to the Director of Technology or the designated alternate. Requests must be made in writing and must provide a reason for the request; information that identifies the desired footage, such as location, date, and time; any other information the County deems relevant to the request. A reasonable fee may be charged for the information. The Technology Department will keep a log of all records released. The Director of Technology may seek consultation and advice from the County Attorney's Office or other department(s) prior to a release of records.

5. Retention of Video Records

Missoula County will avoid creating unnecessary video records, retaining records not needed for the fulfillment of the mission of Missoula County, and engaging in practices that could place personally identifiable information on public view.

Recorded digital video images will be stored on hardware in a secure area of Missoula County. Recordings will be retained for no more than 60 days in accordance with Missoula County's records retention schedule, unless required as part of an ongoing investigation or litigation.

Missoula County Records Retention Policy

Purpose

The purpose of this policy is to ensure that Missoula County's records are maintained in accordance with Montana Code Annotated, Montana Administrative Rules and the Montana Records Retention Schedules.

Scope

This policy is applicable to all County departments and entities.

Administration

Department heads are responsible for the implementation of this policy within their departments.

Policy

Missoula County's Record Center is designated as the location for the secure and long term storage of the records of Missoula County. The Missoula County Records Manager is responsible for the development of a Records Plan for the retention of records that comply with the Montana Code Annotated, Montana Administrative Rules and the Montana Records Retention Schedules.

The Missoula County Records Manager shall develop, review and distribute the Records Plan to Department Heads to assist them in maintaining compliance with records retention.

The current Records Management may be found at:

<https://www.missoulacounty.us/government/administration/auditor-s-office/references-forms-links>

Missoula County Safety Policy

Purpose

This policy establishes guidelines to help provide a place of employment that is safe for each Missoula County employee.

Scope

This policy is applicable to all County Departments and employees. For purposes of this policy, “employee” includes elected officials, and regular or temporary employees.

Administration

The Risk Management Department is responsible for administering, interpreting and applying the terms of this policy on behalf of the Missoula County Board of County Commissioners. Department heads are responsible for the implementation of this policy within their departments and for ensuring compliance. Departments may adopt and implement safety measures appropriate to the risks associated with their specific operating environments.

References

Montana Code Annotated (“MCA”) Title 39, Chapter 71 “Montana Safety Culture Act”
MCA Title 50, Chapter 71 “Montana Occupational Safety and Health Act”.

Definitions

“Safety Committee” means a group of County employees convened to promote a safe, accident free, healthy work environment for all county employees.

“Safety Consultation” means assistance rendered to advise and aid a department in the identification, evaluation, and control of existing and potential accidental and occupational health problems.

“Safety Programs” means educational activities intended to promote health and safety in all places where Missoula County employees work.

Policy

To comply with the provisions of the MCA as they apply to workplace safety, Missoula County has established the Missoula County Safety Committee. This committee shall promote safety in the workplace by providing safety consultation services and establishing safety education programs. The Risk Management Department will provide staff support to the Committee.

Responsibilities of the Missoula County Safety Committee

1. Provide, coordinate, conduct and support training programs for all county employees related to on-the-job injury or illness avoidance;
2. Support inter-department safety committees in their role to prevent and manage safety concerns within their individual departments;
3. Conduct post-accident review for any employee injured in the workplace and recommend corrective action;
4. Establish communication channels to ensure that employees are contacted regularly about the importance of safety in all operations;
5. Maintain the necessary records to comply with the laws and objectives governing the safety committee program to include meeting minutes, committee rosters, training resource rosters, and meeting dates and times;
6. Coordinate and participate in building inspections and provide safety consultation and technical assistance for developing: safe work methods, procedures for accident investigations, and training programs.
7. Recommend immediate correction action in cases of hazardous operations; and
8. Encourage all county employees to:
 - develop a keen “safety awareness”
 - abide by the safety rules and regulations of the organization
 - report any unsafe conditions to the Supervisor
 - contribute ideas and suggestions for improving the safety of conditions or procedures to the committee
 - attend safety training sessions as prescribed
 - report all accidents and injuries immediately

Missoula County Civil Litigation Policy

Purpose

This policy establishes guidelines for how the Board of County Commissioners will respond to suits filed against Missoula County, one of its departments or entities, or any employee acting within the scope of their employment. Montana law provides that the county attorney shall defend all suits brought against the county unless the county commissioners employ outside counsel to perform legal service, §7-4-2708 and §7-4-2711, MCA.

Scope

This policy is applicable to all County Departments and entities. Departments may not develop their own policies related to civil litigation.

Administration

The Missoula County Board of County Commissioners is responsible for administering, interpreting and applying the terms of this policy. Department heads are responsible for the implementation of this policy within their departments and ensuring compliance. Departments that fail to follow this policy may be liable for their own representation costs.

Definitions

“Suit” is defined as any claim filed in District Court, Federal Court or any other administrative body.

“Entity” is defined to include any political subdivision of the County Policy.

When Missoula County or one of its departments or entities is served with a suit, the Missoula County Board of County Commissioners, Chief Administrative Officer, County Attorney and the Risk and Benefits Manager shall be notified immediately.

The County Attorney’s Office shall review each case to determine:

- A. If there is a conflict of interest that would prevent the County Attorney’s Office from representing Missoula County;
- B. If the County Attorney’s Office has the internal capacity to represent Missoula County; and
- C. If the County Attorney’s Office has the expertise to represent Missoula County.

Upon completion of this review, the Missoula County Attorney's Office will communicate the results to the Board of County Commissioners, the affected Department Head, Risk Manager and Commissioners' officers. (If the case deals with areas of employment, the Human Resources Director shall be included in the communication.) The affected Department may request a meeting with all parties if it disagrees with the conclusions of the County Attorney's Office.

The Board of County Commissioners will review the information provided about the suit and recommend representation be handled by the County Attorney's Office or by outside counsel.

Department Heads may not contact or contract with outside counsel in matters regarding litigation without the express permission of the Board of County Commissioners. Departments with an object code for legal services in their budget that has been adopted by the BCC may consider that they have express permission to contract and contact outside legal counsel. Only the legal services object code (352) may be considered express permission from the BCC.

Should a case proceed to a point where a settlement is contemplated, the County Attorney's Office or outside counsel shall schedule a meeting with the Board of County Commissioners, County Attorney's Office or outside counsel, Risk and Benefits Director, affected department head and Commissioner's officers to discuss the recommendations related to the settlement.

**MISSOULA COUNTY
ACCEPTABLE USE OF TECHNOLOGY POLICY**

Purpose

The purpose of this policy is to outline the acceptable use of technology at Missoula County (the “County”). The provisions of the policy have been established to protect the County and its employees from risks arising from the use of technology such as virus attacks, compromises of network systems and services, and loss or corruption of data.

Scope

This policy is applicable to all County departments and entities. For purposes of this policy, “employee” includes elected officials, appointed members of County boards, commissions, and councils, and all other temporary or permanent employees.

This policy applies to electronic and computing devices, software, and network resources used to conduct Missoula County business or interact with internal networks and business systems.

Administration

The Missoula County Director of Technology is responsible for administering, interpreting, and applying the terms of this policy. Department heads are responsible for the implementation of the policy within their departments and ensuring employee compliance.

Public Information

Most employee communications and documents are public documents under Montana law and it is important that employees conduct themselves in a manner consistent with their public duties. Employees should not expect any right to privacy of documents and communications created in the course and scope of their employment. While most communications and documents are subject to public disclosure, some documents and communications are considered confidential or private by law. Employees must follow county policies for the protection and release of any information to avoid disclosure of information that is not public information.

References

Missoula County Technology Acquisition Policy, Communications Policy

Policy

Introduction

Technology, including but not limited to, internet/intranet/extranet-related systems, computer equipment, software, operating systems, storage media, network accounts, electronic mail, web browsing, and file transfer protocol is provided to employees to serve the interests of Missoula County and its residents. Such technology is the property of Missoula County and is subject to security measures designed to protect the underlying systems and prevent interruptions in service.

Effective security is a team effort involving the participation and support of every Missoula County employee who deals with information and/or information systems. All computer users should be familiar with system security and the acceptable uses of technology and conduct their activities accordingly.

General Use and Ownership

1. Missoula County is the sole owner of County information stored on electronic and computing devices, whether owned or leased by the County, an employee, or a third party.
2. As soon as any theft, loss, or unauthorized disclosure of Missoula County information is detected, it should be reported to Missoula County IS Helpdesk.
3. County information should be accessed only to the extent that it has been authorized and is necessary to fulfill an employee's job duties or to satisfy public information requests.
4. Good judgment should be exercised when using County technology for personal purposes. Excessive use of these systems for personal matters is prohibited.
5. For security and network maintenance purposes, authorized individuals within the County may monitor equipment, systems and network traffic at any time.
6. Missoula County reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

Security and Proprietary Information

1. System level and user level passwords must comply with Missoula County's current password protocols. Providing a password or allowing account access to another, either deliberately or through failure to secure its access, is prohibited.
2. All computing devices must be secured with a password-protected screensaver with an automatic activation feature set to 20 minutes or less, unless the Technology Department authorizes an exception.
3. Logging off or locking is required when a device is left unattended.
4. Caution must be used when opening e-mail attachments received from unknown senders, as such attachments may contain malware.
5. All Missoula County Technology users will be required to take a cyber security awareness course administered by the Technology Department on a yearly basis. Alternative courses may be approved.

Unacceptable Use

County employees are prohibited from using County-owned resources to engage in any activity illegal under local, state, or federal law.

An employee's use of County systems indicates recognition of the County's right to monitor use of these systems.

The following activities are, in general, prohibited. This list is not exhaustive but attempts to provide a framework for categories of use considered unacceptable.

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, the installation of software products not appropriately licensed for use by the County;
2. Unauthorized reproduction of copyrighted material including, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the County does not have an active license;
3. Offering for sale illegal substances or activities or making fraudulent offers of products, items, or services;
4. Accessing data, a server, or an account for any purpose other than conducting County business, even if access is authorized;
5. Introducing malicious programs into the County network or servers (e.g., viruses, worms, Trojan horses, email bombs, etc.).
6. Downloading or transmitting information or messages that may reasonably be considered offensive, pornographic, discriminatory, defamatory, disparaging, or threatening to any employee, person or entity;
7. Making statements about warranty, expressly or implied, unless part of normal job responsibilities;
8. Effecting security breaches or disruptions of network communication;
9. Port or security scanning without authorization from the Technology Department;
10. Executing any form of network monitoring designed to intercept data not intended for the employee's computer;
11. Circumventing user authentication or security of any host, network or account;
12. Introducing honeypots, honeynets, or similar technology on the County network without approval by the Technology Department;
13. Interfering with or denying service to any other user
14. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the internet/intranet/extranet.

Email and Communication Activities

The following activities are prohibited:

1. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam);
2. Failure to respect the conventions, courtesies, and rules governing electronic communications;
3. Forging email header information;
4. Soliciting email for another email address, other than that of the poster's account, with the intent to harass or to collect replies;

5. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type;
6. Posting the same or similar non-business related messages to large numbers of usenet newsgroups (newsgroup spam);
7. Using County systems for outside business ventures, to leak confidential or privileged information, or for political or religious causes; and
8. Excessive use of these systems for personal matters.

Policy Compliance

The Technology Department will verify compliance with this policy. An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. Human Resources will be consulted prior to all disciplinary action.

The Technology Department must approve in advance any exception to this policy.

Definitions and Terms

The following definitions and terms may be found in the SANS glossary located at <https://www.sans.org/security-resources/glossary-of-terms/>:

file transfer protocol
honeypot
host
internet
intranet
malware
spam
Trojan horse
virus
worm
www

Wikipedia may be used to find definitions for: https://en.wikipedia.org/wiki/Main_Page

email bomb
extranet
honeynet
usenet

Missoula County
Policy for Final Plat Review of County Approved Subdivisions
Subject to City Infrastructure Requirements and
Release of Subdivision Improvement Guarantees for County Approved
Subdivisions Subject to City Infrastructure Requirements

Purpose

In order to provide a predictable process for developers and the County to enable recording of final plats or the release of subdivision improvement guarantees when conflicting standards have not been addressed during the preliminary plat approval process by variance or conditions, the following policy has been approved by the Board of County Commissioners.

Scope

This policy is applicable to Missoula County Community & Planning Services (CAPS), Missoula County Public Works, and the County Attorney's Office.

Limitations

The policy does not waive any other requirements of Missoula County Subdivision Regulations or conditions of preliminary plat approval and is to be construed narrowly in order to effectuate its purpose to address the specific problem of conflicting infrastructure standards in County approved subdivisions subject to City infrastructure requirements described above.

Administration

The CAPS Senior Planner is responsible for policy implementation, in partnership with County Public Works and the County Attorney's Office. Other CAPS staff may be charged with implementation at the direction of the Chief Planning Officer.

Policy

Missoula County has approved a number of subdivisions which propose to provide wastewater treatment and disposal by connecting to City sewer. Connection to City sewer requires the property owner to obtain annexation into the City or to enter into a contract with the City for the sewer service. Typically the City requires annexed properties to meet its standards for infrastructure, including streets, roads and sidewalks. However, the County cannot accept a final plat for recording nor can improvement guarantees for required infrastructure be released if the required infrastructure does not meet COUNTY standards. This means a developer would have to install infrastructure to County standards to record the plat or to obtain a release of its improvement guarantee and then rebuild the same infrastructure to the City's standards.

The County, however, is required by the Montana Subdivision and Platting Act and County subdivision regulations to only allow recording of a final plat if it conforms to County subdivision regulations, including standards for the design and arrangement of lots, streets and roads.

Final Plat Approval

As provided by Article 6.4.2, Missoula County Subdivision Regulations, it is within the discretion of the Director of Missoula County Community & Planning Services (CAPS) to make a determination of substantive compliance with preliminary plat approval for a county approved subdivision subject to City of Missoula infrastructure requirements when:

1. The developer has preliminary plat approval requiring compliance with county infrastructure standards; and
2. The developer has submitted verification of the City of Missoula's intent to complete the annexation process or to enter into a contract for sewer service; and
3. The developer has submitted and received a determination from City Engineering that the design of the infrastructure substantially conforms to City standards; and
4. The developer has submitted verification that City Engineering has accepted required public or private improvements or the developer has submitted a cost estimate from City Engineering to establish the amount of improvement guarantee if one is to be utilized; and
5. The County Public Works Director determines that the design and/or completed and accepted public or private improvements are functionally equivalent to County standards in accordance with the Public Works Manual Section 1.2(9); and
6. The developer meets all other conditions of preliminary plat approval.

Release of Subdivision Improvement Guarantees

1. Subdivision improvement guarantees may be released when improvements are constructed in substantial compliance with specifications. (Section 6.3.5.1 of the Missoula County Subdivision Regulations requires that if the governing body determines that any of the improvements are not constructed in substantial compliance with specifications, they (sic) furnish the subdivider with a list of specific deficiencies and shall be entitled to withhold collateral sufficient to ensure compliance.)
2. Improvements guarantees may be released for infrastructure built to City standards in County approved subdivisions when the developer provides verification that City Engineering has inspected and approved the completed infrastructure; and

3. The Public Works Director determines the completed infrastructure inspected and accepted by the City is functionally equivalent to County standards in accordance with the Public Works Manual Section 1.2(9).

County Staff Assistance

The County has documented subdivisions with potential county and city infrastructure obligations related to final plat filing and sewer service. Unique development circumstances and infrastructure requirements are typical for these subdivisions. As a result, they normally require a greater assignment of time and resources than subdivisions being reviewed entirely within a single jurisdiction. The County therefore has assigned the CAPS Senior Planner to assist with the process. This individual is tasked with the following responsibilities:

1. The CAPS Senior Planner will perform outreach to the developer or developer's representative for each of the known subdivisions in question. This county staff person will provide the best available information on process, the goals and requirements of each jurisdiction, and the potential role of annexation.
2. The CAPS Senior Planner will be an ongoing resource for developers at any stage in processing a final plat that also has potential for a municipal sewer connection. Inquiries are encouraged.
3. Summaries of expected review processes and procedures will be disseminated and made available to the general public. These summaries will outline what to expect entering the final plat review process for a subdivision receiving sewer service.

The CAPS Senior Planner will act as a liaison between the County and the City regarding process, and attend meetings involving the county, or city and county as needed.

Proposed Amendment to Regulatory Documents

As an extension of this policy, Missoula County will work toward amendment of the County Public Works Manual and the Missoula County Subdivision Regulations in areas that include, but are not necessarily limited to final plat filing and Subdivision Improvements Agreements. Amendatory language could include what follows:

* Subdivision final plat review: In situations where another government authority has acquired, or is in the process of acquiring, jurisdiction over infrastructure for a subdivision subsequent to preliminary plat approval by the County, the County Public Works Department may exercise its discretion to apply construction standards adopted by the other government authority for purposes of subdivision final plat review and satisfaction of infrastructure requirements and improvements agreements.

MISSOULA COUNTY NUTRITION STANDARDS FOR HEALTHY FOOD AND BEVERAGES IN THE WORKPLACE

Purpose

This policy establishes guidelines for healthy food and beverage options available to employees in the workplace.

Scope

This policy is applicable to workplace locations for all County departments and facilities.

Administration

Department heads and supervisors are responsible for the implementation of the policy as it applies to meetings, activities, and functions.

Foods and beverages offered through vending machines and concessions on Missoula County property must comply with this policy regardless of which entity oversees the vendor or concession contract.

References

The Centers for Disease Control and Prevention and North Carolina State Eat Smart Program for Worksites

Improving the Food Environment: Through Nutrition Standards: A Guide for Government Procurement

www.cdc.gov/salt/pdfs/dhdsp_procurement_guide.pdf

Workplace Health Promotion

www.cdc.gov/workplacehealthpromotion/implementation/topics/nutrition.html

Eat Smart Workbook for Worksites

www.eatsmartmovemorenc.com/NCHHealthSmartTikt/Texts/ES_entireworkbook.pdf

Policy

Missoula County has a responsibility to model healthy nutrition practices for the community. Promoting employee well-being through access to healthy food choices in the workplace is one way to model such practices.

It is the policy of Missoula County to make healthy food and beverage options available to employees during work hours whether served at a County meeting or function or purchased from a vending machine or concession. This policy may provide a health benefit to members of the public patronizing a workplace concession or attending a meeting or function.

Food and Beverages at Meetings and Functions

When refreshments are provided for activities, meetings, and functions sponsored or supported by the County, healthy foods and non-sugar sweetened beverages should be included. Resources from the CDC are available to assist the evaluation of food and beverage options.

The following should be considered as alternatives or options to other food provided:

- Fruit and vegetables
- Whole grain foods
- Low-fat foods
- Smaller portions
- 100% fruit juice and water

In addition, the following food criteria should be considered:

- Food without partially hydrogenated oils or trans-fat
- Low sodium food and beverages
- Beverages without added caloric sweeteners

Food and Beverages in Vending Machines

Vending machines must provide healthy foods and non-sugar sweetened beverages, which conform to following guidelines established by the Institute of Medicine Nutrition Standards of Foods in Schools:

Ninety percent of the beverages offered in beverage vending machines must be non-calorie sweetened beverages. Examples include:

- Water
- Soft drinks without added caloric sweeteners or herbal supplements
- 100% fruit juice and 100% low sodium vegetable juice

Ninety percent of the snacks offered in food vending machines must meet the following criteria, per package.

- 200 calories or less per package
- No more than 35% of calories from added sugar (excludes fruits and vegetables without added sugar)
- No trans-fat or partially hydrogenated oils
- No more than 35% fat and 10% saturated fat (excludes nuts, seeds, butters, cheese, and combination products of dried fruit and nuts without added fats, oils, or caloric sweeteners)
- Less than 230 milligrams sodium per serving

Ninety percent of the entrées offered in vending machines must meet the following criteria:

- 700 calories or less per package
- No trans-fat or partially hydrogenated oils
- No more than 35% of calories from total fat
- No more than 10% of calories from saturated fat
- Exceptions: nuts, seeds, butters, cheese, combination products of dried fruit and nuts without added fats, oils, or caloric sweeteners
- Less than 480 milligrams sodium per package
- Examples of such entrées include: tuna salad kits, salads, sandwiches, burritos, pizza, etc.

In accordance with the [Affordable Care Act, Section 4205](#), all vending machines and concessions operated by vendors with more than 20 locations or machines are required to post the calorie content of all items unless the nutrition label is clearly visible.

Food Sold at Concessions

Concessionaires located in Missoula County workplace sites must be required to display the calorie content per package or item next to the item's price.

Missoula County Civil Litigation Policy

Purpose

This policy establishes guidelines for how the Board of County Commissioners will respond to suits filed against Missoula County, one of its departments or entities, or any employee acting within the scope of their employment. Montana law provides that the county attorney shall defend all suits brought against the county unless the county commissioners employ outside counsel to perform legal service, §7-4-2708 and §7-4-2711, MCA.

Scope

This policy is applicable to all County Departments and entities. Departments may not develop their own policies related to civil litigation.

Administration

The Missoula County Board of County Commissioners is responsible for administering, interpreting and applying the terms of this policy. Department heads are responsible for the implementation of this policy within their departments and ensuring compliance. Departments that fail to follow this policy may be liable for their own representation costs.

Definitions

“Suit” is defined as any claim filed in District Court, Federal Court or any other administrative body.

“Entity” is defined to include any political subdivision of the County Policy.

When Missoula County or one of its departments or entities is served with a suit, the Missoula County Board of County Commissioners, Chief Administrative Officer, County Attorney and the Risk and Benefits Manager shall be notified immediately.

The County Attorney’s Office shall review each case to determine:

- D. If there is a conflict of interest that would prevent the County Attorney’s Office from representing Missoula County;
- E. If the County Attorney’s Office has the internal capacity to represent Missoula County; and

F. If the County Attorney's Office has the expertise to represent Missoula County.

Upon completion of this analysis, the Missoula County Attorney's Office will schedule a meeting with the Board of County Commissioners, the affected Department Head, Risk Manager and Commissioners' officers as needed to discuss the case. (If the case deals with areas of employment, the Human Resources Director shall also attend the meeting.)

The Board of County Commissioners will review the information provided about the suit and recommend representation be handled by the County Attorney's Office or by outside counsel.

Department Heads may not contact or contract with outside counsel in matters regarding litigation without the express permission of the Board of County Commissioners. Departments with an object code for legal services in their budget that has been adopted by the BCC may consider that they have express permission to contract and contact outside legal counsel. Only the legal services object code (352) may be considered express permission from the BCC.

Should a case proceed to a point where a settlement is contemplated, the County Attorney's Office or outside counsel shall schedule a meeting with the Board of County Commissioners, County Attorney's Office or outside counsel, Risk and Benefits Director, affected department head and Commissioner's officers to discuss the recommendations related to the settlement.

MISSOULA COUNTY WHISTLEBLOWER POLICY

Purpose

This policy is intended to provide a confidential and effective means for reporting suspected violations of law or breaches of County policies involving safety, work rules, or inappropriate use of County resources. This policy further serves to protect individuals who report suspected violations from retaliation in any form.

Scope

This policy is applicable to all County departments and entities. For purposes of this policy, “employee” includes elected officials, appointed members of County boards, commissions, and councils, and all other temporary or permanent employees.

Administration

Depending on the nature of the concern giving rise to whistleblowing, the Missoula County Chief Administrative Officer, Chief Operating Officer, Chief Financial Officer, Human Resources Director, or County Auditor is responsible for the administration of this policy.

References

Missoula County Conflict of Interest Policy.

Policy

Missoula County expects the members of its workforce to maintain high standards of ethical behavior while performing their job responsibilities and in their interpersonal interactions with fellow employees and members of the public.

Reporting Responsibility

This policy provides an avenue for employees to raise concerns about inappropriate behavior and assurance that they will be protected from reprisals from whistleblowing, the act of bringing inappropriate behavior to the attention of County management. Inappropriate behavior may include such activities as:

1. Purposely reporting incorrect financial information;
2. Engaging in unlawful activity;
3. Using County assets inappropriately;
4. Violating Missoula County policies or work rules; or
5. Engaging in other activities constituting improper conduct of a serious nature.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Any subsequent public disclosure arising from the investigation shall balance the public's right to know with any issues of employee privacy.

Employees are encouraged to attach their names to allegations because appropriate follow-up questions may not be possible unless the source of the information is known. Although concerns submitted anonymously will be explored, the urgency and intensity of the follow-up will depend on:

1. The seriousness of the issued raised;
2. The believability of the concern; and
3. The likelihood of confirming the allegation from sources willing to be identified.

Process for Raising a Concern

- A. **Open Door Policy:** If an employee reasonably believes that some policy, practice, or activity of the County violates the law or that the behavior of another employee is inappropriate as defined above, the employee should communicate these concerns to his/her immediate supervisor or another member of County leadership who may be able to address them properly. If the individual is not satisfied with the response to these concerns, a formal complaint process should be pursued, as outlined below.
- B. **Reporting:** The whistle blowing procedure is intended for issues of a serious or sensitive nature. Such a concern, including those relating to financial reporting, unethical or illegal conduct should be reported directly to:
 - i. The employee's supervisor or the employee's department head; then,
 - ii. The Missoula County Chief Administrative Officer, Chief Operating Officer, Chief Financial Officer, or County Auditor.
 - iii. The Director of Human Resources, if employment related matters are involved.
 - iv. If the employee's supervisor or department head is implicated in the concern, the employee is not required to meet with one of them prior to seeking counsel from another officer or the Auditor.
- C. **Timing:** Concerns about the types of inappropriate behavior covered by this policy should be communicated as early as possible. Appropriate action will be easier to take, reducing the risk and/or cost to the County.
- D. **Evidence:** Although the employee is not expected to prove the truth of an allegation, he/she should be able to demonstrate to the contact person that the report is being made in good faith.

How the Report of a Concern will be Addressed

Concerns will be addressed differently depending on the nature of the issue.

- A. **Financial Matters:** The Chief Financial Officer shall address all reported concerns of complaints regarding County accounting practices, and the Chief Financial Officer or County Auditor shall address matters concerning misappropriation of funds, internal controls, or auditing.
- B. **Employment Related Matters or Violations of Standards of Conduct:** The supervisor and/or the Director of Human Resources shall address all employment related concerns. All reports will be promptly investigated and appropriate corrective action will be taken if warranted.
- C. **Crimes against a Person or Property:** Crimes such as assault, rape, and theft of County property should be reported immediately to appropriate law enforcement authorities.

Initial Inquiries and Further Investigation

Initial inquiries will be made to determine whether an investigation is appropriate, and what form the investigation should take. Some concerns may be resolved without the need for further investigation.

The amount of contact between the complainant and the person or persons investigating the concern will depend on the nature of the issue and the clarity of the information provided. Further information may be sought from or provided to the person reporting the concern.

No Retaliation

No employee who in good faith reports such a violation shall suffer harassment, retaliation, or adverse employment consequences. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Missoula County Technology Acquisition Policy

Purpose

This policy establishes guidelines for the County's acquisition of technology.

Scope

This policy is applicable to all County departments and entities. Departments may develop their own policies for the acquisition of technological supports for their departments as long the standards established in this policy are met.

Limitations

Departments using technology required or provided by an oversight or affiliate agency or operated without the direct support of the Technology Department are not subject to the provisions of this policy.

Administration

The Missoula County Director of Technology is responsible for administering, interpreting, and applying the terms of this policy. Department heads are responsible for the implementation of the policy within their departments and ensuring employee compliance.

Policy

Technology in the form of hardware, software, or a combination of the two, is used to provide essential systems of service delivery to the public and to assist employees in performing their job functions. The Information Technology Department (IT) is responsible for the maintaining the County's network, providing support for systems used in departmental operations, and protecting the County from associated cyber risks.

With the continual proliferation of technological solutions available in the marketplace, it may be tempting to acquire a new product to enhance a department's operations. However, without early collaboration with IT, such purchases may prove to be incompatible with County platforms, beyond the ability of the IT Department personnel to provide cost effective support, or compromise the security of the County network. Therefore, before a department purchases any new technology, including telephone equipment, to be installed on the County network or as a standalone system or package which will consume County network resources, prior approval of the IT Department must be obtained. This will provide an opportunity to evaluate the ongoing costs to the County and associated cyber risks before any financial outlay is made.

MISSOULA COUNTY CONFLICT OF INTEREST POLICY

A. Purpose

This policy sets forth a code of ethics which prohibits conflict between public duty and private interest.

B. Scope

This policy is applicable to all County departments and entities.

C. Administration

The Missoula County Auditor is responsible for the administration of this policy.

D. References

Montana Code Annotated Title 2, Chapter 2, "Standards of Conduct;" Missoula County Human Resources Policies, Section 502, "Political Activity".

E. Definitions

As used in this policy, the following definitions apply:

1. "Business" includes a corporation, partnership, sole proprietorship, trust, or foundation, or any other individual or organization carrying on a business, whether or not operated for profit.
2. "Compensation" means any money or economic benefit conferred on or received by any person in return for services rendered or to be rendered by the person or another.
3. "Gift of substantial value" means a gift with a value of \$50 or more for an individual. The term does not include:
 - a. A gift that is not used and that, within 30 days after receipt, is returned to the donor or delivered to a charitable organization or the state and that is not claimed as a charitable contribution for federal income tax purposes;
 - b. Food and beverages consumed on the occasion when participation in a charitable, civic, or community event bears a relationship to the employee's office or employment or when the employee is in attendance in an official capacity.
 - c. Educational material directly related to County duties.
 - d. An award publicly presented in recognition of public service.
 - e. Educational activity that:
 - i. Does not place or appear to place the recipient under obligation.
 - ii. Clearly serves the public good; and
 - iii. Is not lavish or extravagant.

4. "Employee" includes elected officials, appointed members of County boards, commissions, and councils, and all other temporary or permanent employees.
5. "Key staff" means the 5 officers and the 11 elected officials of Missoula County.
6. "Official act" or "official action" means a vote, decision, recommendation, approval, disapproval, or other action, including inaction, that involves the use of discretionary authority.
7. "Private interest" means an interest held by an employee that is:
 - a. An ownership interest in a business.
 - b. A creditor interest in an insolvent business.
 - c. An employment or prospective employment for which negotiations have begun.
 - d. An ownership interest in real property.
 - e. A loan or other debtor interest; or
 - f. A director or officer position in a business.

F. Rules of Conduct for Missoula County Employees

1. Proof that an employee has committed any act enumerated in this section is proof that the employee's public duty has been breached. An employee may not:
 - a. Disclose or use confidential information acquired in the course of official duties to further the employee's personal economic interests; or
 - b. Accept a gift of substantial value or a substantial economic benefit tantamount to a gift:
 - i. That would exert improper influence leading to a departure from the faithful and impartial discharge of a person's public duties; or
 - ii. That the person knows or should know that the gift is primarily a reward for official action taken.
 - c. An economic benefit tantamount to a gift includes a loan at an interest rate substantially below the commercial rate for similar loans and compensation for private services provided at a rate substantially above the fair market value of the services. Campaign contributions reported as required by statute are not gifts or economic benefits tantamount to gifts.
 - d. Subject to subsection (F)(7), an employee may not:
 - i. Use public time, facilities, equipment, supplies, personnel, or funds for the employee's private business purposes.
 - ii. Engage in a substantial financial transaction for the employee's private business purposes with a person whom the employee inspects or supervises in the course of official duties.

- iii. Assist any person for a fee, contingent fee, or other compensation in obtaining a contract, claim, license, or other economic benefit from the employee's department.
 - iv. Perform an official act having a direct and substantial economic benefit to a business or other undertaking in which the employee either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent; or
 - v. Solicit or accept employment, or engage in negotiations or meetings to consider employment, with a person whom the employee regulates in the course of official duties without first giving written notification to the employee's supervisor and department head.

- 2. Except as provided in subsection (F)(2)(c), an employee may not receive salaries from two separate public employment positions that overlap compensated hours, unless:
 - a. The employee reimburses the County for the salary paid while absent; or
 - b. The employee's compensation is reduced by the amount of salary received from the other public employer to avoid duplicating compensation for the overlapping hours.
 - c. Subsection (F)(2)(c) does not prohibit:
 - i. An employee from receiving income from the use of accrued leave or compensatory time during the period of overlapping employment.
 - ii. To determine compliance with this subsection (F)(2)(c), an employee subject to this subsection (F)(2)(c) shall disclose the amounts received from the two separate public employment positions to the Commissioner of Political Practices.

- 3. Except as provided in subsection (F)(3)(d), an employee may not use public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue unless the use is:
 - a. Authorized by law; or
 - b. Properly incidental to another activity required or authorized by law, such as the function of an elected official or the official's staff, in the normal course of duties.
 - c. As used in this subsection (F)(3)(b), "properly incidental to another activity required or authorized by law" does not include any activities related to solicitation of support for or opposition to the nomination or election of a person to public office or political committees organized to

support or oppose a candidate or candidates for public office. With respect to ballot issues, properly incidental activities are restricted to the activities of key staff or the activities of members of their staff related to determining the impact of passage or failure of a ballot issue on County government operations.

- d. This subsection (F)(3)(d), is not intended to restrict the right of an employee to express personal political views.
4. A candidate, as defined in MCA 13-1-101(6)(a), may not use or permit the use of county funds for any advertisement or public service announcement in a newspaper, on radio, or on television that contains the candidate's name, picture, or voice except in the case of a county emergency and then only if the announcement is reasonably necessary to the candidate's official functions.
 5. An employee may not participate in a proceeding when an organization, other than an organization or association of local government officials, of which the employee is an officer or director is:
 - a. Involved in a proceeding before the County that is within the scope of the employee's job duties; or
 - b. Attempting to influence a local, state, or federal proceeding in which an employee represents the County.
 6. An employee may not engage in any activity, including lobbying, as defined in MCA 5-7-102, on behalf of an organization, other than an organization or association of local government officials, of which the employee is a member while performing employee's job duties. The provisions of this subsection do not prohibit an employee from performing charitable fundraising activities if approved by the employee's supervisor or authorized by law.
 7. A listing by an employee in the electronic directory provided for in MCA 30-17-101 of any product created outside of work at the County is not in violation of subsection (F)(1)(d) of this section. The employee may not make arrangements for the listing in the electronic directory during work hours.
 8. A department head or a member of a quasi-judicial or rulemaking board may perform an official act notwithstanding the provisions of subsection (F)(1)(d)(iv) if participation is necessary to the administration of a statute and if the person complies with the disclosure procedures under MCA 2-2-131. Subsection (F)(1)(d)(iii) does not apply to a member of a board, commission, council, or committee unless the member is also a full-time County employee.

9. Subsections (F)(1)(d)(ii) and (F)(1)(d)(iv) do not prevent a member of the governing body of the County from performing an official act when the member's participation is necessary to obtain a quorum or to otherwise enable the body to act. The member shall disclose the interest creating the appearance of impropriety prior to performing the official act.

G. Ethical Requirements for Missoula County Employees

1. The requirements in this section are intended as rules of conduct, and violations constitute a breach of the public trust and public duty of employment in County government.
2. Except as provided in subsection (G)(4), an employee may not acquire an interest in any business or undertaking that may directly and substantially benefit by official action taken by the County.
3. An employee may not, within 12 months following the voluntary termination of office or employment, obtain other employment with an organization where the employee will be in a position to take direct advantage, unavailable to others, of matters with which the employee was directly involved at the County. These matters are rules, other than rules of general application, which the employee actively helped formulate, and applications, claims, or contested cases that the employee actively deliberated.
4. When an employee who is a member of a body with rulemaking authority is required to take official action on a matter in which the employee has a personal or private interest, the appearance of impropriety must be avoided through the disclosure of the interest prior to any participation in the official action.
5. An employee may not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the employee has a substantial personal interest in a competing firm or undertaking.

H. Annual Disclosure Requirements for Staff

1. On July 1 annually, the Missoula County Auditor shall distribute a Conflict of Interest Disclosure form (see Exhibit A) to the 16 key staff of Missoula County. The completed form will be returned to the County Auditor and placed in the key staff member's personnel file.

2. All grants program directors are required to complete a Conflict of Interest Disclosure form annually. These disclosures must be available for audit by the County Auditor, external auditors, or federal agencies.

**Missoula County
Conflict of Interest Disclosure**

I hereby acknowledge and certify that I have received, read, and fully understand Missoula County’s Conflict of Interest Policy, as my signature below attests. In addition, I acknowledge that I will comply with the policy by bringing any potential conflict of interest situations that arise in the future to the attention of the Board of County Commissioners.

I understand the Conflict of Interest Policy and acknowledge that no conflict of interest exists.

I am currently involved in the following potential conflict situations as reported below.

Signature of Staff Member

Date

Staff Member Name (print)

Missoula County Communications Policy

Purpose

The County recognizes the most effective and efficient methods to communicate about its initiatives and operations are to work in partnership with news media and to generate social media content. This policy establishes guidelines and procedures to coordinate County-wide communications, ensuring our message is accurately and thoroughly provided to the public through traditional and social media.

Scope

This policy is applicable to all County departments. Elected officials and department heads are encouraged to coordinate communications efforts with the Communications and Projects Department.

Limitations

External communications with the media should have a public purpose and serve public interest. Policies apply to all Missoula County employees while they are at work and are therefore representatives of their employer. Employees should refer to the State Code of Ethics when speaking as an individual citizen outside their employment or professional capacity with Missoula County to ensure their rights and responsibilities are clear.

Administration

Department heads are responsible for policy implementation within their departments and employee compliance with the policy. Application of these guidelines is at the discretion of the department head. All non-elected Missoula County employees represent Missoula County when speaking to the media in their professional capacity. Department heads are asked to consider these guidelines in an effort to ensure coordinated County-wide communications and accurate public information.

Other References

Communications with Media Sources Guidelines, Website Guidelines, Social and Digital Media Guidelines, Electronic Communications Policy, Employees Acting as Private Citizens Guidelines, Montana State Code of Ethics.

POLICY GUIDELINES

1. COMMUNICATIONS WITH MEDIA SOURCES

Definitions

Media – a term that refers to all individuals and organizations who maintain print, broadcast, or digital communication vehicles for public consumption. This definition includes newspapers, magazines, television, blogs, digital news sites, and other vehicles. If an outlet is unknown or unfamiliar to a County department or employee, the Communications and Projects Department will assist to determine the credibility and validity of the media outlet.

Routine Media Request – a request for factual information about the County that is readily available and non-controversial. Examples include: general information about public events, meetings, public projects, or County programs or services.

Non-Routine Media Request – a request that requires some preparation before a response is issued. Examples include: an interpretation of policy, a request for employment records for a County employee, a public records request that may involve litigation, an injury about a high profile project or event, or a response to a public emergency or disaster.

Communications with the Media Generally

Journalists are looking for the full story, which includes a variety of perspectives on a particular topic and/or issue. As such, it is very likely several departments will be contacted by the media, as well as one or more elected officials. In order to have a consistent and accurate message, coordination of all County-wide communications is paramount. Every media inquiry is an opportunity for County staff to talk about what they do and why they do it.

The role of the media is primarily to inform their audience of unbiased news as quickly, accurately and comprehensibly as possible. Missoula County communications efforts should provide the media with information needed to support news. A department, their leadership, or an elected official often are trusted media sources. Missoula County's function to deliver factual content to reporters/outlets defines local government's responsibility to the media, but also defines the responsibility to share this information with the public.

Media Inquiry

Inquiries from media outlets are given a high priority by Missoula County, and a response should be issued as quickly and efficiently as possible. Every effort should be made to meet media deadlines. Department heads often receive the highest volume of media inquiries, yet also tend to have less time available to prepare for a media interview, or to respond immediately. However, positive working relationships with members of the media are important. A courtesy call should be made to the reporter acknowledging the request and providing an estimate of when a response will be forthcoming. It is appropriate for either a department administrative staff member or the Communications and Projects staff to return this call. It is the responsibility of the County employee contacted by the media to respond appropriately once prepared and available for interview.

Taking the time to prepare for an in-depth interview can be difficult, especially on short notice. However, the more time you can give to a reporter to answer his/her questions increases the likelihood that information will be accurate and in the appropriate context.

Communicating with Media Outlets

The Communications and Projects Department supports and coordinates media relations for County departments at their request. In order to properly coordinate across departments and inform the Board of County Commissioners, with the exception of routine media requests, media inquiries received by County staff should be referred to the department head and the Communications and Projects Department along with the reporter's name, phone number, topic of story and deadline as soon as possible. The staff member receiving the inquiry should inform the media representative that the department head or the Communications and Projects Department will respond as soon as he/she is available. The Communications and Projects Department should be notified about routine and non-routine media inquiries following the request. Non-routine media requests should be discussed with the Communications and Projects Department prior to response to ensure an enterprise wide response is provided.

It is infrequent that only one County department is approached by the media for a story. By briefing the Communications and Projects Department of interview requests, staff can better facilitate media interactions across departments. This ensures the County communicates a thorough message to the public.

As even seemingly routine media requests may be used to contribute to a larger story that may become controversial, it is important that the Communications and Projects Department be informed each time there is a contact from a media representative. An email message to that effect will suffice.

Communications and Projects Department staff are happy to sit in on any interview to provide support and feedback.

County Spokespersons

In most cases, there will be one spokesperson designated to respond to each media inquiry. A County Commissioner or the Chief Administrative Officer (CAO) will likely be the spokesperson for County-wide issues and a department head for department level issues. The Communications and Projects Department is available to assist in coordinating a timely, accurate and thorough response.

Exceptions regarding departmental spokespersons may be made at the discretion of the department head.

Sensitive or Controversial Issues

Because sensitive or controversial issues have the potential to consume the most time providing accurate and thorough information, the Communications and Projects Department should be notified immediately when a sensitive or controversial issue is identified or when an emergency situation occurs so that a response can be prepared as soon as possible. County staff should not wait until there is media interest before contacting the Communications and Projects Department. In an emergent situation (i.e., fire, flood, earthquake, or other emerging incident) the County Chief Administrative Officer will communicate with the Communications and Projects Director and other appropriate elected officials and/or staff.

Sensitive or controversial issues may include but are not limited to:

- Existing or potential threats to public safety, welfare, or property;
- A personnel issue regarding any County employee, such as performance evaluation, reasons for termination, reasons for not hiring, or harassment claims;
- Legal claims or lawsuits filed against Missoula County or any of its employees or agents;
- Issues that may affect the County's public image or citizen confidence.

Sensitive and controversial issues of interest to the media may be best assessed by asking the following:

- Is the issue a threat, existing or potential, to life, health, or property?
- Could a negative interpretation of the issue affect public confidence in, or opinion of, Missoula County government and/or its departments?
- Is the issue of particular interest to the general public?
- Are there legal ramifications, existing or potential, raised by the issue?
- Has more than one member of the media inquired about the same issue?
- Has someone threatened to go to the media about the issue?
- Is there unusual interest by a person or small group of people about a seemingly routine issue?

Legal Issues

Inquiries regarding pending litigation, exposure to litigation or settled litigation should be referred to the County Attorney, Risk Manager, the Chief Administrative Officer, the Communications and Projects Director, or the person designated to speak on behalf of the issue.

Personnel Issues

Inquiries regarding personnel-related information should be referred to the Human Resources Department (HR). The Communications and Projects Director will coordinate a response with the CAO and the HR Director.

Public Safety Issues

During a major emergency (i.e., severe weather, wildfire, etc.), the procedure for handling the media is contained in the County's Emergency Operations Plan. The plan designates the County's Public Information Officer as the main point of contact for the media. Depending on the nature of the emergency, the Public Information Officer could be a representative of the Sheriff's Office, the Office of Emergency Management, the Health Department or the Commissioners' Office. Because the Sheriff's Office and Emergency Management Department operate on a 24/7 schedule and their work generates a high volume of media calls, those departments have designated personnel as media spokespersons for routine public safety issues and follow specific guidelines when releasing information.

Financial or Tax Issues

Inquiries regarding Missoula County finance or tax should be referred to the Chief Financial Officer and the Clerk & Recorder/Treasurer. The Communications and Projects Director will coordinate a response with the CFO and the CAO.

Digital and Social Media

Content generated from unknown bloggers, other editors of social media sites, or digital news sites should be directed to the Communications and Projects Department, who will evaluate the media outlet and determine an appropriate response.

Errors in Reporting

Errors in reporting should be brought to the attention of the Communications and Projects Department, who will coordinate a correction with the designated media outlet, if appropriate.

County Initiated Communications

The Communications and Projects Department is responsible for proactively contacting the media. This includes issuing news releases and media advisories and personal contacts with reporters, editors, and bloggers. It is suggested that departments seeking publicity for events or activities should request assistance from the Communications and Projects Department at least two weeks in advance of the date of desired media coverage. Departments are welcome to issue their own media releases but are requested to share them with the Communications and Projects Department.

Departments are strongly encouraged to submit requests for communications assistance as soon as the need is identified to ensure that the Communications and Projects Department has adequate time to coordinate and provide support.

Occasionally, news briefings or news conferences may be held to provide media with in-depth information about an issue or to announce or respond to an issue of significance. The Communications and Projects Department can schedule and support such media events if desired.

2. WEBSITE GUIDELINES

County Website Generally

The County's website provides an important online portal for government services, as well as a communications and awareness building tool for its activities. This platform encourages a forum for dialogue and can be utilized to enhance public participation, especially in the context of more controversial issues or idea generation.

Departments should not develop separate sites with separate web addresses (URLs) without consulting the Technology Department and the Communications and Projects Department.

Content posted to the site should provide simple access to as many County services as possible. Content can showcase County accomplishments, educate the community about how government works, encourage public participation in local government and inform the public about emergency situations. County departments should utilize the website to communicate about department-specific topics of interest to the segments of the community they serve. Website content should meet the County's goals for information dissemination and observe state and federal law, including copyright laws.

These guidelines have been created to facilitate the timely flow of information appropriate for the website through an effective internal process that maximizes message consistency, staff resources, and accuracy of information.

Coordination

Individual departments, with the assistance of the Communications and Projects Department, are responsible for coordinating the content posted to the County's website. The Technology Department is responsible for managing and maintaining the underlying website content management system, which allows each department to update standard information (such as calendar information, events, news items, etc.) using pre-approved templates.

Requests for the design of new web sections and related content should be routed through the Communications and Projects Department. Such requests are subject to review by the Website Work Group, which consists of the Communications Director, the Communications Coordinator, and department head-designated employees from County departments who are responsible for their respective web content.

The Communications and Projects Department asks that each department provide the name and contact information of the department employees responsible for their department's web content. The Communications and Projects Department will maintain an updated contact list of personnel authorized to update the County's website. In the instance that content must be removed, or attributed to an author for purposes of litigation, the Communications and Projects Department must have this updated list of approved authors. Many members of each department are encouraged to help with the content maintenance of their respective web pages. Content developers and providers are responsible for their pages.

Website Responsibilities

Responsibilities for the website are summarized below:

Department Level Web Coordinator(s)

- Posts content updates to department's website;
- Obtains department head approval for website changes;
- Periodically reviews content for outdated information and broken links (monthly minimum);
- Participates in Website Work Group.

Department Head or Designee

- Provides oversight of department web coordinator;
- Ensures content guidelines are followed (i.e., Style Guide and Website Standards);
- Approves all content and changes;
- Designates alternative web coordinator, if necessary.

Website Content Manager (Communications Coordinator)

- Provides overall coordination of website content and design;
- Oversees implementation of content guidelines.

Technology Department

- Provides specialty web services;
- Establishes and maintains website technology architecture standards, infrastructure, and security.

Response to Web Inquiries

Any "contact us" webmail messages will be routed directly to the Communications and Projects Department. Each message will be forwarded to the appropriate department designee, who should prepare and track the response. A 24-hour turnaround time on web inquiries is recommended as a demonstration of the County's commitment to service.

Links to Other Sites

Links on the County's website to other websites are limited to government or public agencies and local organizations that receive County funding. No advertising of commercial businesses should be placed on the County or department websites. Links should be checked regularly to ensure they are accurate.

3. SOCIAL AND DIGITAL MEDIA GUIDELINES

Definitions

Social Media – Websites and applications that enable users to create and share content or to participate in social networking.

Blog – A website containing a writer's or group of writers' own experiences, observations, opinions, etc., and often having images and links to other websites. The term is an abbreviated form of 'web log.'

Social and Digital Media Generally

Information posted to a social media site can add to the public's understanding of a department or of a specific project. Missoula County communications through social media sites and other digital applications carry the same weight as the County's official website, and content must be maintained with the same level of accuracy, integrity and timeliness.

Emerging online collaboration platforms are fundamentally changing the way county government engages citizens and community partners. It is important for Missoula County to be aware of and participate in this network of information, interaction, and idea exchange.

The most appropriate uses of social media tools fall into two general categories:

- As channels for disseminating time-sensitive information as quickly as possible (example: emergency information).
- As marketing or promotional channels which increase the County's ability to broadcast its messages to the widest possible audience.

Wherever possible, content posted to Missoula County's social media sites should contain links directing users back to the County's official website for in-depth information, forms, documents or online services necessary to conduct business with the County.

Inappropriate use of social media includes, but is not limited to, personal communications; profane language or content; content that promotes or fosters discrimination prohibited under federal and state law; sexual content or links thereto; content regarding private commercial or political activities; and disclosure of confidential or proprietary information. Inappropriate use of social media may be grounds for disciplinary action.

Site Creation

A department head should advise the Communications and Projects Department before developing social media tools. Pages and related content must represent the County department, not any individual. The Communications and Projects Department is available to provide professional and technical assistance.

Maintenance of the Site

The department head should designate an employee to 'own' authority of the site. It should be reviewed daily, and content regularly updated. The department head is ultimately responsible for all site content. The Communications and Projects Director may recommend termination of

any site to the department head if content is inappropriate, not applicable to the County, serving little to no public purpose, or is infrequently updated.

Employee Commitment

County employees are obligated to be aware of and comply with the Electronic Communications Policy and the applicable provisions of Missoula County Human Resources Policies. Before engaging in any activity involving social media, the designated 'owner' of the department's site should read "Social Media Guidelines Use" form and confirm their review of the guidelines with their department head.

User Interaction and Comments Policy

County-created social media postings inviting comments must be structured to focus discussions on services of the County. Any section of a social media site that invites comments should include the following advisory:

"The purpose of this site is to present matters of public interest to Missoula County, including its many residents, businesses and visitors. We encourage you to submit your questions, comments and concerns, but please note this is a moderated online discussion site and not a public forum. Any comments not of public interest or that are deemed inappropriate will promptly be removed."

Departments shall monitor public comments and take prompt corrective action when an issue arises that challenges the accuracy of County information or questions County operations or services.

The site owner shall promptly remove comments as outlined below.

- Vulgar language.
- Personal attacks of any kind.
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, political beliefs, gender, gender identity, gender expression, sexual orientation, marital status, status with regard to public assistance, national origin, physical or mental disability.
- Spam or links to other sites.
- Off topic content (unless the commenter can be appropriately redirected).
- Content that encourages illegal activity.
- Promotional content for political organizations or commercial products or services.
- Copyright or trademark infringement.
- Information that may compromise the safety or security of the public or public systems.

Comments that meet any of these criteria should be captured for departmental records and deleted. A screen-shot should be taken of the original County post and the comment to be

deleted. Documentation should be maintained to explain why the content was deemed unacceptable and removed, as outlined in records management guidelines.

Mistakes

County generated information containing misinformation or factual errors shall be corrected as soon as the mistakes are identified, and remedial action should be taken as appropriate to the situation. It is recommended that information is not deleted, but rather reposted correctly, noting the correction. Even if a post has been deleted from a social media platform, it has not truly been erased. The content is still hosted on that server and is often available to the public. Deleting and reposting has the tendency to look conspicuous, while correcting an error demonstrates taking responsibility for the error and ensuring accurate information is now being shared.

Public Records

Public records include those in electronic form according to Montana law (2-6-110, MCA). Communications to or from County personnel through social media are considered public records and may be required to comply with applicable records retention policies.

The department is responsible for responding completely and accurately to any public records requests arising from the social media sites it maintains.

4. EMPLOYEES ACTING AS PRIVATE CITIZENS GUIDELINES

Acting as a Private Citizen Generally

Any contact with the media should not include reference to the employee's position with the County or a statement such as "I'm a deputy sheriff, but I'm acting as a private citizen." This language publicly acknowledges your role within the community and your words are likely then attributed to the County.

Letters to the editor should not be prepared on County time, printed on County letterhead, mailed at County expense, or emailed from a County email address. Telephone contact with reporters outside of County professional capacity must not be made on County time using County telephones. Calls to radio talk shows shall not be made on County time using County telephones.

Employee Social Media Participation

Missoula County understands that employees may maintain or contribute to personal blogs, message boards, conversation pages and other forms of social media outside of their job functions and may periodically post information about their jobs or Missoula County's activities on these outlets. If an employee posts Missoula County or job-related information, they should exercise good judgment and abide by Missoula County policies.

Personal participation on external media platforms should not use Missoula County's name as part of any on-line identity (i.e., username, "handle," or screen name), nor should they speak as a representative of the County.

County Employee Social Media Terms of Use

Blogs, wikis, social networks, virtual worlds, and other social media

These guidelines apply to all Missoula County employees who participate in any form of social networking **on behalf of the County**. First and foremost, County employees are obligated to be aware of and comply with all applicable statutes set forth in the Missoula County personnel policies, including the Technology Appropriate Use Policy.

Employee Commitment:

Before creating any external social media site representing County departments, the site administrator should consider the following:

I know and will follow all Missoula County personnel policies.

I will stick to my area of expertise. I am sharing information with a mass audience and it will be archived for years. I will take this role and its responsibility seriously.

I will be transparent. If I am dishonest or try to write anonymously, I will lose readers and credibility for myself and the County. If I have a vested interest in a topic, I will say it up front.

I will post links to new articles/research that will interest my readers. This will provide a service to the readers and generate links back to the site.

I will not speculate. I will not repeat rumors. If I don't know it to be true, I won't say it.

I will not try to be first to share information with the public. If I know something that should be used in a news release or on the County's other sites I will contact my department head and the Communications and Projects Department.

I will not argue with readers. People may disagree with my perspective at some point. I will respectfully clarify my position, if needed, but I will not engage with them in an argument.

I will be the first to correct my own mistakes, and I will not alter previous posts without indicating that I have done so.

I will never address personnel issues. They are protected by law.

I will take care to ensure that I am always representing the best interests of Missoula County in a professional manner.

I will not use County sites to raise money.

I will add value to the public dialogue on the issues that are in my purview by providing worthwhile information.

MISSOULA COUNTY
BUSINESS MEALS, FOOD, AND OTHER
MISCELLANEOUS COSTS

Purpose

This policy defines the circumstances under which Missoula County will pay for a meal or food unrelated to employee travel. It also identifies miscellaneous costs which are generally not allowable. For purposes of this policy, “employee” includes all elected County officials, appointed members of boards, commissions, councils, and department and division heads.

Scope

This policy is applicable to all County departments and entities. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards.

Limitations

Expenditures for the cost of food or business meals must have a public purpose, serve the public interest, or include members of the public. All such expenditures must be reasonable, and reimbursement for expenses solely for the benefit of an individual is not allowable.

Administration

Department heads are responsible for: the implementation of the policy within their departments, employee compliance with this policy, approval of reimbursement requests, and management of expenditures within budgetary constraints.

The County Auditor has final authority for administering, interpreting, and applying the terms of this policy.

Policy

Business Lunches

A business lunch will be reimbursed if:

1. An employee attends a meeting during lunch specifically related to departmental operations;
2. The reimbursement request includes a receipt and a specific statement describing the purpose or goal of the business lunch.

The maximum amount allowed is the per diem rate, unless the luncheon is a fixed fee, or if a tip is automatically added to a group ticket.

Business Meals

Elected officials and department and division heads will be reimbursed the full cost of hosting a business meal, including tip, if the charges are ordinary and reasonable considering the facts and circumstances. Alcoholic beverages and the cost of any social guests present are not allowable charges. The following information must be provided with a claim for reimbursement:

1. Names and positions/titles of attendees;
2. Description of county business conducted and justification of meal as county cost;
3. Location of meal and name of restaurant; and
4. Original receipt, with an itemized listing of food and beverages ordered. A summary receipt is not acceptable.

Food and Other Miscellaneous Costs

Reasonable food and beverage costs associated with meetings or receptions are allowable expenditures at the discretion of the department head. Examples of such meetings or receptions include, but are not limited to:

1. Gatherings involving members of the general public who donate their time for a beneficial county purpose;
2. Public receptions to honor the departure of an elected official or the retirement of a long serving department head;
3. Employee service award ceremonies;
4. Open houses to introduce the public to a new or renovated county facility;
5. Meetings or meals to discuss the County's legislative agenda with the members of Missoula's legislative delegation.

Food items should be appropriate to the occasion, preferably limited to snacks and light refreshments.

Prior consultation with the County Auditor is recommended if there is any question about the propriety of spending public dollars for an apparent social occasion.

The following categories of expenditures are generally not allowable county costs:

1. Food for regularly scheduled departmental staff meetings unless conducted during a meal break;
2. Pain relievers, cold medications, or other medications;
3. Single serve bottled water, soft drinks, or other food and drink items sold in vending machines benefitting employee council.

Supplies available to members of the public are allowable purchases.

De minimis expenditures of \$10 or less (e.g., sympathy cards) involving members of the public who donate their time to County endeavors are allowable.

The cost of alcoholic beverages is not an allowable under any circumstances.

MISSOULA COUNTY
PURCHASING AND CONTRACTS POLICY

1. **Purpose.** This policy seeks to establish fair, open, and competitive procedures for selecting vendors of goods and services at various spending thresholds and to identify the contract form required given the circumstances of the purchase. This policy strives to comply with [MCA Title 7, Chapter 5, Part 23 “County Contracts”](#) and the applicable parts of [MCA Title 18, “Public Contracts”](#) and [Rule 2.5 of the Administrative Rules of the state of Montana, “State Procurement.”](#)
2. **Scope and Applicability.** This policy is applicable to all county departments and entities, for all acquisitions of goods or services. Departments may apply additional requirements as long as they are: a) equal to or more restrictive than the procedures and standards established in this policy and b) consistent with the purposes of this policy.
3. **Contract Authority.** The authority to enter into contracts for the benefit of Missoula County, its departments and entities is exercised by the Missoula County Board of County Commissioners. Department heads may execute invoice-based contracts in accordance with [Section 9\(A\)](#). All other contracts must be approved by the Board of County Commissioners.
4. **Administration.**
 - A. Department heads are responsible for the implementation of this policy within their departments and for establishing procedures to demonstrate compliance.
 - B. The County Auditor shall provide general oversight and assistance to county departments in the administration of this policy and should be considered a resource for questions and information regarding purchasing and contracting. In that role the County Auditor’s responsibilities include, but are not limited to: assisting departments with conducting solicitations, providing sample language and documents, performing bid openings, serving on evaluation committees, and reviewing department documentation and procedures to verify compliance with this policy.
 - C. Although the County Commissioners have final authority for administration, interpretation, and application of the terms of this policy, it is strongly recommended that questions of interpretation be resolved with the County Auditor prior to seeking an interpretation or ruling from the Commissioners.

- D. The public has the right to inspect and copy all purchasing and contract documents with the exception of sealed bids and legitimate trade secrets as defined in [MCA 30-14-4](#). No fee will be charged for document inspection or to vendors who provide their own copying equipment. The procurement officer may impose reasonable conditions on the manner and time of the copying to avoid disruption and to protect public access to the records. When copies are made by procurement officer or designate, a fee will be charged consisting of 50 cents for the first copy and 25 cents for each page thereafter.

5. General Guidelines.

- A. Purchases or contracts shall not be artificially divided into separate projects or expenditures to circumvent the requirements of a more formal purchasing process.
- B. Long term service contracts for 12 months or more shall engage in the competitive process at least every 5 years according to the dollar thresholds established in this policy.
- C. Maintenance and service contracts related to underlying assets (e.g. software, road maintenance equipment) shall engage in the competitive process at the expiration of the expected useful life of the asset.
- D. Awards shall be made to responsible vendors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such characteristics as integrity, compliance with public policy, record of past performance, and financial and technical resources.
- E. Unnecessary constraints shall not limit full and open competition. Examples of such constraints include:
 - i. Placing unreasonable requirements on vendors to qualify for business;
 - ii. Requiring unnecessary experience and excessive bonding;
 - iii. Writing unduly restrictive specifications;
 - iv. Specifying a “brand name” product instead of allowing “an equal” product to be offered.
- F. No employee shall participate in the award and/or administration of a contract if a conflict of interest exists, whether real or apparent. Such a conflict arises when the employee has a special relationship as a related party to a vendor or potential vendor.

- G. No employee may solicit or accept gifts in excess of \$50, or of a substantial economic benefit tantamount to a gift, from potential or actual vendors.

6. Interpretation.

- A. If it is unclear which method of vendor selection to use, the decision shall always be made in favor of the more formal process.
- B. For items purchased multiple times during a fiscal year, the method of vendor selection shall be determined by the total value of the multiple purchases.
- C. For exchanges of property or services, this policy shall be interpreted to apply to the equivalent dollar value of the property or services to be exchanged.
- D. Summary flow charts are included with this policy for quick reference. However, the flow charts provide a summary only. To the extent that the flow charts are incomplete or inconsistent with the text of this policy, the text of the policy controls.

7. Definitions. When used in this policy, the following terms and expressions shall have the meanings set forth below.

- A. **Affidavit for Trade Secret Confidentiality:** A notarized statement submitted by an offeror's attorney acknowledging that material included in a Request for Proposals (RFP) is open to public inspection except for information that meets the provisions of the [Montana Uniform Trade Secrets Act, MCA 30-14-4](#).
- B. **Bid:** A competitive price offer made by an intended bidder, usually in response to an Invitation for Bid (IFB).
- C. **Bidder:** Any seller submitting a competitive bid in response to an Invitation for Bid.
- D. **Bid security:** A guarantee in the form identified in [MCA 18-4-312](#) that the bidder/offeror, if selected, will enter into the contract as bid within 30 days; otherwise, the bidder or guarantor will forfeit the amount of the security.
- E. **Competition:** The process by which two or more vendors vie to secure the business of a purchaser by submitting the most favorable bid or offer for the requested supplies or services.
- F. **Construction services:** Work performed by an individual in building construction, heavy construction, highway construction, and remodeling work.
- G. **Contract:** A legally enforceable written or verbal agreement between Missoula County and any other governmental, public, or private entity for the procurement of goods or services of any type.

- H. **Contractor:** Any individual or business having a contract with the county.
- I. **Emergency purchase:** A purchase made without following normal purchasing procedures due to a sudden and unexpected happening or unforeseen occurrence or condition that requires immediate action.
- J. **Goods:** Supplies, equipment, materials, commodities, specially manufactured products, etc. acquired to conduct the routine activities of county government.
- K. **Invitation for bids (IFB):** A method for establishing a price on desired goods using a written description of the specifications or attributes of the items sought, published notice, and formal, sealed bids. The IFB, RFP, and RFQ are the most formal methods of vendor selection.
- L. **Invoice:** An itemized statement furnished to a purchaser by a seller, usually specifying the price of goods or services and the terms of sale. This is the least formal form of contract.
- M. **Limited solicitation:** A process for establishing a price on desired goods or qualifications for performing desired services that does not require sealed bids or proposals but does require documented competition. The solicitation is issued in writing and requires a written response. This is a medium level of formality for selecting a vendor.
- N. **MCA:** The Montana Code Annotated.
- O. **Non Construction Services:** Work performed by an individual, not including management, office, or clerical work, for: the maintenance of publicly owned buildings and facilities; grounds maintenance for publicly owned property; the operation of public drinking water supply, waste collection, and waste disposal systems; nursing, nurse's aide services, and medical laboratory technician services; material and mail handling; food service and cooking; motor vehicle and construction equipment repair and servicing; and appliance and office machine repair and servicing. See [MCA 18-2-401](#) for a complete listing of non-construction services.
- P. **Offeror:** A vendor who submits a response to a Request for Proposals.
- Q. **Performance security:** A guarantee in the form identified in [MCA 18-4-312](#) that the bidder, if selected, will perform the specified work and will pay all laborers, suppliers, and subcontractors.
- R. **Professional Services:** Labor, time, or effort furnished by a person licensed, registered, or certified to provide such labor. The term includes, but is not limited to, architects, engineers, surveyors, attorneys, accountants, land use planners, and consultants.

- S. **Procurement:** The acquisition, with or without cost, buying, purchasing, renting, leasing, or otherwise obtaining goods or services. The term includes all functions that pertain to acquiring the goods or services, including the description of requirements, the search for and selection of sources, preparation and award of contract, and contract administration and monitoring. It does not include the acquiring of supplies or services by gift.
- T. **Procurement officer:** The employee of the department issuing an IFB, RFP, or RFQ responsible for administration of the procurement process.
- U. **Public works contract:** A contract for construction services or non-construction services in which the total cost of the contract is in excess of \$25,000.
- V. **Quote:** A method of establishing a price on desired goods, usually issued and obtained verbally. The lowest price quoted is generally used to select the vendor from whom the purchase will be made. This is the least formal method of vendor selection requiring documentation of competition.
- W. **Related party:** A vendor or potential vendor who has a special relationship (including personal, familial, or financial) with the county or an employee of the county. Disclosure of the existence of the special relationship is necessary to avoid the appearance of preferential access to county business.
- X. **Reputable county vendor:** A vendor that provides goods or services in its ordinary course of business and is duly licensed and operating in compliance with applicable laws and regulations. Consideration of vendor integrity, past performance for the county, and financial and technical resources may also be used as a guide to selection.
- Y. **Request for Proposals (RFP):** A formal process requesting vendors submit proposals to provide a solution to a problem or a need that a department has identified. The county has the ability to evaluate an offeror's response in accordance with established or stated criteria. The IFB, RFP, and RFQ are the most formal methods of vendor selection.
- Z. **Request for Qualifications (RFQ):** A formal process of inviting statements of qualifications used to contract for professional services, to prequalify contractors prior to issuing an IFB, or to prequalify a pool of vendors to provide services on a specific project or to utilize on an as-needed basis.. The IFB, RFP, and RFQ are the most formal methods of vendor selection.
- AA. **Responsible:** The capability in all respects to perform fully the contract requirements and the integrity and reliability that will ensure good faith performance.

- BB. **Responsive:** A bid, offer, or statement of qualifications that conforms in all material respects to the requirements or specifications identified in an IFB, RFP, or RFQ.
- CC. **Sealed bid:** A bid submitted in a sealed envelope to prevent dissemination of its contents before the deadline for submission of all bids.
- DD. **Services:** Labor, time, or effort furnished by a vendor.
- EE. **Solicitation:** A generic term used in lieu of the various methods of seeking competition for the goods and services desired by the County.
- FF. **Specifications:** A detailed description of what the purchaser requires and what a bidder or offeror must offer to be considered for an award. A specification may be a description of the physical or functional characteristics, or the nature of a supply or service.
- GG. **Vendor:** A person or company offering goods for purchase or services for hire.

8. **Procedures for Vendor Selection.** The procedures used for vendor selection depend on the type and amount of the expenditure and are addressed below in order of increasing formality and complexity. The County encourages the use of local vendors.

A. **Reputable county vendor.** For purchases of goods and services less than \$10,000, any purchasing technique may be used that best meets the needs of a department. Although a vendor may be chosen without seeking competition, it is recommended that departments use prudent purchasing practices and obtain competitive prices when practical. The supplier selected must be a “reputable county vendor”.

B. **Quote.** For purchases of goods or services more than \$10,000 but less than \$20,000, a quote process is used.

- i. The department contacts a minimum of three vendors to obtain a price on the desired item or service. Although price usually determines the vendor selected, other factors may be considered, such as: quality and/or availability of the articles or equipment desired, responsiveness to the specifications desired for the work to be performed or the goods to be supplied, past experience with the vendor, and/or status as a reputable county vendor. Vendor prices may be obtained verbally or through email, fax, or website posting.
- ii. The department maintains a record of the items sought, the vendors contacted, the prices quoted, and the vendor selected. Any quote obtained from a Related Party must be documented and disclosed. If three vendors are not available, an explanation must be provided.

C. **Limited solicitation.** A limited solicitation process is used for the procurement of goods and services greater than \$20,000 but less than \$80,000, subject to the exception noted in [Section 8\(G\)](#) below for architectural, engineering, or land surveying services. The dollar range for use of a limited solicitation applies to the initial contract term and any possible renewal periods.

- i. The department develops a written opportunity for a minimum of three vendors to offer a price on the desired item or service according to the specifications established for the purchase. In addition to the description of the goods or services desired, vendors should be provided with other relevant information, including but not limited to: compatibility with other county equipment; date the supplies, services, materials, equipment must be delivered or be available for county use; anticipated duration of the need for the services requested; and any selection criteria, including relative importance, to be used in addition to price. The vendor is selected using the criteria stated in the limited solicitation.
- ii. The department documents the solicitation process by maintaining a file including: the written solicitation, a summary listing of the vendor responses, and a complete copy of the vendor response selected. Responses shall be available for public inspection or telephone inquiry. If three vendors are not available, an explanation must be provided. Any solicitation received from a Related Party must be documented and disclosed.

D. **Invitation for Bids.** For procurement of goods, services, and equipment greater than \$80,000 where vendor selection is determined exclusively on price, an invitation for bid process is used. An IFB is also used for multiple purchases of the same item when it is reasonably expected that the annual amount of such purchases will be greater than \$80,000. IFB for construction contracts have additional requirements discussed in [Section 8\(E\)](#) below. An RFQ process may be used to prequalify vendors before an IFB is issued. See Section 8(H) below.

- i. The department develops an IFB package which generally conforms to the sample documents available from the County Auditor. The package includes all pertinent information and specifications about the products or services sought.
- ii. The department arranges for notice of the IFB to be published for a minimum of two consecutive weeks in the newspaper under contract with the county to provide legal advertising. The final published notice must appear at least 3 days prior to the bid opening. The published notice shall contain: a brief statement about the procurement for which bids are sought, where complete specifications may be obtained if not provided in the published notice, the contact information for the county employee

responsible for answering questions about the bid, specific bid requirements for contract or performance security, the initial contract term and any renewal periods, the address where bids are to be mailed, the due date and time for receipt of bids, and the location of the bid opening.

- iii. Bid security is required for all bids submitted in response to an IFB and must be provided in accordance with [MCA 18-1-201 through 206](#). Specifically:
 - a. Each bidder must provide a bid bond or other security in the amount of 10% of the bid price to protect and indemnify the county against the failure or refusal of the bidder to enter into the contract, if awarded.
 - b. The bond or other security is subject to forfeit if the bidder fails to enter into a contract within 30 days of bid acceptance.
 - c. The bid bond or other security must be in the form specified in [MCA 18-1-203](#) and payable to the county. Although other forms of security are allowed, the most common forms are cashier's check or bond executed by a surety corporation.
 - d. Bid security is returned to bidders whose bids are not accepted.
- iv. Requirements for performance security are determined on a case by case basis.
- v. Bids must be opened publicly at the time and place designated in the IFB. Each bidder and any member of the public has the right to be present, either in person or by agent, and has the right to examine the bids after they have been opened and reviewed by a representative of the department issuing the IFB. A record must be maintained of the amount of each bid, any other relevant information, and the name of each bidder. After the bid has been awarded, all bids and bid documents must be open to public inspection.
- vi. The bid is awarded to the lowest responsible bidder.
 - a. If there are no out of state bidders, [MCA 7-5-2309](#) allows an optional bidding preference to a county resident whose bid is no more than \$500 or 3% higher, whichever is less, than the bid of the lowest responsible bidder who is not a county resident.
- vii. Any bid from and awarded to a Related Party must be documented and disclosed.
- viii. The department issuing the IFB is responsible for maintaining complete documentation on the process including the text of the IFB, all responses

received, proof of publication of the public notice, and a copy of the award contract.

- E. **IFB – Public Works Contracts.** In addition to the requirements of [Section 8\(D\)](#), bid specifications and contracts for construction and non-construction services greater than \$25,000 are subject to the following provisions:
- i. Contractor shall agree to:
 - a. Give preference to the employment of bona fide Montana residents in the performance of the work;
 - b. Include provisions for work that is performed at a project location to:
 1. Pay the travel allowance that is in effect and applicable to the district in which the work is being performed; and
 2. Pay the standard prevailing rate of wages, including fringe benefits, that is in effect and applicable to the district in which the work is being performed;
 - c. Post a copy of the applicable prevailing wage rates in a prominent and accessible site at the project location; and,
 - d. Maintain payroll records capable of certification for at least three years after completion of work under the Agreement.
 - e. If the term of the contract calls for more than 30 months to fully perform, contractor further agrees to increase the standard prevailing rate of wages by 3% every 12 months after the contract award date and apply the adjustment every 12 months for the duration of the contract.
 - ii. **Performance security requirements.** In accordance with [MCA 18-2-201](#), all construction contractors shall execute a bond to secure performance on the contract and payment of workers, subcontractors, and suppliers. [MCA 18-2-201\(4\)](#) allows the bond requirement to be waived for contracts less than \$50,000.
 - iii. **Bidding preferences.** Per [MCA 7-5-2309\(2\)](#), if one or more out of state bidders respond to a IFB for construction, repair, or maintenance of a building, road, or bridge, a resident bidder must be allowed a preference if the state of the non-resident enforces a preference for residents.
- F. **Request for proposals (RFP).** An RFP is used for procurement of goods and services greater than \$80,000 when it is desirable to incorporate factors other than cost into the selection criteria. It is recommended that a selection committee be used to consider complex or high dollar RFPs.

- i. The department develops an RFP package which generally conforms to the sample documents available from the County Auditor. The package includes all pertinent information about the products or services sought, as well as the selection criteria, relative importance, and scoring methodology that will be used to determine vendor selection. If the department wants to consider the proposals without reference to cost, RFP instructions must clearly state that cost information is to be submitted in a separate, sealed envelope and must not be included in the body of the proposal.
- ii. The department arranges for notice of the RFP to be published for a minimum of two consecutive weeks in the newspaper under contract with the county to provide legal advertising. The final published notice must appear at least 3 days prior to the RFP due date. The published notice shall contain: a brief statement about the procurement for which proposals are sought, where complete proposal details may be obtained if not provided in the published notice, the contact information for the county employee responsible for answering questions about the proposal, any specific requirements for contract or performance security, the initial contract term and any renewal periods, the address where proposals are to be mailed, and the due date and time for receipt of proposals.
- iii. Bid security as described in [Section 8\(D\)\(iii\)](#) above is required for all proposals, except those exclusively for services. Requirements for performance security shall be determined on a case by case basis. RFPs for public works contracts greater than \$25,000 are subject to the prevailing wage requirements of [MCA Title 18, Chapter 2, Part 4](#). See [Section 8\(E\)\(i\)](#) above.
- iv. After the proposals have been opened and reviewed by the procurement officer, proposal documents may be inspected by the public, subject to the limitations of the Uniform Trade Secrets Act, [MCA Title 30, Chapter 14, Part 4](#). An attorney for an offeror claiming trade secret status for parts of an RFP response must complete an Affidavit of Trade Secret Confidentiality and clearly mark and separate any bona fide trade secret material. This information is removed before public inspection.
- v. The award is made to the responsible and responsive offeror whose proposal obtains the highest score according to the stated evaluation criteria. No other criteria may be used.
- vi. Any bid from and awarded to a Related Party must be documented and disclosed.
- vii. The department issuing the RFP is responsible for maintaining complete documentation including the text of the RFP, all responses received, proof of publication of the public notice, copies of the scoring sheets used to evaluate the merits of the proposals, and a copy of the award contract.

- G. Request for Qualifications (RFQ).** A request for qualifications process is used to acquire professional services greater than \$80,000. A lower threshold of \$20,000 applies to architectural, engineering, or land surveying services, and procurement of these services must be consistent with [MCA Title 18, Chapter 8, Part 2](#). A provider of professional services is selected based on demonstrated competence and qualifications for the type of services desired at a fair and reasonable price.
- i. The department develops an RFQ which generally conforms to the sample documents available from the County Auditor. The package includes all pertinent information about the professional services sought, as well as the selection criteria to be used.
 - ii. The department arranges for notice of the RFQ to be published for a minimum of two consecutive weeks in the newspaper under contract with the county to provide legal advertising. The final published notice must appear at least 3 days prior to the RFQ due date. The published notice shall contain: a brief statement about the services sought, where complete details about such services may be obtained if not provided in the published notice, the contact information for the county employee responsible for answering questions about the services, the initial contract term and any renewal periods, and the due date and time for receipt of materials.
 - iii. The department evaluates statements of qualifications submitted by firms based on the following criteria:
 - a. The qualifications of the professional personnel to be assigned to the project;
 - b. Capability to meet time and budget requirements;
 - c. Physical location of firm;
 - d. Present and projected workloads;
 - e. Related experience;
 - f. Recent and/or current work for the county.
 - iv. After the preliminary evaluation of the firms' qualifications, the department conducts discussions with finalists and selects the firm best suited to provide services desired. A contract is then negotiated at a price that the department determines to be fair and reasonable given the estimated value of the services and the scope, complexity, and nature of such services.

- v. The department issuing the RFQ is responsible for maintaining complete documentation including the text of the RFQ, all responses received, proof of publication of the public notice, copies of the scoring sheets used to evaluate the firms' qualifications, and a copy of the award contract.
- H. Request for qualifications – prequalification of bidders. An RFQ may be used to prequalify contractors for construction projects of significant complexity and cost. The RFQ process as outlined in G(i)-G(iii) and G(v) is used to select a minimum of three contractors for designation as “prequalified”; this group is then invited to respond to the project IFB. The bid is awarded to the lowest prequalified bidder.
- I. Request for qualifications – creation of prequalified vendor pools. An RFQ may be used to create a pool of at least three vendors to provide services on a project of uncertain duration with many individual sub-projects or to provides services on an as-needed basis. The RFQ process as outlined in G(i)-G(iii) and G(v) may be used to select a minimum of three contractors for designation as “prequalified”. The Facilities Manager may use labor rates per hour, 24/7 availability, markup on materials, and prior experience with the vendor or vendor references as prequalification criteria. As specific needs arise, quotes are solicited from the prequalified vendor pool. If the scope of work exceeds \$80,000, an IFB is used. Project specific vendor pools expire at project completion. Vendors in pools for as-needed services must be re-qualified every three years. The department issuing the RFQ must maintain documentation to support the selection process.

9. Form of Contract.

- A. **Invoice.** Although an invoice is a type of contract, it is frequently used in combination with a formal contract to bill services performed or products delivered to date according to contract terms. In certain circumstances, an invoice may be used on a standalone basis.
- i. **When allowed.** An invoice-based contract is allowed if:
 - a. The total amount of the purchase is less than \$25,000 for goods or less than \$10,000 for purchases other than goods; or,
 - b. The contract term is not more than 1 day (i.e., a single delivery of goods, or performance of services on a single day).
 - c. Department has provided the Risk Management office with proof of the vendor's adequate workers' compensation, general liability, and/or other types of insurance as directed by the Missoula County Risk Manager before a purchase for services is made.

- ii. **When not allowed.** An invoice-based contract is not allowed for services if the conditions in 9(A)(i)(a) or (b) are not met. Additionally, an invoice based contracted is not allowed if:
 - a. The service involves contractors working directly with the public;
 - b. The service involves contractors directly interacting with patients;
 - c. The service involves inherently dangerous activities; or
 - d. The department head believes there is risk or complexity warranting legal review, risk review, and/or commissioner signature.
- iii. **Authority to contract.** Department heads or their designees are authorized to enter into invoice-based contracts when the requirements above are satisfied.
- iv. **Payment procedure.** Invoice approval and payment is subject to the claim procedures established by the County Auditor.

B. Contract requirements.

- i. **When required.** A written contract is required for all purchases of goods and services which do not meet the criteria in [Section 9\(A\)\(i\)](#) for use of an invoice.
- ii. **Contract language.** All contracts must comply with any applicable legal requirements, including but not limited to the prevailing wage language required for public works contracts. Standard contracts for use with an independent contractor or an outside contractor are available from the County Auditor.
- iii. **Grant funded expenditures.** Any contract to be funded by one or more grants must conform to grant award documents and include any contract language required by the grant.
- iv. **Security requirements for contracts, in general.** Bonds or other security may be required for any contract, to secure performance and payment of workers, subcontractors, and suppliers. Security required for contracts other than construction shall be determined on a case by case basis.
- v. **Insurance requirements.** Contract provisions shall require the contractor to carry adequate workers' compensation, general liability insurance, and/or other types of insurance as directed by the Missoula County Risk Manager.
- vi. **Public works contracts.** All contracts for construction and non-construction services must include any provision required by law, including the requirements of [MCA Title 18, Chapter 2](#):

- a. **Prevailing wage requirements.** In accordance with [MCA Title 18, Chapter 2, Part 4](#), all public works contracts in excess of \$25,000 must contain the provisions in [Section 8\(E\)\(i\)](#) above:
 - b. **Performance security requirements.** To comply with [MCA 18-2-201](#), performance security is required on construction contracts as a guarantee that contract provisions are performed and that laborers, suppliers, and subcontractors are paid. This provision may be waived for contracts less than \$50,000.
- vii. **Procedure for review of contract language.**
- a. **Standard contracts.** Standard contracts for use with an independent contractor or an outside contractor are available from the County Auditor; these require review by the County Attorney, Human Resources, and the county Risk Manager prior to approval by the County Commissioners.
 - b. **Non-Standard contracts.** Any non-standard contract or standard contract containing modifications to the boilerplate language must be reviewed by the County Attorney, Human Resources, and the county Risk Manager prior to approval by the County Commissioners.
 - c. **Public works contracts.** In accordance with [MCA 18-2-404](#), all public works contracts must be approved in writing by the County Attorney's office prior to execution of the contract by the Board of County Commissioners. Attorney approval of a public works contract must be documented on a Request for Commissioner Action before it is submitted to the Board of County Commissioners for execution.
- viii. **Contract renewal.** Upon expiration of a contract, the contract may be renewed after sufficient consideration of the following:
- a. The renewal periods are consistent with the original solicitation;
 - b. The total contract term, including extensions and renewals, does not exceed 5 years;
 - c. Funds are available to support the continued performance of the contract; and,
 - d. Contract renewal is in the best interests of the County.
 - e. A new contract must be submitted to the Board of County Commissioners for signature.

10. **Exceptions.** The following exceptions preempt the provisions of this policy.

A. **Procurement under cooperative agreements with the US Environmental Protection Agency (EPA).** Procurement activities in connection with cooperative agreements with the EPA and contracts arising from such activities are subject to all provisions shown in Appendix A of this policy.

B. **Direct negotiation.** When no bids or proposals are received in response to an IFB or RFP or if none of ones received are from responsible and responsive bidders or offerors, the procurement officer may:

- i. Cancel and reissue the IFB or RFP. If the department elects to reissue the request for bids or proposals, the procurement officer shall attempt to increase the number of potential vendors by modifying the specifications, allowing more time for the preparation of responses, broadening the potential pool of vendors, etc.
- ii. Negotiate directly with a vendor. Subject to the approval of the County Auditor, the procurement officer may negotiate directly with a vendor or vendors if a determination is made that a subsequent IFB or RFP would also be unsuccessful.
- iii. The department must document the circumstances that lead to direct negotiation for the desired goods or services.

C. **Emergencies.** Under very limited circumstances, a department may need the flexibility to make an emergency purchase. Such purchases are typically made outside of the normal purchasing procedures due to the sudden and unexpected situation that requires immediate action. The following procedures must be considered when making a determination regarding an emergency purchase.

- i. The purchase shall be limited to the supplies or services necessary to address the emergency;
- ii. Competition to the extent practical shall be obtained;
- iii. The Board of County Commissioners and the County Auditor shall be notified as soon as possible about the need for emergency purchases and/or contracts;
- iv. The department making the emergency purchase shall maintain a file of each emergency purchase, including the vendor's name, a list of supplies or services purchased and the amounts, and a brief description of the emergency conditions justifying the purchase.

- D. Sole source purchases.** Under some limited circumstances, a department may need to consider making a sole source purchase for a supply or service available from only one known vendor. Because this purchase occurs without benefit of competition, departments should exercise great reluctance to use this procurement method.
- i. Sole source procurement is permissible under the following circumstances:
 - a. The compatibility of current services or equipment, accessories, or replacement parts is the paramount consideration;
 - b. There is no alternative, equivalent product to the one required;
 - c. There is only one acceptable or suitable source for the supply or service item;
 - d. Grant terms specify the equipment to be purchased.
 - ii. For sole source purchases over \$10,000, the department shall complete a sole source justification form prior to purchase and submit it to the County Auditor for approval. The department shall maintain a record of all sole source purchases over \$10,000 and include:
 - a. The vendor's name;
 - b. The amount and date of the purchase;
 - c. The item or service purchased;
 - d. The approved sole source justification form.
- E. Time and materials invoicing.** A department may use an invoice based on time and materials in lieu of a standard contract when it is not possible to accurately estimate the extent or duration of the work or to anticipate costs with any reasonable degree of confidence. Prior written approval from the County Auditor is required to use time and materials invoicing. Labor rates must be established through a competitive process, and the department head or designate must monitor contractor performance during course of the work. An IFB must be used for any project likely to exceed \$80,000.
- F. Other exceptions.** This policy does not apply to:
- i. **Professional licenses and training** to maintain professional licensure or membership in professional accreditation organizations, including professional training, where relevant to the performance of an employee's work duties.

- ii. **Purchases from Missoula County Central Services.** Central Services shall comply with this policy for all purchases made on behalf of other departments including office supplies, copiers, paper, and motor pool vehicles.
 - iii. **Purchases made under state bid contracts pursuant to [MCA 7-5-2308](#).** Under this exception, the state of Montana has engaged in the competitive procurement process.
 - iv. **Purchases made through a membership in a purchasing alliance.** Under this exception, Missoula County has a membership in a purchasing alliance that serves public agencies. The purchasing alliance engages in a competitive process on behalf of its members. Missoula County is currently a member of the National Joint Powers Alliance and the US Communities Government Purchasing Alliance. The County Auditor can provide further information about these organizations.
 - v. **Purchases at public auction pursuant to [MCA 7-5-2303](#)** when, in lieu of soliciting bids, the department purchases at public auction a vehicle, road machinery, or other machinery, apparatus, appliances, equipment, or materials or supplies for an amount less than \$60,000.
 - vi. **Regulated Utilities**, although any contract for a fixed price supply of energy must be signed by the Board of County Commissioners.
 - vii. **Services provided by a grant sub-recipient or a community-based organization.** This policy does not apply to a non-County organization which is a sub-recipient with Missoula County on a grant or to a community-based organization receiving funding from the Community Assistance Fund. However, county departments administering grants shall comply with other procurement regulations stated in the grant award documents.
 - viii. **Maintenance agreements** provided by an existing software vendor or software upgrades under software licenses.
11. **Variances.** The County Commissioners have the discretion to grant a variance from the provisions of this policy at the request of a department head. Prior to the vendor selection process or contract execution, a request for variance shall be made in writing, with a copy to the County Auditor; the department head shall present the case for the variance at an administrative meeting of the County Commissioners. To support the request for variance, the department head shall be prepared to demonstrate good cause for the variance, as well as:
- A. How compliance with legal requirements will be achieved;
 - B. How clear contract obligations will be formulated without undue exposure to liability;

- C. How a fair and open process for the expenditure of public funds will be maintained.

12. **Vendor Protest Procedure.** A bidder or offeror aggrieved in connection with the solicitation or award of a contract may protest as follows:

- A. The protest must be in writing and state in detail all of the protestor's objections and allegations of violations of the Missoula County Purchasing and Contracts Policy and/or Montana state procurement law. The complete protest must be submitted to the County Auditor no later than 14 days after the execution of the contract in question. If the protest is not resolved by mutual agreement, the County Auditor shall issue a written decision on the protest within 30 days after receipt of the protest.
- B. If the County Auditor rejects the protest, the reasons must be stated; and the protestor must be informed of the right to appeal the decision to the Board of County Commissioners. Such an appeal must be made in writing within 14 days of the date of the County Auditor's written decision.
- C. The Board of County Commissioners shall have a hearing within 30 days where the bidder or offeror has the opportunity to present arguments in the case.
- D. After the hearing, the Board of County Commissioners may deny the protest, or as appropriate, may order one of the following remedies:
 - i. If the contract has not yet been awarded and it is determined that a solicitation or proposed award of a contract is in violation of this policy or applicable law, the solicitation or proposed award may be cancelled or revised to comply with the law;
 - ii. If the contract has been awarded and the Board of County Commissioners determines that the solicitation or award is in violation of the law and the person awarded the contract has not acted fraudulently or in bad faith, the Commissioners may either:
 - a. Ratify and affirm the contract, provided it is determined that doing so is in the best interests of the County; or,
 - b. Terminate the contract and compensate the person awarded the contract for the actual expenses reasonably incurred under the contract prior to termination.
 - iii. If the contract has been awarded and the Board of County Commissioners determines that the solicitation or award of the contract is in violation of the law and the person awarded the contract has acted in bad faith, the Commissioners may either:

- a. Declare the contract void; or,
- b. Ratify and affirm the contract if that action is in the best interests of the County, without prejudice to the County's rights to appropriate damages.
- iv. The County is not required to delay, halt, or modify the procurement process pending the result of a protest, contested case proceeding, or judicial review.

13. **Real Property and Conservation Easements.** Acquisitions of real property and conservation easements are subject to the provisions of [MCA 7-8-2202](#). Real property in excess of \$20,000 and conservation easements greater than \$80,000 are subject to valuation prior to purchase either by a certified general real estate appraiser or by three disinterested citizens appointed by a district court judge. Payment may not exceed such appraised value. Negotiations for such acquisitions shall be done in consultation with the County Attorney's Office.

Appendix A

Procurement under Cooperative Agreements with the US Environmental Protection Agency

Procurements completed under the auspices of Cooperative Agreements with the U.S. Environmental Protection Agency (EPA) shall comply with federal regulations at 40 CFR Part 33; 40 CFR Parts 30.40-48; and 40 CFR Part 31.36. Specifically, for procurements made as part of any such Cooperative Agreement, the County, in addition to compliance with the County procurement requirements identified above, the relevant Department shall:

(A) The Department shall review all proposed purchases in order to avoid purchasing unnecessary items and to limit purchases to necessary quantities, and shall review lease versus purchase options where and when appropriate to determine which would be the most economical and practical procurement.

(B) Solicitations for goods and services shall provide for all of the following.

(i) A clear and accurate description of the technical requirements for the material, product or service to be procured. In competitive procurements, such a description shall not contain features which unduly restrict competition.

(ii) Requirements which the bidder/offeror must fulfill and all other factors to be used in evaluating bids or proposals.

(iii) A description, whenever practicable, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards.

(iv) The specific features of “brand name or equal” descriptions that bidders are required to meet when such items are included in the solicitation.

(v) The acceptance, to the extent practicable and economically feasible, of products and services dimensioned in the metric system of measurement.

(vi) Preference, to the extent practicable and economically feasible, for products and services that conserve natural resources and protect the environment and are energy efficient.

(C) No contract or sub-award will be entered into with parties that are debarred, suspended, or excluded from Federal assistance programs.

(D) To ensure nondiscrimination in the award of contracts under federal financial assistance agreements, the Department shall make good faith efforts to include Disadvantaged Business Enterprises in the procurement process. *Disadvantaged business enterprise (DBE)* means an entity owned or controlled by a socially and economically disadvantaged individual as described by Public Law 102-389 (42 U.S.C. 4370d) or an entity owned and controlled by a socially and economically disadvantaged

individual as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note); a Small Business Enterprise (SBE); a Small Business in a Rural Area (SBRA); or a Labor Surplus Area Firm (LSAF), a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program. All procurement efforts shall make the following good faith efforts whenever procuring construction, equipment, services and supplies under an applicable federal financial assistance agreement:

- i) Ensure DBEs are fully made aware of contracting opportunities, practicable through outreach and recruitment activities. The program will place DBEs on solicitation lists and soliciting them whenever they are potential sources.
- ii) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- iii) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.
- iv) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.
- v) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.
- vi) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

E. For all contracts subject to the provisions of 40 CFR Part 33 the Department shall include the following requirements:

(i) All contracts must require the prime contractor to pay its subcontractor for satisfactory performance no more than 30 days from the prime contractor's receipt of payment from the recipient.

(ii) All contracts must require that Missoula County must be notified in writing by its prime contractor prior to any termination of a DBE subcontractor for convenience by the prime contractor.

(iii) Missoula County shall require of the prime contractor that if a DBE subcontractor fails to complete work under the subcontract for any reason, the prime contractor shall employ the six good faith efforts described in §33.301 if soliciting a replacement subcontractor.

(iv) All contracts must require the prime contractor to employ the six good faith efforts described in §33.301.

(v) All contracts must require the prime contractor to provide EPA Form 6100-2—DBE Program Subcontractor Participation Form to all of its DBE subcontractors. EPA Form 6100-2 gives a DBE subcontractor the opportunity to describe the work the DBE subcontractor received from the prime contractor, how much the DBE subcontractor was paid and any other concerns the DBE subcontractor might have, for example reasons why the DBE subcontractor believes it was terminated by the prime contractor. DBE subcontractors may send completed copies of EPA Form 6100-2 directly to the appropriate EPA DBE Coordinator.

(vi) All contracts must require the prime contractor to have its DBE subcontractors complete EPA Form 6100-3—DBE Program Subcontractor Performance Form. A recipient must then require its prime contractor to include all completed forms as part of the prime contractor's bid or proposal package.

(vii) All contracts must require the prime contractor to complete and submit EPA Form 6100-4—DBE Program Subcontractor Utilization Form as part of the prime contractor's bid or proposal package.

(viii) All contracts must contain this statement: The contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CFR part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies.

F. All contracts and subcontracts shall include the following provisions:

(i) Contracts in excess of the small purchase threshold shall contain contractual provisions or conditions that allow for administrative, contractual, or legal remedies in instances in which a contractor violates or breaches the contract terms and provide for such remedial actions as may be appropriate.

(ii) All contracts in excess of the small purchase threshold shall contain suitable provisions for termination by the recipient, including the manner by which termination shall be affected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

(iii) Except as otherwise required by statute, an award that requires the contracting (or subcontracting) for construction or facility improvements shall provide for the recipient to follow its own requirements relating to bid guarantees, performance bonds, and payment bonds unless the construction contract or subcontract exceeds \$100,000. For those contracts or subcontracts exceeding \$100,000, EPA may accept the bonding

policy and requirements of the recipient, provided EPA has made a determination that the Federal Government's interest is adequately protected. If such a determination has not been made, the minimum requirements shall be as follows.

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder shall, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by statute of all persons supplying labor and material in the execution of the work provided for in the contract.

(d) Where bonds are required in the situations described herein, the bonds shall be obtained from companies holding certificates of authority as acceptable sureties pursuant to 31 CFR part 223, "Surety Companies Doing Business with the United States."

(e) All negotiated contracts (except those for less than the small purchase threshold) awarded by recipients shall include a provision to the effect that the recipient, EPA, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers and records of the contractor which are directly pertinent to a specific program for the purpose of making audits, examinations, excerpts and transcriptions.

(f) All contracts, including small purchases, awarded by recipients and their contractors shall contain the procurement provisions of the appendix to Circular A-110, as applicable.

Missoula County Credit Card Policy

Purpose

This policy establishes guidelines for use of county credit cards issued to Missoula County employees or to county fleet vehicles.

This policy has the following goals:

- To migrate all county credit cards to a single card issuer, First Interstate Bank;
- To maximize the rebates available to the county through use of cards issued by First Interstate Bank;
- To establish a countywide process for obtaining new credit cards;
- To provide county departments with a way to make purchases over the internet;
- To provide departments with a way to make on-the-spot purchases from local merchants;
- To reduce administrative costs associated with processing small dollar payments to vendors;
- Establish a contingent purchasing and payment method in the event of a countywide disaster.

Scope

Any county department may participate in the FIB MasterCard purchasing card (p-card) program, and this policy is applicable to all county departments participating in the First Interstate Bank's p-card program. For purposes of this policy, "employee" includes all county employees and elected officials. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards.

Limitations

Whether issued through the First Interstate p-card program or through another credit card company, cards may be used only for official business of Missoula County and are limited to the uses outlined in this policy.

Administration

The County Auditor is responsible for the overall administration of the First Interstate Bank p-card program. Department heads are responsible for implementation of the policy within their departments and employee compliance with credit card use.

Policy

Cardholder Eligibility

Department heads have the authority to designate card recipients, and any employee who regularly makes purchases on behalf of the county or travels on county business should be considered. A new card will be authorized with a credit limit of \$2500 unless circumstances of anticipated use suggest otherwise.

The County Auditor will initiate all orders of new cards upon receiving department head authorization and a signed statement that the prospective card holder understands the terms of card use.

Limitations on Card Use

A county credit card may be used to make purchases from any reputable county vendor who accepts credit cards. The card may not be used for cash advances, personal purchases of any kind, fuel for use in a personal vehicle even if driven on county business, or for meals. For purposes of this policy, meals do not include refreshments provided at meetings or events where members of the public are present in their capacity as county volunteers. Cards will be preset to disallow purchases from casinos or merchants described as purveyors of liquor, tobacco, or firearms.

Department Administrator

Each department with multiple card holders will designate a department credit card administrator whose responsibilities include:

- Maintaining a list of all department cards to include: the last 4 digits of each card number, cardholder name, and expiration date;
- Functioning as custodian of any cards issued for contingency purposes and not carried regularly by the cardholder;
- Obtaining the card from any terminating employee and informing the County Auditor of the employee's departure;
- Working with the County Auditor to resolve any billing issues, such as mis-applied payments.

Billing and Payment Process

The billing cycle cutoff date will be the last day of the month. Payment is due 25 days after the close of the billing cycle and must be made in full each month. Finance charges and late fees are the responsibility of the department if the statement is not paid in full. Each department must establish procedures suitable to its specific operating environment to ensure that sales receipts or other documentation are received from cardholders to permit timely payment. If the receipt does not provide clear identification of the item purchased, a hand written description and purpose should be added.

Account Holder Changes

Cardholder accounts may require maintenance, such as increasing or decreasing credit limits. All requests for changes must be directed to the County Auditor.

If a cardholder finds that the credit limit for the card is too low, it may be increased with department head approval. If special circumstances justify a temporary increase, the limit can be raised for the duration of the need. If a cardholder leaves county employment or transfers to a position where a card is not needed, deactivation of the card must be requested to coincide with the departure/transfer.

Some departments may request a card(s) as a contingency in the event of a countywide disaster. Absent any emergency, the card may be activated but set with a low limit. Once the emergency occurs, the limit on the card can be raised to meet the purchasing demands of the situation.

Policy and Procedures Violations

The First Interstate Bank p-card program provides an opportunity for county staff to maximize efficiency in the procurement of goods and services. However, card usage will be monitored through the County Auditor's claims payment process, and card privileges may be suspended at the sole discretion of the County Auditor. Violations of this policy will be brought to the attention of the employee's supervisor and/or department head. Disciplinary action may be taken in accordance with county human resources policy and the terms of any relevant collective bargaining agreement.

Examples of violations include, but are not limited to:

- Personal purchases (reimbursement will be required);
- Purchases prohibited by this policy;
- Splitting purchases to circumvent card limits;
- Failure to obtain and provide supporting documentation on a timely basis.

**MISSOULA COUNTY POLICY ON DISPLAYING ART
FROM THE MISSOULA COUNTY ART COLLECTION MANAGED BY THE MISSOULA ART
MUSEUM AND THE MISSOULA ART MUSEUM COLLECTION**

Purpose

This policy outlines the process by which art from the Missoula County Art Collection managed by the Missoula Art Museum and the Missoula Art Museum's (MAM) collection is displayed in county facilities.

Scope

This policy is applicable to all county departments and other agencies located within county facilities. Departments may apply additional requirements for art displayed in their common areas and private offices as long as the requirements are equal to or more restrictive than these standards.

Administration

Department heads are responsible for the implementation of the policy within their departments and ongoing employee compliance. Participating departments will adhere to loan terms and conditions and sign for the receipt of art. Non-county agencies located within county facilities shall coordinate implementation of and compliance with this policy through the county's chief administrative officer or their designee.

References - MAM's Art in Public Places loan program guidelines

policy

The Board of County Commissioners supports MAM's efforts to preserve the county's cultural heritage through the development and conservation of collections held at MAM. To provide public access to these collections, art may be loaned for one-year displays in spaces primarily used by the public such as reception areas, lobbies, hallways, and conference rooms, and in private offices with significant public traffic.

A department interested in borrowing art for its public spaces will designate a contact person to initiate the loan request as outlined in MAM's Art in Public Places Loan Program Guidelines. A selection committee of no more than three department employees may meet with the MAM's registrar to review art appropriate to the spaces where they will be displayed. After the art has been selected, MAM personnel will arrange installation for the department.

Art may not be handled, removed or relocated except by MAM staff.

MISSOULA COUNTY POLICY COSTS OF EMPLOYMENT-RELATED DISPUTES

Purpose

This policy fixes responsibility for costs associated with employment-related disputes with Missoula County.

Scope

This policy is applicable to all County departments and entities.

Administration

The Risk Manager has the authority to determine allowable costs of employment-related disputes charged to the Risk Management Fund or other insurance.

Policy

Legal and arbitration fees, settlement costs, and related expenditures arising from disputes filed under collective bargaining agreements, or other costs associated with employment-related actions against Missoula County are the responsibility of the department where the action originated, to the extent these costs are not covered by self-insurance, at the determination of the Risk Manager.

MISSOULA COUNTY BREASTFEEDING SUPPORT IN THE WORKPLACE POLICY

Purpose

This policy establishes Missoula County as a workplace that supports employees who are breastfeeding.

Scope

This policy is applicable to all County departments and entities.

Administration

Department heads are responsible for the implementation of the policy within their departments.

References

Missoula County Human Resources Policies: 404.00 Maternity Leave.

MCA 39-2-215-217, Public employer requirements to support breastfeeding.

Centers for Disease Control and Prevention (CDC) Lactation Tool Kit: Healthier Work-site Initiative: www.cdc.gov/nccdphp/dnpao/hwi/toolkits/lactation/.

Womenshealth.gov: www.womenshealth.gov/breastfeeding/government-in-action/business-case-for-breastfeeding/policy-for-supporting-breastfeeding-employees.pdf.

Policy

Missoula County:

1. Will not discharge from employment or discriminate in compensation or other terms, conditions, and privileges of employment an individual who expresses milk or breastfeeds in the work-place, subject to bona fide occupational limitations;
2. Will inform new employees of the policy supporting breastfeeding during the initial orientation with Human Resources;
3. Will inform all current Missoula County employees of this breastfeeding policy;

4. Will provide breastfeeding employees with a private lactation room or space in close proximity to the work area and equipped with an electrical outlet, comfortable chair, and reasonable access to running water (restroom facilities are not acceptable);
5. Will provide reasonable unpaid break-time each day to express breast milk for the employee's child for one year, if breaks are currently allowed. If breaks are not currently allowed, each case will be considered individually and accommodations made as possible. The break-time must, if possible, run concurrently with any break-time already provided to the employee; and,
6. Inform employees of the relevant breastfeeding Affordable Care Act intervention benefits available from Missoula County Medical Benefits Plan, including preferred provider information for professional lactation counseling and breast pumps.

MISSOULA COUNTY NUTRITION STANDARDS FOR HEALTHY FOOD AND BEVERAGES IN THE WORKPLACE

Purpose

This policy establishes guidelines for healthy food and beverage options available to employees in the workplace.

Scope

This policy is applicable to workplace locations for all County departments and facilities.

Administration

Department heads and supervisors are responsible for the implementation of the policy as it applies to meetings, activities, and functions.

Foods and beverages offered through vending machines and concessions on Missoula County property must comply with this policy regardless of which entity oversees the vendor or concession contract.

References

Institute of Medicine Nutrition Standards of Foods in Schools, the Center for Disease Control and Prevention (CDC):

[/www.cdc.gov/salt/pdfs/dhdsp_procurement_guide.pdf](http://www.cdc.gov/salt/pdfs/dhdsp_procurement_guide.pdf)

www.cdc.gov/workplacehealthpromotion/implementation/topics/nutrition.html

Policy

Missoula County has a responsibility to model healthy nutrition practices for the community. Promoting employee wellbeing through access to healthy food choices in the workplace is one way to model such practices.

It is the policy of Missoula County to make healthy food and beverage options available to employees during work hours whether served at a County meeting or function or purchased from a vending machine or concession. This policy may provide a health benefit to members of the public patronizing a workplace concession or attending a meeting or function.

Food and Beverages at Meetings and Functions

When refreshments are provided for activities, meetings, and functions sponsored or supported by the County, healthy foods and non-sugar sweetened beverages should be included. Resources from the CDC are available to assist the evaluation of food and beverage options.

The following should be considered as alternatives or options to other food provided:

- Fruit and vegetables
- Whole grain foods
- Low-fat foods
- Smaller portions
- 100% fruit juice and water

In addition, the following food criteria should be considered:

- Food without partially hydrogenated oils or trans-fat
- Low sodium food and beverages
- Beverages without added caloric sweeteners

Food and Beverages in Vending Machines

Vending machines must provide healthy foods and non-sugar sweetened beverages, which conform to following guidelines established by the Institute of Medicine Nutrition Standards of Foods in Schools:

Ninety percent of the beverages offered in beverage vending machines must be non-calorie sweetened beverages. Examples include:

- Water
- Soft drinks without added caloric sweeteners or herbal supplements
- 100% fruit juice and 100% low sodium vegetable juice

Ninety percent of the snacks offered in food vending machines must meet the following criteria:

- 200 calories or less per package
- No more than 10% of calories from carbohydrates
- No more than 35% of calories from added sugar (excludes fruits and vegetables without added sugar)
- No trans-fat or partially hydrogenated oils
- No more than 7 grams of total fat and no more than 2 grams of saturated fat (excludes nuts, seeds, butters, cheese, and combination products of dried fruit and nuts without added fats, oils, or caloric sweeteners)
- Less than 250 milligrams sodium per serving

Ninety percent of the entrées offered in vending machines must meet the following criteria:

- 700 calories or less per package
- No trans-fat or partially hydrogenated oils
- No more than 35% of calories from total fat
- No more than 10% of calories from saturated fat

- Exceptions: nuts, seeds, butters, cheese, combination products of dried fruit and nuts without added fats, oils, or caloric sweeteners
- Less than 480 milligrams sodium per package
- Examples of such entrées include: tuna salad kits, salads, sandwiches, burritos, pizza, etc.

In accordance with the [Affordable Care Act, Section 4205](#), all vending machines and concessions operated by vendors with more than 20 locations or machines are required to post the calorie content of all items unless the nutrition label is clearly visible.

Food Sold at Concessions

Concessionaires located in Missoula County workplace sites must be required to display the calorie content per package or item next to the item's price.

**MISSOULA COUNTY
PROMOTION OF PHYSICAL ACTIVITY
IN THE WORKPLACE POLICY**

Purpose

This policy establishes guidelines to promote a work environment that increases opportunities for employees to engage in physical activity.

Scope

This policy is applicable to all County departments and entities.

Administration

Department heads are responsible for the promoting an environment that supports employee physical activity.

References

Steps to Wellness: A Guide to Implementing the 2008 Physical Activity Guidelines for Americans in the Workplace -

www.cdc.gov/nccdphp/dnpao/hwi/downloads/Steps2Wellness_BROCH14_508_Tag508.pdf

Regular physical activity as one of the most effective disease prevention behaviors -

www.cdc.gov/workplacehealthpromotion/implementation/topics/physical-activity.html

Missoula County Wellness Program -

<http://www.co.missoula.mt.us/hr/wellness/default.htm>

Policy

Missoula County is committed to increasing opportunities for employee fitness and reducing barriers to such efforts. Regular physical activity is one of the most effective disease prevention behaviors. Physical activity programs reduce depression; improve stamina and strength; reduce obesity when combined with diet; and reduce risks of high blood pressure, elevated blood lipids, stroke, and type 2 diabetes.

Departments are strongly encouraged to follow these guidelines:

1. Activities, meetings and County-sponsored functions scheduled for more than 1½ hours should include walk or stretch breaks on the agenda. If appropriate, walking meetings may be scheduled.
2. Department heads are encouraged to allow flexible employee schedules to incorporate physical activity into the work day. Such flexibility is subject to the department's the operational constraints, official hours of work, and the needs of the public.

3. Use of stairs should be encouraged with point of decision signs posted near stairwells and in elevators.
4. Departments should urge employees to utilize the resources of Missoula County Risk and Benefits including MC Health Advantage, the County wellness program. Programs and resources include:
 - a. Health screenings that include the measurement of fitness levels (BMI, Blood Pressure, Lipid Testing, etc.);
 - b. Brown bag lunches on a variety of topics including fitness/physical activity;
 - c. Fitness challenges and lunchtime walking/running clubs;
 - d. Discounts on memberships in local fitness centers;
 - e. Diabetes prevention and weight reduction for qualified employees with no co-pay.

MISSOULA COUNTY SMOKE FREE AND TOBACCO FREE WORKPLACE POLICY

Purpose

This policy establishes Missoula County as a tobacco-free and smoke-free workplace to protect employees and members of the public from the adverse effects of exposure to tobacco in all its forms.

Scope

This policy is applicable to all County owned buildings and vehicles.

Administration

Department heads are responsible for implementation of this policy within their departments, including its application to members of the public, and enforcement in a manner consistent with Missoula County Human Resources Policies, Section 313, "Disciplinary Action." Employees share the responsibility to promote policy compliance by respectfully and tactfully explaining it to anyone using tobacco products in the workplace environment.

References

Missoula County Policy 2006-04 "Smoke Free Environment"; MCA 50-40-1, Montana Clean Indoor Air Act; PL 111-148 Patient Protection and Affordable Care Act.

Policy

In accordance with the Montana Clean Indoor Air Act, the Affordable Care Act and the Missoula County Tobacco and Smoke Free Policy, the use of tobacco or any smokable products including, but not limited to cigarettes, cigars, pipes, electronic cigarettes, marijuana, and smokeless tobacco products, is prohibited in enclosed public places, including government issued vehicles. In addition, to prevent smoke from entering a building through doorways, windows, or ventilation systems, smoking is not permitted within 25 feet of any government building.

Contracts with vendors whose employees work in County buildings should include a clause requiring compliance with Missoula County's smoke free and tobacco free policy.

Other Information

Missoula County employees are encouraged to contact the MT Quit Line for cessation support.

Relevant Affordable Care Act screening and intervention benefits for those who participate in Missoula County Medical Benefits Plan, including coverage of tobacco treatments recommended by the US Public Health Service, are:

- Screening for those ready to quit;
- Counseling for cessation;
- Support for over the counter prescriptions for Nicotine Replacement Therapy approved by FDA.

Missoula County Benefits Plan includes coverage for medications prescribed for smoking cessation, and employees are encourage to call the Risk and Benefits Office for details.

No Missoula County Department shall accept promotional items, gifts, funds or other consideration from a tobacco company.

MISSOULA COUNTY WASTE REDUCTION AND RECYCLING POLICY

I. Purpose

This policy establishes guidelines for the systematic and cost-effective reduction of office waste by:

1. Reducing the amount of waste generated;
2. Maximizing the life of products by reuse whenever possible;
3. Recycling all acceptable materials as specified herein;
4. Disposing only what is necessary;
5. Encouraging the purchase of recycled products.

II. Scope

This policy is applicable to all County departments and entities. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards.

III. Administration

Department heads are responsible for: the implementation of the policy within their departments, employee compliance with the policy, and any record-keeping required to substantiate compliance. A Department may develop its own recycling procedures so long as the procedures meet the minimum requirements set forth in this policy.

IV. Other References

Policy 2012-03 - Disposal of County Surplus Property; BCC Resolution Number 2010-070 establishing the Missoula County Green Building Policy.

V. Policy

Missoula County is committed to the practice and enforcement of this policy, which maximizes waste reduction, reuse, recycling, and buying recycled products in its daily operations. Missoula County is also committed to setting an example for its citizens and businesses in recycling and waste reduction efforts. Recycling is a key component of waste management and helps conserve energy and natural resources while reducing waste.

VI. Procedures

A. Waste Prevention

Prevention is the most cost-effective waste management strategy. Employees are strongly encouraged to:

- Make double-sided copies and set department printers to a default setting of double-sided output, if such setting is available;
- Use e-mail to send memos, messages, reports, and other information;
- Edit and proofread on screen before printing;
- Store files electronically;
- Save and reuse paper that has already been used on one side; suggested uses include printing draft documents, taking notes, and converting into note pads;
- Eliminate unnecessary forms, reports, and publications;
- Develop forms for on-demand printing for use as needed;
- Share resources within departments: journals, magazines newspapers, and newsletters; and
- Post announcements on common bulletin boards.

B. Purchasing

Careful purchasing assists recycling efforts. Many office products and papers are available with recycled content. Purchasing recycled content products is a vital part of the recycling process and effectively closes the recycled loop.

It is strongly recommended that departments:

- Ask prospective vendors if they offer a product or material option with recycled content and/or green features;
- Purchase only the quantity of supplies needed, if such materials become dated quickly;
- Purchase recycled content paper and products whenever practical and economical;
- Use procurement/RFP evaluation criteria that includes consideration of the vendor's recycling policy, recycled content of the product, any program offering "take-back and recycling" at the end of product utility, ease of use of the take-back program, and the vendor's ability to properly document and support their claims of recycling;
- Require vendors, whenever possible, to provide take-back programs that utilize responsible recycling of all hard-to-recycle items such as cleaning products, batteries, electronically-powered devices, chemicals, plastic film, etc. Require documentation to support any claims that landfills are not used to dispose of such materials;
- If cost-effective, purchase products that can be reused rather than those designed for one-time use (cartridge pens, refillable mechanical pencils, etc.).

C. Reuse

As noted above, select reusable products when possible. Also, whenever possible:

- Reuse envelopes, files folders, dividers, and binders;
- Reuse outdated letterhead or one-sided forms to print drafts or for notepaper or pads.

D. Recycle

Recycling offers a way to dispose of waste that cannot be prevented. All County departments and employees are required to participate in Missoula County's recycling program. Facilities Services shall be responsible for administering any contracts related to collecting recycled materials. Recycling programs may vary by facility depending on physical location and other relevant circumstances.

1. Basic Recyclable Items

Employees at all County- occupied office space will be required to recycle commonly recycled items including but not limited to:

- Paper
- Cardboard
- Newspapers
- Magazines
- Plastic bottles and containers (#1- #5)
- Aluminum and bi-metal cans

Designated recycling areas and procedures will be established by the Facilities Management Department.

The Facilities Management Department coordinates all waste hauling and recycling activities and should be contacted for any questions about containers, location of bins, etc.

2. Specialty Recycling and Reuse

Employees at all County-occupied office space are encouraged to recycle the following items under procedures established with the associated departments:

- Electronic Waste – Information Services will recycle electronic waste including computers and peripherals, mobile devices, radios, televisions, etc.
- Toner Cartridges – Central Services will make arrangements for the reuse of toner cartridges;
- Telephone Books – Coordinated by Telephone Services.

3. Other Items

Employees at all County-occupied office space are encouraged to recycle other items including, but not limited to:

- Alkaline batteries – departments that regularly use alkaline batteries should establish procedures for collecting and recycling alkaline batteries;
- Other batteries;
- Furniture;
- Scrap metal, motor vehicles, and construction materials;
- Medical and hazardous waste.

MISSOULA COUNTY
DISPOSAL OF COUNTY SURPLUS PERSONAL
PROPERTY

1. **Purpose.** This policy seeks to establish procedures for the disposition of surplus county personal property in accordance with MCA Title 7, Chapter 8, Part 22, “Acquisition, Transfer, and Management of County Property.”
2. **Scope and Applicability.** This policy is applicable to all county departments and entities. Departments may apply additional requirements as long as they are equal to or more restrictive than the procedures and standards established in this policy.
3. **Administration.** Department heads are responsible for the implementation of this policy within their departments and for establishing procedures to demonstrate compliance.
4. **Other References.** Resolution 2010-070 Establishing the Missoula County Green Building Policy. Resolution 2019 (Sale and Disposition of County Real Property).
5. **General Guidelines.**
 - A. The primary goals of this policy are to obtain the maximum use from a piece of personal property and to recover any residual value at the time of disposal. Additional objectives include:
 - i. Controlling surplus property.
 - ii. Removing unused property from storage.
 - iii. Controlling waste and misuse of county property.
 - iv. Maximizing the monetary return from the sale of surplus property
 - v. Minimizing the cost of disposing of surplus property that cannot be sold.
 - vi. Disposing of surplus property to minimize environmental impacts.
 - B. Department heads have the authority to dispose of surplus personal property within their departments and are responsible for designating an individual responsible for the disposition of such property.

- C. Central Services is the department principally responsible for public auctions conducted to dispose of surplus County property. Departments have the option to use Central Services' public auctions or conduct their own.

6. Definitions.

- A. **Surplus.** Property including, but not limited to, materials, supplies, equipment, and recyclable items regardless of how acquired that are no longer needed to conduct department operations.
- B. **Appraisal.** The process of estimating the value of a specific piece of property. A formal appraisal is prepared by a professional engaged in such value estimation and is supported by the facts, data, and methods used. An informal appraisal uses reasonable estimation to establish value for the item involved. Such sources include historical cost, net book value, or information available from 3rd party sources such as Kelley Blue Book, prices quoted by dealers in used equipment, classified ads, etc.
- C. **Auction.** The process of buying and selling property by offering it up for bid, taking bids, and selling the item to the highest bidder. There are several variations on the basic auction form, including time limits and minimum bid prices. Participants in an auction may or may not know the identities or actions of other participants. Depending on the auction, bidders may participate in person or remotely through a variety of means, including the internet or sealed bid.
- D. **Cannibalization.** The process of removing components or parts from surplus property and installing or reusing them in another piece of equipment.
- E. **Fair market value.** An estimate of the market value based on what a knowledgeable, willing, and unpressured buyer would probably pay to a knowledgeable, willing, and unpressured seller. An estimate of fair market value may be based on formal appraisal or reasonable estimation.
- F. **Personal property.** Every kind of property, other than real property.
- G. **Recycle.** To treat or process material to make it suitable for reuse.
- H. **Salvage.** Items whose residual commercial value is in the material content.

- I. **Scrap.** Items with no commercial value or potential for reuse.
- J. **Divertible materials.** Items with no remaining value to the County but which avoid disposal as scrap if transferred to a qualified dealer in such materials.

7. **Methods of Disposition – Personal Property.**

- A. **Transfer between departments.** Departments are encouraged to reuse surplus property through a transfer to another Missoula County department.
 - i. Prior to using another method of disposal, the individual responsible for surplus property should make a reasonable effort to determine if another county department has a need or use for the item.
 - ii. If such a need is identified, the respective department heads, or their designees, should agree on the value of the transfer, if any.
- B. **Trade-in.** Departments should evaluate the benefits of a trade-in on a case by case basis.
 - i. Surplus equipment with a value greater than \$2500 is subject to appraisal to establish fair market value prior to trade-in.
 - ii. Trade-ins are recommended if the allowance given is of sufficient value to outweigh the likely net proceeds obtained through sale to a third party.
- C. **Sale.**
 - i. Surplus personal property valued at \$2,500 or greater, not scrapped or disposed of using other methods described in this policy must be sold at public auction after notice in the publication under contract with the county to provide legal advertising.
 - a. Such property is subject to appraisal to determine fair market value using methods the seller department determines best satisfies this requirement. Department must document the methods used to establish the appraised value.
 - b. Appraisal must be made within 3 months prior to auction and must be stated in the notice of sale.
 - c. Pursuant to MCA 7-8-2213, a sale at public auction may not be made for less than 90% of appraised value.

- d. If no bid is received in response to a properly noticed public auction, the property may be sold through a private sale. Per MCA 7-8-2218, the purchase price shall not be less than 70% of the appraised value.
- e. Surplus personal property with a value less than \$2500 may be sold through a private sale with the written approval of the County Auditor as long as the sale meets the requirements of 7-8-2213 and 7-8-2217, MCA.

D. Diversion to a qualified dealer in secondhand materials or goods.

Divertible materials may be transferred to qualified dealers in secondhand materials and goods. Qualified dealers include Home Resource, Goodwill, Secret Seconds, the Salvation Army, or other similar not for profit organizations that engage in the resale of used items as means to support their charitable activities.

E. Sale for salvage value. If the remaining value of surplus property is solely in its material content, it may be sold to a dealer in such material.

F. Transfer to a recycling facility. If surplus property has no value but a market exists for the recycled content, it should be delivered to a local recycling collection point.

G. Cannibalization. A department may determine that the best use of a surplus item is to cannibalize it for the serviceable components. Any residual parts should be disposed of as salvage or scrap.

H. Landfill disposal. If surplus property is damaged beyond repair or is not suitable for any other method of disposal or reuse, it should be deemed scrap and transferred to a landfill.

9. Other considerations.

A. Participation of county employees in property sales.

- i. County employees are permitted to participate in the purchase of surplus personal property, but only in the same manner as the public at large. No county employee shall be given any consideration or privilege that might be construed as conferring advantage in the outcome of the sale.
- ii. Employees of the selling department, or any immediate family members of such employees, shall not participate in any sale conducted through a sealed bid if they influence the maintenance, decision to surplus, determination of appraised value, or any aspects involving the disposition of the item.

- B. **Sales proceeds.** Monies received from the disposition of surplus property, whether from public auction, private sale, recycling, or sale for salvage value, shall be deposited into the county treasury to the credit of the selling department.
 - i. Central Services will retain all sales proceeds from the public auctions it conducts unless a participating department specifically requests the proceeds from the items it contributes.
- C. **Titled property.** Title to county property sold to a third party may not pass until the purchaser has paid the full amount of the purchase price into the County treasury.
- D. **Computer equipment.** Software programs and files shall be removed from computer equipment prior to disposal.
- E. **Fixed asset records.** Central Services shall be notified when any asset with a red or blue property sticker is sold, scrapped, or transferred to another county department.
- F. **Grant funded assets.** Prior to the disposal of property obtained with federal grant funds, the department shall contact the federal agency to determine compliance procedures for such disposal.
- G. **Sales to school districts.** Departments have the power to sell surplus county property to a school district for appraised value without the necessity of a public auction. However, notice of such sale shall be given in the publication under contract with the county to provide legal printing if the fair market value of the property is in excess of \$2500.
- H. **Donations.** Donations of surplus property are not permissible.

MISSOULA COUNTY
TRAVEL POLICY

Purpose

This policy establishes guidelines and procedures for the amount and type of travel expenses eligible for reimbursement. For purposes of this policy, “employee” includes all County employees, elected officials, and appointed members of boards, commissions, and councils.

Scope

This policy is applicable to all County departments and entities. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards. Law enforcement officers participating in extraditions or multi-state investigations are governed by departmental policy for extraditions and for multi-state investigation-related travel.

Limitations

Travel expenses must have a public purpose and serve the public interest. All travel expenditures must be reasonable and necessary, and reimbursement for expenses solely for the benefit of an individual is not allowable.

Administration

Department heads are responsible for: the implementation of the policy within their departments; employee compliance with travel policy; prior authorization of travel; approval of travel advances, settlements, and reimbursement requests; and management of expenditures within budgetary constraints.

The County Auditor has final authority for administering, interpreting, and applying the terms of this policy.

Employee travel time is governed by the federal Fair Labor Standards Act and the state of Montana wage and hour laws. Human Resources should be consulted prior to travel to determine appropriate compensation rates.

Except as noted, original receipts are required to support requests for travel reimbursement.

Policy

Allowable Expenses/Modes of Travel

Air: All commercial air travel should be by the least expensive service available and will be reimbursed with appropriate receipts. The cost of one checked bag is an allowable expense, but the traveler is responsible for class upgrades and itinerary or booking

changes which are not the result of an emergency or required to satisfy the business needs of the County. When a lower airfare can be obtained with an additional overnight stay, the County will pay the extra day's meals and lodging, if cost effective.

Rail: Coach or tourist class is reimbursable; however, the selection of this mode of transportation should be evaluated carefully in terms of cost and time requirements.

County Vehicle:

County vehicles are available for travel and must be used for business purposes only. If personal funds are used to purchase gas for the vehicle, a receipt must be submitted to obtain reimbursement.

Personal Vehicle: Personal vehicle mileage will be reimbursed at the applicable statutory rate allowed by the Internal Revenue Service. Departments will be notified of the current rate at the beginning of the calendar year.

If a personal vehicle is used, the driver must possess a valid Montana Driver's License and carry liability insurance which meets or exceeds the requirements cited in MCA 61-6-103. The County reserves the right to require proof of insurance for any personal vehicle used for County business. Any employee who chooses to drive a personal vehicle when one is available from the motor pool should be aware that the County does not provide coverage for loss or damage to personal vehicles.

If an employee chooses to use a personal vehicle over a common carrier, mileage reimbursement shall not exceed the cost of airfare.

Rental Vehicles: A rental vehicle is a justifiable expense if it is cheaper than other forms of transportation; anyone requesting use of a rental vehicle must demonstrate that it is the least cost alternative. A rental vehicle requested from the General Fund Training pool requires prior approval of the Human Resources Department; otherwise, the department head must approve a rental vehicle prior to travel. Employees traveling outside the state of Montana must purchase a Loss Damage Waiver (sometimes also called a Collision Damage Waiver or Physical Damage Waiver). If Liability Insurance is not provided in the rental contract, the employee must purchase such insurance from the rental car company.

Taxis, Airport Limousines, Shuttle Buses, Parking, Tolls: Such expenses are reimbursable, and receipts are required (parking meters excepted). Taxi fares, including gratuities of 15% or less, are allowable with receipts. If an employee chooses to take a taxi when a less expensive shuttle service is available, reimbursement will be limited to the cost of the shuttle. Valet parking, unless the only parking option available, and parking tickets are not eligible for reimbursement.

Public Transit (Buses, Subways, Street Cars): Fares are reimbursable without receipts if the total for such expenses is less than \$10 for the entire trip.

Lodging

All County employees are authorized the actual cost of lodging at a conference site. If no rooms are available at the conference site, an employee will be reimbursed for the cost of lodging at an alternative location as long as its room rate does not exceed the conference room rate. In any event, employees are encouraged to seek less expensive room options if available nearby. Documentation which shows the conference room rate must be provided with a travel advance or reimbursement request.

If a conference is held at a site which provides no lodging, or if lodging is unrelated to attendance at a conference, reimbursement will not exceed the maximum rate quoted on the US General Services Administration website, <http://www.gsa.gov/portal/content/104877>. If the city is not listed on the rate schedule for the destination state, the standard rate for lodging in the continental United States will apply. Employees are reminded to inquire if a government rate is available.

If an employee is accompanied by a spouse or family member, the lodging invoice must bear a notation, signed by an authorized representative of the establishment, as to the single room rate, including tax. The employee is responsible for the difference between single and double occupancy room rates.

Meals

To claim a travel meal, an employee must be in "travel status", which is identified as that period beginning with the time of departure from the employee's regularly assigned workplace and ending upon return to that site. Actual time in travel status will be used for computing this allowance. (The separate policy for Business Meals addresses an exception for the cost of meals associated with a legitimate business function or event.) The following chart shows allowable per diem, which represents the maximum for any meal (including tip) or series of meals. The County will use the applicable GSA rates for meals claimed during out of state travel. If a city is not listed on the rate schedule for the destination state, the standard rate for per diem in the continental United States will apply. The County will not pay the incidentals component of the applicable GSA rate.

	In State	Out of State
Morning allowance (if in continuous travel status for 3 hours or more between 12:01 am and 10 am):	\$8	Applicable GSA rate
Mid-day allowance (if in continuous travel status for 3 hours or more between 10:01 am and 3 pm):	\$12	Applicable GSA rate
Evening allowance (if in continuous travel status for 3 hours or more between 3:01 pm and midnight):	\$21	Applicable GSA rate
If in travel status for a continuous 24 hours, any combination of the above not to exceed:	<u>\$41</u>	<u>Applicable GSA Total</u>

Meals provided by the conference, seminar, or other event cannot be claimed separately for reimbursement or per diem, unless the employee has a medical condition with special dietary restrictions. Continental breakfasts, refreshments during breaks, and hors d'oeuvres served during social hours or receptions are not considered meals even though they may be included in the cost of registration. Documentation from the conference (registration, agenda, etc.) which shows the meals provided must accompany a travel advance or reimbursement request.

If an employee is in travel status for less than 24 hours, any meals are considered taxable income by the IRS. A properly approved reimbursement claim showing departure and return times must be submitted to payroll with the employee's timesheet. An employee who receives a midday meal allowance for routine travel outside Missoula must also obtain reimbursement through the payroll process.

Other Allowable Expenses

Business telephone calls, faxes, or other necessary business expenses are allowable if documented by receipts. Employees are encouraged to use cell phones or prepaid phone cards for personal calls; otherwise, such calls are limited to \$10/day.

Unallowable Expenses

Alcoholic beverages and expenditures of a personal nature are not allowable. Examples include: hotel/motel room service charges in excess of applicable per diem rates, mini-bar and amenity charges; porter service for personal luggage; laundry service; in room movies; transportation expense for dining out (unless the hotel/motel does not have dining facilities or there are none within walking distance); optional valet parking; parking tickets, and fees at a conference or meeting for social events such as golf, sightseeing, or the entertainment of a spouse or guest. Other expenditures, otherwise allowable, may be rejected without proper travel authorization or expenditure documentation.

Combining Personal Travel and County Business

When an employee combines personal travel with an official County business trip, reimbursements and payments will be made only for those costs necessary for the County's portion. Transportation costs and per diem will be allowed only for the most direct route to the destination of the County trip, and reimbursement and payment for meals and lodging will be allowable only during the time the employee is in County travel status. No costs will be reimbursable for vacation or personal days. If an employee chooses to drive, whether to accommodate family members or to provide additional excursion opportunities, mileage will not be paid in excess of the least cost airfare; per diem will be paid as if the employee had flown.

Travel Expenses for Non-County Employees

The County will pay travel costs for someone who is not an employee if the person: 1) is traveling at the specific request of the County, 2) is serving as a volunteer to a County program, or 3) is providing services under a County contract, which includes provision for reimbursement for travel related costs. Grant-related travel must be consistent with this policy, unless the grant provides otherwise. It is strongly recommended that

departments consult with the County Auditor before travel arrangements are made for a non-county employee.

Travel Expenses Paid by Outside Entity

Entities outside the County may pay for authorized employee travel, and the employee should determine the travel policies and reimbursement procedures of the funding agency before any reservations are made. If any travel funds are advanced by the County, which the outside agency will reimburse later, the County Auditor's Office must be notified when the claim is processed to facilitate monitoring of repayment.

Expenses Paid for Position Vacancy Interviews

The County will pay the expenses for a candidate coming to Missoula for a job interview for department head or other professional position with the prior approval of the appropriate authorizing official and subject to budgetary constraints. The cost of such travel will be charged to the applicable departmental budget. The County will reimburse the interviewee for transportation costs, meals, and lodging while in Missoula in accordance with this policy. The County will not reimburse employees for candidate interviews during mealtime; such interviews should be conducted in the work place.

Other

Employees are encouraged to make every effort to minimize travel expenses. When more than one employee is traveling to the same destination on the same date, every effort should be made to coordinate the activities, including carpooling and sharing motel accommodations.

Reimbursement Procedures

Travel claims must: be submitted for all requests for reimbursement; provide an explanation for trip; be signed by the employee and approved by the appropriate department head; be submitted per trip. No one may authorize his or her own claim for reimbursement. Amounts spent in excess of maximum per diem allowances will not be reimbursed.

Travel Advances

Advances for amounts greater than \$100 may be obtained on a Travel Advance form signed by the appropriate department head. Templates for in-state and out-of-state travel advances may be found in G:\Shared\Audit.ro. The advance should be based on the allowable per diem for the number of travel days, exclusive of meals provided by a conference, and reasonable estimates for the costs of lodging, personal vehicle mileage or airport shuttle. Advances must be submitted at least two, but no more than three, weeks prior to departure. In no event will per diem or other travel money be advanced without a properly completed Travel Advance form.

A travel advance must be settled within 15 days of returning to work. The employee must complete a travel claim and provide original receipts or other supporting documentation. If the claim is more than the advance, the employee will be issued a check. If the claim is less than the advance, the employee must reimburse the County for the difference using either a personal check or cash.

Travel advances which have not been settled within 15 days will be referred to the Auditor's Office, and the employee will be notified that the entire advance will be deducted from the next paycheck if settlement is not received.

**MISSOULA COUNTY
AUTOMATED EXTERNAL DEFIBRILLATOR
& CARDIOPULMONARY RESUSCITATION PROGRAM**

- I. **Purpose.** This policy establishes guidelines for the operation of Missoula County's automated external defibrillator (AED) and cardiopulmonary resuscitation program (CPR) program, which exists to train County employees in the emergency treatment of individuals who experience sudden cardiac arrest, and incorporates an AED Written Plan that conforms to guidelines issued by the Montana Department of Public Health and Human Services (Attachment A).
- II. **Scope.** This policy applies to all Missoula County employees working in those Missoula County facilities identified in the AED Written Plan as being the location of one or more AED units.
- III. **Administration.** The head of the Department of Emergency Services is responsible for the administration of this policy. The authority to administer this policy includes maintaining currency on all attachments to the policy.
- IV. **References.** This program is conducted in accordance with 50-6-501 M.C.A., and other applicable Montana statutes and Administrative Rules. (See Attachment D.)
- V. **Policy.** It is the Policy of Missoula County to acquire Automated External Defibrillator units, to place those units in strategic locations within County buildings, and on a voluntary basis to provide County employees with training in the use of those units as part of a training and certification program in Cardiopulmonary Resuscitation (CPR).
- VI. **Definitions:**
 - A. **Automated external defibrillator (AED):** A medical device used during cardiac arrest that will analyze a victim's cardiac rhythm, charge to a pre-determined energy level, and when prompted by the operator, deliver a shock through adhesive pads placed on the victim's chest.
 - B. **Cardiopulmonary Resuscitation (CPR):** A lifesaving technique utilizing chest compressions and artificial ventilation.
 - C. **Medical Director:** A physician licensed to practice medicine in the State of Montana who provides off-line medical supervision regarding emergency medical service, including the application of CPR and AEDs. The Medical Director directs the regular review and update of this policy and the CPR/AED program when

needed. The Medical Director also enforces the policies within this program and assures compliance with federal, state and local policies and procedures.

- D. CPR/AED Team Member:** Any county employee who successfully completes all necessary training requirements for certification in CPR/AED use, including familiarization with this Policy and all of its attachments. Membership on the Team is voluntary, and members must have the ability to leave their workstation at a moment's notice in the event of a cardiac emergency. Team members are trained and authorized to use AED units.

VII. Mandated Program Requirements.

- A. Written Plan.** The County's CPR/AED program shall be administered and operate in accordance with a written plan developed under guidance from the Montana Department of Public Health and Human Services (DPHHS). That written plan is found in Attachment A to this Policy.
- B. EMS, 9-1-1 Notification.** In accordance with DPHHS guidelines, local emergency medical service (EMS) providers and the Missoula County 9-1-1 Center shall be appropriately notified of this program's existence. (See Attachment B.)
- C. Medical Director Notification.** The Program's medical director shall be notified each time an AED is used, again in accordance with DPHHS requirements. (See Attachment C.)
- D. Manufacturer's Guidelines.** Manufacturer's guidelines for maintenance and use of AED units shall be maintained by both the Missoula County Department of Emergency Services and Department of Facilities Management.
- E. Authorized CPR/AED Users.** A list of CPR/AED Team members is maintained in Attachment E.
- F. CPR/AED Team Member Training & Certification.**
- a. Training, certification and re-certification shall be provided by qualified trainers, and completed in a manner that conforms to standards established by the American Heart Association.
 - b. Training records shall reside in the employee's established file in Human Resources.
 - c. The Cardiac Response Team roster shall be reviewed annually by the AED coordinator. That review will include scheduling re-certifications, removal of members who do not re-certify, and recruitment and training of new members.

Attachment A

Missoula County

AED PROGRAM WRITTEN PLAN

Missoula County has established an AED Program.

Person in charge of the program and contact info is:

Chris Lounsbury, 200 W. Broadway, Missoula, MT 59802;

Office: 406-258-4758

Email: clounsbury@co.missoula.mt.us

The AEDs are located at:

1. MISSOULA COUNTY COURTHOUSE, 200 W. BROADWAY.
 - A. Reception Desk, Sheriff's Office, 3rd. floor of Courthouse Annex
 - B. Reception Desk, Commissioners Office, 2nd floor of Courthouse Annex
 - C. Reception Desk, Clerk of District Court, 2nd floor of Historic Courthouse
 - D. 9-1-1 Center, basement of Courthouse Annex
2. MISSOULA COUNTY ROAD DEPARTMENT, 6089 Training Drive, Missoula, MT
 - A. At the information desk in the administrative building.

The AED will be used:

1. **Within the boundaries of the Missoula County Courthouse and adjacent property at 200 W. Broadway, Missoula, MT 59802;**
2. **Within the boundaries of the Missoula County Road Department and adjacent property at 6089 Training Drive, Missoula, MT.**

The AED will be transported to the scene of a cardiac arrest by a member of the Missoula County CPR/AED Team, or any individual directed by a Team Member to obtain or deliver an AED unit.

A list of individuals currently trained and authorized to use the AED (CPR/AED Team Members) is included with this written plan as Attachment E.

Anytime the AED is removed from its location, 911 will be called and an ambulance will be requested to respond to the location to which the AED has been deployed. The 911 dispatcher will be advised of all information available related to the ambulance request. In the event that 911 is notified of a potential cardiac emergency prior to deployment of an AED, the 911 dispatcher will alert employees of the need for the AED as follows:

1. **In or around the Courthouse by means of the building's public address system, alerting trained employees of the need to respond;**
2. **In or around the Road Department informing the caller that an AED is located at the information desk in the administrative building, and subsequently notifying phoning the information desk to advise of the emergency.**
3. **In all cases, deployment of an AED shall not be accomplished in a way that impedes 9-1-1 in dispatching the appropriate emergency medical responder(s).**

Medical supervision of the AED program will be conducted by Dr. Gregory J. Moore, MD FACEP FAWM, Barrett Hospital and Health Care, 90 Hwy. 91 South, Dillon, MT, 59725.

Dr. Moore will supervise the AED program off-line in retrospective quality assurance and quality improvement and continuing education and practice sessions.

The AED will be maintained, tested, and operated in conformance with the manufacturer's recommendations of best practice.

Written records will be kept of all maintenance and testing performed on the AED. These records will be kept on-file by the Missoula County Facilities Maintenance Department.

In addition to records for maintenance and testing of the AED, written records of initial and continuing training of CPR/AED Team Members will be kept for each employee as part of his/her personnel file.

Required reports of AED use (Attachment C) will be made to the medical supervisor either electronically or in person within 24 hours of the occurrence of the event. Required components of the written reports that must be sent to the DPHHS will be mailed within 48 hours of the occurrence of the event. Reporting will be accomplished by the person in charge of the program, or a designated person within the Missoula County Department of Emergency Services. Copies of all reports will be maintained by the Missoula County Department Emergency Services.

ATTACHMENT B

EMS AND PSAP NOTIFICATION FORM

In accordance with A.R.M. Section 37.104.604, entities wishing to use or allow the use of an AED shall provide the following information to each licensed emergency medical service and public safety answering point (911, local emergency dispatch center) in the area where the AED is located.

Name of Entity Establishing AED Program:

Missoula County

Business Address, Physical Address, and Telephone Number of Entity:

200 W. Broadway, Missoula, MT 59802 (406) 721-5700

Name, Address, and Phone Number of the Individual Responsible for On-Site Management of the AED Program:

Chris Lounsbury, 200 W. Broadway, Missoula, MT 59802 (406) 721-5700

Starting Date of the AED Program: February 1, 2009

Physical location of the AED:

1. MISSOULA COUNTY COURTHOUSE, 200 W. BROADWAY.
 - A. Information Desk, 1st. floor of Courthouse Annex
 - B. Reception Desk, Commissioners Office, 2nd floor of Courthouse Annex
 - C. Reception Desk, Clerk of District Court, 2nd floor of Historic Courthouse
 - D. 9-1-1 Center, basement of Courthouse Annex

2. MISSOULA COUNTY ROAD DEPARTMENT, 6089 Training Drive, Missoula, MT
 - A. At receptionist desk in administrative building.

Form provided to the following EMS and PSAPs:

Missoula Emergency Services
1200 W. Broadway
Missoula, MT 59801

Missoula City Fire Department
625 E. Pine St.
Missoula, MT 59802

Missoula County 9-1-1
200 W. Broadway
Missoula, MT 59802

Missoula Rural Fire District
2521 South Avenue West
Missoula, MT 59804

ATTACHMENT C

AED USE REPORT

(To Be Completed Each Time an AED is Attached to a Patient)

DATE OF INCIDENT: _____
ENTITY RESPONSIBLE FOR AED: _____

Pulse After Shocking:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If yes, Was Pulse Sustained:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Patient Transported:	<input type="checkbox"/> YES	<input type="checkbox"/> NO

Patient Age: _____	Patient Sex:	<input type="checkbox"/> Male	<input type="checkbox"/> Female
Location of Cardiac Arrest:	_____		
Estimated Time of Cardiac Arrest:	_____ (use 24 hour time)		
CPR Initiated Prior to Application of AED:	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Cardiac Arrest Witnessed?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
Time First Shock Delivered:	_____ (use 24 hour time)		
Total Number of Shocks and Joules Delivered:	_____/_____ _____/_____ _____/_____	_____/_____ _____/_____ _____/_____	

INSTRUCTIONS:

- 1. Make one copy of this report, provide to Medical Supervisor.**
- 2. Send one copy to EMS & Trauma Systems, PO Box 202951, Helena MT 59620**

Copy as needed for other record keeping requirements.

ATTACHMENT D

APPLICABLE STATE OF MONTANA
ADMINISTRATIVE RULES AND STATUTES

EMERGENCY MEDICAL SERVICES 37.104.601

Subchapter 6

Automated External Defibrillators (AED)

37.104.601 DEFINITIONS The following definitions apply to this chapter, in addition to the definitions contained in 50-6-501, MCA:

(1) "Automated external defibrillators (AED) training program" means a course of instruction approved by the department which provides the initial education in the use of the AED and which has requirements for continued assurance of the competency of individuals in using an AED.

(2) "CPR" means cardiopulmonary resuscitation.

(3) "Medical supervisor" means a physician, physician assistant, registered nurse, or nurse practitioner licensed in Montana who completes a training program provided by the department and who agrees to provide medical supervision to an approved AED program. (History: 50-6-503, MCA; IMP, 50-6-501, MCA; NEW, 1999 MAR p. 1913, Eff. 9/10/99; TRANS, from DHES, 2001 MAR p. 2305; AMD, 2008 MAR p. 337, Eff. 2/15/08.)

Rules 37.104.602 and 37.104.603 reserved

NEXT PAGE IS 37-25705

ADMINISTRATIVE RULES OF MONTANA	3/31/08	37-25703
EMERGENCY MEDICAL SERVICES		37.104.604

37.104.604 WRITTEN PLAN (1) An entity wishing to use or allow the use of an AED shall develop, update as changes are made, and adhere to a written plan that:

(a) for a stationary location specifies the physical address where the AED will be located;

(b) for a mobile location specifies the geographic area in which the AED will be used and specifies how the AED will be transported to the scene of a cardiac arrest;

(c) includes the names of the individuals currently authorized to use the AED;

(d) describes how the AED use will be coordinated with each licensed emergency medical service providing coverage in the area where the AED is located, including how emergency medical services will be activated every time that an AED is attached to a patient;

(e) specifies the name, telephone number(s), and address of the Montana licensed medical supervisor who will be providing medical supervision to the AED program and how the medical supervisor, or the medical supervisor's designee, will supervise the AED program;

- (e) the gender of the patient;
- (f) location of the cardiac arrest;
- (g) estimated time of the cardiac arrest;
- (h) whether or not CPR was initiated prior to the application of the AED;
- (i) whether or not the cardiac arrest was witnessed;
- (j) the time the first shock was delivered to the patient;
- (k) the total number of shocks delivered;
- (l) whether or not there was a pulse after the shocks and whether or not the pulse was sustained; and
- (m) whether or not the patient was transported, and if so, the name of the transporting agency and the location to which the patient was transported. (History: 50-6-503, MCA; IMP, 50-6-502, 50-6-503, MCA; NEW, 1999 MAR p. 1913, Eff. 9/10/99; TRANS, from DHES, 2001 MAR p. 2305; AMD, 2008 MAR p. 337, Eff. 2/15/08.)

Rules 37.104.607 through 37.104.609 reserved

NEXT PAGE IS 37-25709

ADMINISTRATIVE RULES OF MONTANA	3/31/08	37-25709
EMERGENCY MEDICAL SERVICES		37.104.610

37.104.610 TRAINING (1) In order to be authorized by an AED program plan to use an AED, an individual must:

- (a) complete a cardiopulmonary resuscitation and AED training program that meets the standards of the American Heart Association and must renew this training at intervals not to exceed two years. (History: 50-6-503, MCA; IMP, 50-6-502, 50-6-503, MCA; NEW, 1999 MAR p. 1913, Eff. 9/10/99; TRANS, from DHES, 2001 MAR p. 2305; AMD, 2008 MAR p. 337, Eff. 2/15/08.)

Rules 37.104.611 through 37.104.614 reserved

NEXT PAGE IS 37-25711

ADMINISTRATIVE RULES OF MONTANA	3/31/08	37-25709
EMERGENCY MEDICAL SERVICES		37.104.616

37.104.615 MEDICAL PROTOCOL (1) A medical protocol for defibrillation use must be consistent with the requirements for defibrillation set out in the "2005 American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiac Care" published in "Circulation", a journal of the American Heart Association, November 29, 2005, Volume 112, Issue 22 Supplement, and in the 2005 American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiac Care.

- (2) The department adopts and incorporates by reference the guidelines for defibrillation referred to in (1), which set guidelines for proper defibrillation. A copy of the documents referred to in (1) may be obtained from the American Heart Association at http://circ.ahajournals.org/content/vol112/24_suppl/. (History: 50-6-503, MCA; IMP, 50-6-502, MCA; NEW, 1999 MAR p. 1913, Eff. 9/10/99; TRANS, from DHES, 2001 MAR p. 2305; AMD, 2008 MAR p. 337, Eff. 2/15/08.)

37.104.616 REQUIREMENTS OF AUTOMATED EXTERNAL DEFIBRILLATORS (AED) (1) An AED used by an AED program must be a unit approved by the U.S. Food and Drug Administration. (History: 50-6-503, MCA; IMP, 50-6-503, MCA; NEW, 1999 MAR p. 1913, Eff. 9/10/99; TRANS, from DHES, 2001 MAR p. 2305; AMD, 2005 MAR p. 2681, Eff. 12/23/05.)

Subchapter 7 reserved

Montana Codes Annotated, 2001

Automated External Defibrillator Programs

50-6-501. Definitions. As used in this part, unless the context indicates otherwise, the following definitions apply:

- (1) "Automated external defibrillator" or "AED" means a medical device that:
 - (a) has received approval for marketing from the U.S. food and drug administration;
 - (b) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia and of determining, without intervention by an operator, whether defibrillation should be performed;
 - (c) upon determining that defibrillation should be performed, automatically charges and indicates that it is ready to deliver an electrical impulse to an individual's heart; and
 - (d) may be used by an operator of the device to deliver an electrical impulse to an individual's heart.
- (2) "Department" means the department of public health and human services provided for in [2-15-2201](#).
- (3) "Emergency medical service" means an emergency medical service as defined by [50-6-302](#).
- (4) "Entity" means a public agency, department, office, board, or commission or other governmental organization or a private corporation, partnership, group, or business or other private organization.
- (5) "Physician" means an individual licensed to practice medicine pursuant to Title 37, chapter 3, part 3.
- (6) "Public safety answering point" means a communications facility operated on a 24-hour basis that first receives [9-1-1](#) calls from persons in a [9-1-1](#) service area and that may, as appropriate, directly dispatch public or private safety services or transfer or relay [9-1-1](#) calls to appropriate public safety agencies.

History: En. Sec. 2, Ch. 335, L. 1999.

50-6-502. AED program -- requirements for AED use. In order for an entity to use or allow the use of an automated external defibrillator, the entity shall:

- (1) establish a program for the use of an AED that includes a written plan that complies with this part and rules adopted by the department pursuant to [50-6-503](#). The plan must specify:
 - (a) where the AED will be placed;
 - (b) the individuals who are authorized to operate the AED;
 - (c) how AED use will be coordinated with an emergency medical service providing services in the area where the AED is located;

- (d) the medical supervision that will be provided;
- (e) the maintenance that will be performed on the AED;
- (f) records that will be kept by the program;
- (g) reports that will be made of AED use;
- (h) the name, location, and telephone number of a physician, or other individual designated by the physician, designated to provide medical supervision of the AED program; and
- (i) other matters as specified by the department;
- (2) adhere to the written plan required by subsection (1);
- (3) ensure that before using the AED, an individual authorized to operate the AED receives appropriate training approved by the department in cardiopulmonary resuscitation and the proper use of an AED;
- (4) maintain, test, and operate the AED according to the manufacturer's guidelines and maintain written records of all maintenance and testing performed on the AED;
- (5) ensure that the physician or other individual designated by the physician to supervise the AED program supervises the AED program to ensure compliance with the written plan, this part, and rules adopted by the department pursuant to [50-6-503](#) and reviews each case in which the AED is used;
- (6) each time an AED is used for an individual in cardiac arrest, require that an emergency medical service is summoned to provide assistance as soon as possible and that the AED use is reported to the supervising physician or the person designated by the physician and to the department as required by the written plan;
- (7) before allowing any use of an AED, provide the following to all licensed emergency medical services and any public safety answering point or emergency dispatch center providing services to the area where the AED is located:
 - (a) a copy of the plan prepared pursuant to this section; and
 - (b) written notice, in a format prescribed by department rules, stating:
 - (i) that an AED program is established by the entity;
 - (ii) where the AED is located; and
 - (iii) how the use of the AED is to be coordinated with the local emergency medical service system; and
- (8) comply with this part and rules adopted by the department pursuant to [50-6-503](#).

History: En. Sec. 3, Ch. 335, L. 1999.

50-6-503. Rulemaking. (1) The department shall adopt rules specifying the following:

- (a) the contents of the written notice required by [50-6-502\(7\)](#);
- (b) reporting requirements for each use of an AED;
- (c) the contents of a plan prepared in accordance with [50-6-502](#) and requirements applicable to the subject matter of the plan;
- (d) training requirements in cardiopulmonary resuscitation and AED use for any individual authorized by an AED program plan to use an AED;
- (e) requirements for medical supervision of an AED program;
- (f) minimum requirements for a medical protocol for use of an AED;
- (g) performance requirements for an AED in order for the AED to be used in an AED program; and

- (h) a list of the AED training programs approved by the department.
- (2) The department may not adopt rules for any purpose other than those in subsection (1).

History: En. Sec. 4, Ch. 335, L. 1999.

50-6-504. Enforcement -- cessation order -- hearing -- injunction. (1) If the department receives information that an AED is being used in violation of this part or a rule adopted by the department pursuant to [50-6-503](#), it may send a written order to the entity responsible for use of the AED, as specified in the plan prepared pursuant to [50-6-502](#), ordering the entity to cease the violation immediately. The order is effective upon receipt by the entity, and the entity shall comply with the terms of the order. If the department receives information that the violation has been corrected, the department may rescind its order by sending a notice to that effect to the entity. The rescission is effective upon its receipt by the entity.

(2) The entity may request a hearing to contest an order issued by the department pursuant to subsection (1) by submitting a written request to the department within 30 days after receipt of the order. A request for a hearing does not stay the enforceability of the department's order. The hearing must be held within 30 days after the department receives the request, unless the hearings officer sets a later date for good cause. The hearing must be held pursuant to the contested case provisions of the Montana Administrative Procedure Act.

(3) Either the county attorney for the county in which the violation occurred or the department may bring an action in the district court of the county where the violation occurred or in the district court for Lewis and Clark County to enforce the department's order or to directly enjoin a violation of this part or a rule adopted pursuant to [50-6-503](#).

History: En. Sec. 5, Ch. 335, L. 1999.

50-6-505. Liability limitations. (1) An individual who provides emergency care or treatment by using an AED in compliance with this part and rules adopted by the department pursuant to [50-6-503](#) and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability for a personal injury that results from that care or treatment or from civil liability as a result of any act or failure to act in providing or arranging further medical treatment for the individual upon whom the AED was used unless the individual using the AED or the person providing cardiopulmonary resuscitation, as applicable, acts with gross negligence or with willful or with wanton disregard for the care of the person upon whom the AED is or may be used.

(2) The following individuals or entities are immune from civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence if applicable provisions of this part and rules adopted by the department pursuant to [50-6-503](#) have been met by the individual or entity:

(a) the physician supervising the AED program or the person designated by a physician to supervise the program, either of whom are designated in the plan prepared pursuant to [50-6-502](#);

(b) the entity responsible for the AED program, as designated in the plan prepared

pursuant to [50-6-502](#);

(c) an individual providing training to others on the use of an AED.

History: En. Sec. 6, Ch. 335, L. 1999.

50-6-506. Exemptions. This part does not apply to the use of an AED by:

- (1) a patient or the patient's caretaker if use of the AED is ordered by a physician; or
- (2) a licensed health care professional, including an emergency medical technician, whose scope of practice includes the use of an AED.

History: En. Sec. 7, Ch. 335, L. 1999.

MISSOULA COUNTY
SUBDIVISION DEFENSE COSTS POLICY

Purpose and Scope

This policy establishes the costs which the Missoula County Risk Management Fund will pay in connection with subdivision claims or appeals defended by the Missoula County Attorney.

Administration

The Risk Manager has the authority to determine allowable defense costs charged to the Risk Management Fund.

Limitations

Except as provided in this policy, the Missoula County Property and Liability Self-Insurance Plan coverage excludes any claim arising from:

- the exercise of the principles of eminent domain,
- condemnation or inverse condemnation proceedings, and
- land-use planning or regulation of any type.

Policy

If the Missoula County Attorney has occasion to defend the County in a claim or appeal of a subdivision decision, the Missoula County Risk Management Fund will pay for such defense costs as: depositions, transcripts, expert witnesses, photocopies, reproduction of tapes and other media, and other expenses as deemed appropriate. However, the Risk fund will not pay for staff time or overtime.

MISSOULA COUNTY
DISPLAYING ART FROM THE COUNTY'S COLLECTION

Purpose

This policy outlines the process by which art from Missoula County's art collection and the collection of the Missoula Art Museum (MAM) is available for display in county facilities.

Scope

This policy is applicable to all County departments and other agencies located within County facilities. Departments may apply additional requirements for the display of art work in common areas and in private offices within their departments as long as they are equal to or more restrictive than these standards.

Administration

Department heads are responsible for the implementation of the policy within their departments and on-going employee compliance. Non-County agencies shall coordinate implementation of and compliance with this policy through the County's Chief Administrative Officer.

Policy

The Board of County Commissioners supports the Missoula Art Museum in preserving the County's emerging cultural heritage through the development and conservation of the County's art collection. To provide the greatest public access to this collection, artworks will be allowed in spaces such as reception areas, lobbies, hallways, and conference rooms that are used by county employees and, as often as possible, the general public.

The Missoula Art Museum (MAM) will annually organize an exhibition of artwork from the County's Collection and MAM's collection. Department Heads or their designee may select pieces of art from this annual exhibition to display in public areas of their departments. If the exhibit does not contain any pieces the department desires, they may opt out until the next exhibition.

No individual requests for art outside the annual exhibition are permitted unless reviewed and approved by the Board of County Commissioners. The MAM retains the authority to deny these individual requests.

The MAM will coordinate the hanging of each piece provided by the MAM. Employees are not permitted to remove or relocate any piece without the express permission of the MAM.

The MAM and Missoula County will notify employees of opportunities to view the exhibit.

**POLICY NO. 2007-05
September 20, 2009;
Amended April 24, 2018**

**MISSOULA COUNTY
COUNTY VEHICLES & MOTOR POOL**

Purpose

This policy establishes guidelines for the use of county vehicles and the operation of the county motor pool. For purposes of this policy, “employee” includes all County employees, elected officials, and appointed members of boards, commissions, and councils. “Employee” also includes the employees of the County’s component units (organizations with significant operational and financial relationships with the County as defined by the Governmental Accounting Standards Board which currently applies to the following entities: Larchmont Golf Course, Missoula County Airport Industrial District, and Missoula Aging Services). Furthermore, while acting under the direction of the Missoula County Sheriff, reserve deputies, members of the Missoula County and Seeley Lake search and rescue units, and the sheriff’s chaplain are also considered employees for purposes of this policy.

Scope

This policy is applicable to all County departments and entities. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards.

Administration

Department heads are responsible for: the implementation of the policy within their departments, employee compliance with vehicle policy, and any recordkeeping required to substantiate compliance.

Other References

County Travel Policy; Accident/Injury Reporting Policy; Inattentive Driving Policy; Smoke Free and Tobacco Free Workplace; HR Policy 215.00 On-call Time; Standard IRS Mileage Rate; IRS Publication 15-B Employer’s Tax Guide to Fringe Benefits

Policy

It is the intention of the County to ensure that adequate transportation is available to accomplish the objectives of the various County departments. “Adequate transportation” is defined as: (a) the availability of County-owned vehicles, (b) mileage reimbursement at the current IRS rate for employees using a privately-owned vehicle for County business, or (c) other arrangements as deemed appropriate by the applicable department head. Employees are encouraged to utilize the county fleet and should be aware that the County is not responsible for damage to a personally owned vehicle driven for county business.

Role of Central Services

Central Services (CS) is responsible for the acquisition, maintenance, repair, and disposal of fleet vehicles, taking reservations for vehicle use, and billing departments for use of fleet vehicles. Vehicle acquisition decisions will include safety, fuel efficiency, and economy in the selection criteria. CS may arrange with departments for the periodic rotation of vehicles as they age or user needs change.

CS will take reservations for pool vehicles on a first come, first serve basis. Users are responsible for entering odometer information on trip logs and returning vehicles cleaned and fully fueled.

CS staff will check employees' driver's licenses before handing out vehicle keys to ensure that the employee has a current driver's license.

CS will bill mileage quarterly. Actual odometer readings for vehicles assigned to specific individuals or departments must be reported to CS on a timely basis—reporting of estimated readings is not allowable. Users and departments will be charged the current IRS rate for miles driven.

CS is responsible for routine maintenance and repair of fleet vehicles, except those permanently assigned to individuals. Repair work on such assigned vehicles must obtain pre-approval from CS. The cost of repairs, maintenance, fuel, and debt service will be charged to CS for the life of the vehicle unless special circumstances argue otherwise.

General Policies

The following policies govern the use of Missoula County vehicles and are applicable to all users:

- County vehicles shall be used only for authorized, official County business. Personal use of County owned vehicles is expressly prohibited, except for authorized commuting (see below) and de minimis personal use. De minimis personal use may include stopping for lunch between business stops or stopping for a personal errand on an authorized trip. Such a stop must be within two miles of the route taken for business purposes. De minimis personal use may also include a County vehicle being taken to an employee's residence at the end of a work day for travel that will commence before 8:00 a.m. the next work day; or parked at an employee's residence at the conclusion of travel that ends after 5:00 p.m. for return to the County the next business day. This only qualifies as de minimis use if it occurs once a month or less.
- County vehicles shall be operated with priority given to safety, cost effectiveness, and fuel conservation.
- Operators and all passengers shall obey the Montana motor vehicle code, including the Montana Seatbelt Use Act and the Missoula County Inattentive Driving Policy.
 - Only an employee, as defined above, who has a valid state driver's license may operate a County vehicle. If a personal vehicle is used, the driver must carry vehicle liability insurance as required in 61-6-103, MCA.
 - Only employees, as defined above, or non-employees on legitimate County business may be passengers in a County vehicle. Personal passengers, including pets, are not allowed in County vehicles.
- Per Missoula County Policy No. 2013-01, smoking is not permitted in County vehicles.

The following policies restrict the use of Missoula County vehicles. County vehicles shall not be used to commute to and from an employee's place of residence unless:

- The County vehicle qualifies as a working condition benefit vehicle as defined in IRS Publication 15-B. The County recognizes that some employees are responsible for responding to emergency situations related to public safety, public health, or the protection of property on a 24/7 basis. These employees have special training and the vehicles they drive are specially modified to suit the needs of the job.
- Employees assigned non-emergency on-call duties on a rotational basis, as defined in HR Policy 215.00, shall only take a County vehicle home on those days that the employee is assigned on-call duty. This is considered an employee fringe benefit, as defined in IRS Publication 15-B, and is subject to tax (see below). ○ Departments must ensure that records are available to show that on-call employee does, in fact, get called back to work on more than an occasional or infrequent basis.
- The employee's job description includes duties of a nature which involves travel directly from home to a location other than the regularly assigned workplace, though departments should schedule work to keep these instances to a minimum. This is considered an employee fringe benefit, as defined in IRS Publication 15-B, and is subject to tax (see below).
- Attendance at night meetings is required. In such cases, the County vehicle shall only be taken home on the day the employee is assigned to attend the night meeting. This is considered an employee fringe benefit, as defined in IRS Publication 15-B, and is subject to tax (see below).

The use of a County vehicle to commute to an employee's place of residence, except for de minimis use or emergency on-call use, is a taxable fringe benefit. The employee must keep a log of commuting trips and turn the log into payroll along with their timesheet. A flat rate of \$3.00 per round trip commute will be added to the employee's gross income and withholding made accordingly.

Employees using a personally owned vehicle for County business will be reimbursed at the current IRS rate. Documentation must accompany a claim for reimbursement which provides details of miles driven, destination, and purpose of the trip.

MISSOULA COUNTY
MOTOR POOL VEHICLE PROCUREMENT POLICY

Purpose

The purpose of this policy is to ensure – through the procurement process – that county vehicles are environmentally sustainable, cost effective, reliable, and adhere to safety standards.

Scope

This policy applies to the purchasing of all motor pool vehicles managed by Missoula County's Central Services Department. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards.

Departments include:

- Health Department
- Extension
- Facilities Management
- Information Services
- Office of Planning and Grants
- Records Management
- Central Services

Departments that do not rely on Central Services for the management of their fleet may also apply the standards outlined in this policy, and are encouraged to do so.

Administration

Central Services is responsible for the administration of this policy and for any recordkeeping required to substantiate compliance.

Policy

When requesting the purchase of new vehicles, departments shall consider the following:

- Fuel Economy
- Emissions
- Safety
- Price
- Reliability

Each purchase will strive to meet a combination of the highest fuel economy, the lowest emissions, the greatest safety, the greatest reliability, and the least cost.

Departments are encouraged to reference the following sources to obtain this information:

- The most recent Consumer Reports Guide located in Central Services
- <http://www.fueleconomy.gov/>
- <http://www.fueleconomy.gov/feg/findacar.htm>
- <http://www.epa.gov/greenvehicles/>
- <http://www.safercar.gov/>
- <http://www.iihs.org/>
- <http://www.edmunds.com/>

Documentation

Each Department is responsible for documenting adherence to this policy in accordance with Missoula County policies and practices related to documentation standards and document retention guidelines.

MISSOULA COUNTY
EMPLOYER SHARE OF QUALIFIED PREVIOUS SERVICE
PERS CONTRIBUTIONS

It is the policy of Missoula County to pay the employer share of Public Employees Retirement System (PERS) contributions (and regular interest) in cases where a Missoula County employee is purchasing qualified previous service with Missoula County, based on a bona fide "Retroactive Cost Statement" issued by the Montana Public Employees Retirement Administration (MPERA).

**MISSOULA COUNTY
PRINT STANDARDS FOR MISSOULA COUNTY WARRANTS**

Purpose

This policy establishes minimum standards for the print layout of warrants issued from the Missoula County Treasury. For purposes of this policy, the terms “warrant” and “check” will be used interchangeably.

Scope

This policy is applicable to all County departments, funds, school districts, special purposes districts, and other entities whose warrants are paid against monies on deposit with the Missoula County Treasury.

Administration

Anyone with authority to order blank stock for warrants paid from the County Treasury is required to comply with this policy for supply orders placed after July 1, 2007.

Policy

The minimum standards must include the following 3 preprinted items (an example is included for reference):

- ① An eight-digit number must appear on the upper right-hand corner of the check and must match the first 8 digits of micr-encoding on the bottom left of the check. (See note below.) The font size of the warrant number should be visibly larger than the font used when the checks are printed from the entity’s claim or payroll system.
- ② Bank name, address, and ABA code: First Interstate Bank, 101 E Front St, Missoula, MT 59802, 93-168/929.
- ③ The jurisdiction name must include reference to “The Treasurer of Missoula County”.

Note: For jurisdictions with a single digit prefix (Hellgate Elementary [3, 4], Lolo Elementary [5, 6], Potomac Elementary [7, 8]), and Bonner Elementary [9] a leading zero is assumed.

Missoula County Public Schools

The Treasurer of Missoula County
615 South Avenue West
Missoula, MT 59801



First Interstate Bank



101 E Front Street
Missoula, MT 59802

93-168/929

1 59551

Date

Check No.

Amount

Pay to the
Order of:

27159551 092901683 1400949473

January 11, 2007

**MISSOULA COUNTY
INATTENTIVE DRIVING POLICY**

Purpose

This policy addresses the risks of inattention while operating a vehicle. Driving is demanding yet almost all drivers engage in other activities while behind the wheel, including using a cell phone, eating, reading a map, drinking a beverage, adjusting the radio, talking to passengers, etc. As the primary responsibility of a driver is to give full attention to the safe operation of the vehicle, the dangers of multitasking must be minimized. In adopting this policy, Missoula County seeks to alert its employees to the hazards of inattentive driving and to emphasize the paramount importance of driving safely.

For purposes of this policy, “employee” includes all County employees, elected officials, and appointed members of boards, commissions, and councils.

Scope

Subject to the exclusion that follows, this policy is applicable to all County departments and entities. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards. This policy does not apply to law enforcement and public safety.

Administration

Department heads are responsible for the implementation of the policy within their departments and on-going employee compliance.

Other References

Loss Control Policy and Accident/Injury Reporting.

Policy

Employees are routinely provided with electronic devices to assist with job functions. Missoula County has every expectation that such equipment will be used safely, according to operating instructions, and for job-related activities. When daily activities include driving, where the primary focus must be on the safe and lawful operation of the vehicle, employees are encouraged to plan work schedules in advance to avoid distractions, including those associated with the use of electronic devices. If the need to use electronic communications arises while driving, the vehicle should be brought to a complete stop in a safe location and placed in “park”.

The following exceptions apply:

- In an emergency situation, a cell phone or radio may be used to coordinate responses from various departments.
- County radios may be used while a vehicle is in motion for communications of short duration.

Use of devices in any manner that is not compliant with this policy is prohibited. This applies equally to county owned equipment or the occasional use of a personal vehicle or device for work purposes. Violation of this policy, including the improper, careless, negligent, destructive, or unsafe use of operation of Missoula County equipment or vehicles may result in disciplinary action, up to and including termination of employment.

MISSOULA COUNTY
SMOKE FREE ENVIRONMENT

Purpose

This policy establishes guidelines for smoking on County property. It is the County's intent to protect the rights of non-smokers to work in a smoke-free environment.

Scope

This policy is applicable to all County departments and facilities, including motor pool vehicles.

Administration

Department heads are responsible for the implementation of this policy within their departments. The Facilities Manager may report deviations from this policy to employees' department heads.

Policy

In accordance with the Montana Clean Indoor Air Act, smoking is prohibited in all local government buildings. In addition, to prevent smoke from entering a building through doorways, windows, or ventilation systems, smoking is not permitted within 25 feet of any exterior wall of a County building. Smoking is permitted beyond 25 feet and in specifically designated areas such as the smoking area along the west exterior wall of the Courthouse Annex.

MISSOULA COUNTY
BUSINESS MEALS, FOOD, AND
OTHER MISCELLANEOUS COSTS

Purpose

This policy defines the circumstances under which Missoula County will pay for a meal or the cost of food when the employee is not in travel status. It also identifies miscellaneous costs which are generally not allowable. For purposes of this policy, "employee" includes all elected County officials, appointed members of boards, commissions, councils, and department heads.

Scope

This policy is applicable to all County departments and entities. Departments may apply additional requirements as long as they are equal to or more restrictive than these standards.

Limitations

Expenditures for the cost of food or business meals must have a public purpose and serve the public interest. All such expenditures must be reasonable, and reimbursement for expenses solely for the benefit of an individual is not allowable.

Administration

Department heads are responsible for: the implementation of the policy within their departments; employee compliance with this policy; approval of reimbursement requests; and management of expenditures within budgetary constraints.

The County Auditor has final authority for administering, interpreting, and applying the terms of this policy.

POLICY

Business Lunches

A business lunch will be reimbursed if:

3. An employee attends a meeting during lunch specifically related to departmental operations;
4. The reimbursement request includes a receipt and a specific statement describing the purpose or goal of the business lunch.

The maximum amount allowed is the per diem rate, unless the luncheon is a fixed fee, or if a tip is automatically added to a group ticket.

Business Meals

Elected officials and department heads will be reimbursed the full cost of hosting a business meal if the charges are ordinary and reasonable considering the facts and circumstances. Alcoholic beverages and the cost of any social guests present are not allowable charges. The following information must be provided with a claim for reimbursement:

5. Names and positions/titles of attendees
6. Description of county business conducted and justification of meal as county cost
7. Location of meal and name of restaurant
8. Original receipt

Food and Other Miscellaneous Costs

Reasonable food and beverage costs associated with meetings involving members of the general public or other public agencies, who donate their time for a beneficial county purpose, are allowable expenditures at the discretion of the department head. Food items should be limited to snacks and light refreshments only, unless specific departmental circumstances apply (e.g., annual superintendents' and horsemen's barbecues at the Western Montana Fair).

The following categories of expenditures are generally not allowable county costs:

4. Food for regularly scheduled departmental staff meetings unless conducted during a meal break;
5. Employee "consumables" such as coffee, tea, bottled water, pain reliever, cold medication, Kleenex, etc.

The cost of alcoholic beverages is not an allowable under any circumstances.

De minimis expenditures of \$5 or less (e.g., sympathy cards) involving members of the public who donate their time to County endeavors are allowable.

**MISSOULA COUNTY
ACCESSIBILITY POLICY FOR PERSONS WITH DISABILITIES**

Purpose: To comply with the requirements of title II of the Americans with Disabilities Act of 1990 and to affirm Missoula County's policy and practice that facilities, programs, services, and activities of Missoula County government are accessible to members of the public, including qualified individuals with disabilities.

Definitions: "Qualified individual with a disability means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity (Section 504 of the Rehabilitation Act of 1973, as amended, 42 U.S.C. Section 12131 et seq., 28 CFR Part 35, the Americans with Disabilities Act of 1990)."

Policy: In accordance with title II of the ADA and its implementing regulations, no qualified individual with a disability shall, on the basis of such a disability, be subjected to discrimination or be excluded from participation in, or denied the benefits of the services, programs, activities or physical facilities which Missoula County provides to the public.

Employment: The County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the Americans with Disabilities Act (ADA).

Effective Communication: The County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the County's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments. Primary consideration will be given to the requests of the qualified individual with a disability unless another equally effective accommodation is available, or the use of the means requested would result in a fundamental alteration of the service, program, or activity or in undue financial or administrative burden.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a County program, service, or activity, should contact the appropriate County office at 406-523-2700 or 406-721-5700, as soon as possible but no later than 48 hours before the scheduled event. Requests for documents in Braille may take up to two weeks to fill.

Complaints that a County program, service, or activity is not accessible to persons with disabilities should be directed to Missoula County's ADA Coordinator at 406-258-4858.

Modification to Policies and Procedures: The County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all County programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited unless the service animal's presence or behavior creates a fundamental alteration to the program or service being provided or presents a direct threat to safety. In addition, as a matter of policy, not compliance, Missoula County will afford access to individuals, with or without a disability, accompanied by service animals-in-training. Individuals and their accompanying service animals-in-training will be subject only to the conditions and limitations established by law and applicable alike to individuals with disabilities and their service animals.

To the extent possible, Missoula County will ensure that physical facilities are usable by qualified individuals with disabilities. Where physical facilities cannot be made usable, overall program accessibility will be ensured.

Public meetings will be held at accessible locations and in such a manner that qualified people with disabilities are able to participate fully.

Qualified people with disabilities shall not be discriminated against in participation on boards, commissions, or on advisory and planning committees.

All Missoula County offices and programs shall be accessible to users of TTYs either by having a TTY to provide direct TTY access or by using the Montana Relay Service.

Missoula County's grievance procedure (Appendix A) provides an avenue for prompt and equitable resolution of grievances alleging discrimination on the basis of disability in the County's provision of programs, services, and activities, and access to physical facilities.

The County is not required to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

The County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

MISSOULA COUNTY
PARKING ACCOMMODATION POLICY

Missoula County, the Employer, is committed to assisting employees to return to work as soon as possible following an injury or illness that results in either temporary or long term disability, whether due to occupational or non-occupational causes. All requests for short or long term parking assignments will be considered on a case-by-case basis. Every effort will be made to grant reasonable requests that do not create an undue hardship for the Employer.

Assignment of a parking space in close proximity to the worksite may be determined to be a reasonable accommodation for a person with a disability. Requests for a parking assignment in lots controlled by the Employer must be submitted in writing to the Human Resource department. The Employer reserves the right to request medical certification to support such a request. The decision to provide a parking space will be made jointly by the Human Resource Department and the Facilities Manager and will take into consideration the availability of space, other available parking option, the duration of the requested assignment and the nature of the injury or disability. Nothing in this policy will be construed to require the Employer to pay for parking in lots not controlled by the Employer or that is otherwise available to the Employee without the assistance of the Employer.

Parking assignments in lots controlled by the Employer will be approved under one of the following conditions:

1. **TEMPORARY ASSIGNMENT:** Employee is recovering from an illness or injury impairing their mobility from which they are expected to recover. The need for parking assistance is for a limited period of time not anticipated to exceed 6 months. The Employee is required to apply for a special parking permit from the State of Montana through the Missoula Parking Commission. Employees who receive special parking assignments will display their special permit while in Employer controlled lots.
2. **EXTENDED TEMPORARY:** In the event that an Employee has not recovered sufficiently to release their special parking assignment after 6 months, the Employee may request an extension of up to an additional 6 months. No more than three extensions will be granted for a temporary assignment (24 months total). The Employee is required to renew their special parking permit from the State of Montana through the Missoula Parking Commissioner. Employees who receive special parking assignments will display their special permit while in Employer controlled lots.

3. PERMANENT ACCOMMODATION: Employee has as permanent disability as defined under the American with Disabilities Act. The need for parking assistance is for the duration of employment with the Employer. The employee is required to apply for a special parking permit from the State of Montana through the Missoula Parking Commission. Employees who receive special parking assignments will display their special permit while in Employer controlled lots.

MISSOULA COUNTY
PUBLIC RECORDS COPYING COSTS

Missoula County recognizes the right of every citizen to inspect and copy public records held by Missoula as provided by MCA 2-6-102 and MCA 2-6-104.

To implement this right of public access, Missoula County adopts the following guidelines for documents held by the Commissioners' Office.

1. The records available for inspection and copying are those records held by the Commissioners' office where disclosure is not prohibited by statute or by the Constitutional right of individual privacy.
2. During normal office hours any citizen may examine any record available for public inspection in the Commissioners' office. The office shall make appropriate arrangements to allow this inspection which also provides adequate security for the integrity of the public records.
3. Each citizen has the right to have a copy of any record available for public inspection. This right may be exercised in any of the following manners:
 - a. the citizen may provide his or her own copying mechanism, for example, a copy machine or scanner;
 - b. the citizen may request that the custodian of the record make a copy of the file or document wherein the document shall be copied within 5 working days; or
 - c. in certain cases where the document is large and there is sufficient public interest, the County Commissioners may direct that a copy be made available for inspection and copying at the Missoula City-County Public Library and/or on the Missoula County website.
4. There is no fee for the inspection of documents. When a citizen makes his own copies, there is no charge for the copying, but the custodian of the record may impose reasonable conditions on the manner and time of the copying to avoid disruption and to protect the access of other citizens to the records. When copies are made by the custodian of the record, a fee will be charged. The fee shall be 50 cents for the first copy and 25 cents for each page thereafter.
5. Except as provided in MCA 2-6-105, no public record shall be removed from the office where it is kept except in the possession of the custodian for the purpose of making a copy.

**MISSOULA COUNTY
BUILDING EVACUATION**

PURPOSE

The purpose of this policy is to provide guidance for the safe evacuation of Missoula County Buildings.

Each Department shall write and maintain its own evacuation procedure, including designating a meeting place after evacuation. These procedures should include:

- The orderly and safe evacuation of employees and the public;
- Securing or removing money, specified records and high value portable property when practical in terms of employee safety; and
- The option of “protection in place” as an alternate evacuation, depending on the circumstances.

RESPONSIBILITIES

Department Heads will select individuals to be trained as Floor Wardens and Assistance Monitors. Floor Wardens and Assistance Monitors will possess knowledge of the procedures for emergency evacuation of persons with disabilities. The primary role of the Floor Wardens is to assist occupants in evacuating the building in an emergency. The Assistance Monitors are responsible for providing assistance to those individuals on the floor who require assistance to evacuate. The City of Missoula Fire Department will provide training on a periodic basis for these individuals. Floor Wardens are responsible for notifying 9-1-1 or the Fire Department that they need assistance with disabled individuals.

All Department Heads or designees must attend training sessions as required on building evacuation that will be provided by Missoula County Sheriff’s Department.

Department Heads shall permanently post this Policy Statement and their Department procedure in a prominent location.

Building and Grounds shall provide each Department with a sign for permanent posting at a height easily read by someone in a wheelchair, which graphically depicts the evacuation route (Fire Exit).

Evacuation routes for each Department shall be determined by the Department Head in conjunction with the Office of Emergency Management if necessary.

All media questions shall be referred to the Emergency Management Coordinator or an alternate media person.

Specific guidelines are hereby adopted (Attachment A) to notify and assist persons with visual, hearing, mobility, and cognitive disabilities.

NOTIFICATION

Alarms. The alarm systems vary from building to building. If unsure, the Facilities Manager should be contacted for an explanation of your alarm system.

- Employees will be notified to evacuate through their Supervisor or Department Head.
- Department Heads will be notified to evacuate by a Law Enforcement Officer or by an announcement from the alarm system.

PROCEDURE

On notification to evacuate or sounding of the alarm, Department Heads will proceed as follows:

- Carry out the Department's evacuation procedure.
- Once at the designated meeting place, Department Heads should conduct a roll call of employees and notify the Emergency Management Coordinator once their personnel are out and accounted for.

On notification to evacuate, employees shall proceed as follows:

- Carry out evacuation duties, if any;
- Leave the building by the Fire Exit route or an alternate route;
- Move away from the structure and emergency apparatus and proceed to the departmental meeting place;
- Remain with other employees of your Department to permit an accurate and timely roll call; and
- Remain at your department's meeting place until you are provided with specific instructions by your Department Head or Supervisor.

The Emergency Management Coordinator, in coordination with the Fire Department and Sheriff's Office, will decide when it is safe to re-enter the building and will notify Department Heads.

GUIDELINES FOR EVACUATIONS OF PERSONS WITH DISABILITIES

PURPOSE

This policy establishes procedures for emergency evacuation of persons with disabilities from buildings occupied by Missoula County Departments and Offices.

RESPONSIBILITIES

Floor Wardens and Assistance Monitors possess knowledge of the procedures for emergency evacuation of persons with disabilities. The Assistance Monitors are responsible for providing assistance to those individuals who require assistance to evacuate. These include persons with disabilities or those who have medical problems that would require assistance in an evacuation emergency.

EMERGENCY EVACUATION PROCEDURES

Never use elevators during an emergency evacuation.

All assigned Assistance Monitors will accompany persons who are unable to evacuate via the stairs (including persons using wheelchairs or who have health conditions affecting mobility) to a predesignated "Safe Area" or designated Temporary Area of Refuge and will remain with them until evacuated by the City Fire Department. "Safe Areas" will be designated with the universal accessibility sign.

The Floor Wardens, Assistance Monitors and/or County employees will **not** attempt to carry a person who is unable to walk by himself.

The Assistance Monitors or Floor Warden will assign a sighted person to accompany a person with sight impairment out of the building.

The City Fire Department is responsible for evacuation of Safe Areas and Temporary Areas of Refuge.

MISSOULA COUNTY
ASSET CAPITALIZATION THRESHOLD POLICY

- Government accounting standards now require entities to depreciate assets. In order to comply with requirements and to facilitate reporting, Missoula County has raised the capitalization reporting to \$5,000.
- Fixed asset sheets are required for assets with a purchase price of \$5000 or more.
- IS will continue to track General Fund computer property.
- Departments are free to account for lower cost assets.
- For grant reporting requirements, the County hereby adopts IRS depreciation schedules.

**MISSOULA COUNTY
RESPONSIBILITY FOR EMPLOYER SHARE OF MEDICAL BENEFITS
FOR PUBLIC SAFETY OFFICERS INJURED IN THE LINE OF DUTY**

1. **Purpose.** The purpose of this policy is to clarify the circumstances under which Missoula County will continue to pay the employer's share of medical benefits for a retired or separated public safety officer, firefighter or law enforcement officer.
2. Missoula County will continue to pay the County portion of the health insurance benefits for any public safety officer, firefighter or law enforcement officer employed by Missoula County who, as a direct result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit, is required to retire or is otherwise separated from service as a direct and proximate result of such injuries. Any payment required by this part shall be a charge against the budget the department employing the officer or firefighter.
3. For the purposes of this policy, the terms "emergency situation" and "hot pursuit" are defined by Montana case law and the terms "public safety officer, firefighter and law enforcement officer" are defined by Section 1204 of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 as amended.
4. A public safety officer, firefighter or law enforcement officer who retires or is separated from service may request a determination by the Administrator of the County Medical Benefits Plan that their retirement or separation from service is a direct and proximate result of injuries sustained in the line of duty while responding to an emergency situation or a hot pursuit. The Administrator shall determine whether or not the retirement or other separation from employment is a direct and proximate result of injuries sustained in the line of duty while responding to an emergency situation or hot pursuit.

The Plan Administrator may require the applicant to submit substantiating information including but not limited to medical and vocational rehabilitation reports and evaluations and may require the applicant to submit to independent medical and/or vocational rehabilitation examinations or evaluations.

The applicant may appeal the Plan Administrator's determination to the Board of County Commissioners.

5. This policy clarification is being adopted to reiterate the County's earlier acceptance of the Alu-O'Hara Public Safety Officers Health Benefits Act (Section 615 FY 1998 Appropriations Act) and is to be construed in accordance with the Act.

6. This policy formulizes a policy on benefit continuation which was informally adopted by acceptance of grants under Office of Justice Programs.

MISSOULA COUNTY
APPOINTING EMERITUS MEMBERS TO COUNTY BOARDS

Volunteers who serve on the various boards advising and administering a multitude of County programs provide, without compensation at the cost of personal sacrifice, a tremendous service to the citizens of Missoula County.

Without the energy, enthusiasm and insight that these volunteers bring to their boards, it would be impossible for Missoula County to provide the services the citizens of Missoula County have come to expect.

In the interest of further recognizing the services provided by these volunteer board members and of encouraging their further participation when the individual no longer wishes to serve as a regular member of their board, the Board of County Commissioners may appoint the retiring board volunteer a “member emeritus” of their respective board.

Such appointments shall be made only in those cases involving long and distinguished service by the member.

Persons appointed as board members emeritus shall be entitled to notice of meetings and all materials provided to board members and shall be entitled to participate in board meetings as a member of the board provided, however, that emeritus members of the board shall not be entitled to vote and may not be counted in determining what constitutes a quorum of the board or whether a quorum of the board is present.

**MISSOULA COUNTY
EXTERNAL ACCESS TO WEB-BASED
INTEGRATED PROPERTY INFORMATION**

STATEMENT OF PURPOSE

Missoula County has compiled, in a format suitable for Internet access, a number of different property records. While all these records are public records, access to the records has required persons wishing to review them to come to the Courthouse during business hours and manually search through multiple files to obtain the information. This information in its Internet format can be searched by a variety of methods in seconds from any location with Internet access at any time of the day or night.

It is the purpose of this policy to balance the demands of individual privacy against the merits of expanded public disclosure of this information through Internet access.

In making this determination and balancing these competing rights, we have taken into account the fact that citizens who purchase property have no real choice but to record their interest in real property and that this information in many cases is information which individuals believe is being disclosed only for the limited purpose of protecting their interest in the property.

While expectations of privacy in this information are difficult to quantify, we believe that many people have an expectation of privacy in their home addresses. This expectation and desire for personal privacy is reflected in the number of telephone listings which do not include an address and of persons asking not to be listed in the City Directory. The willingness of society to accept at least some level of privacy protection for home addresses in the possession of government is reflected by MCA § 2-6-109 which prohibits the sale or distribution of mailing lists by government agencies for the purpose of protecting individual privacy and MCA § 13-2-122(2) which provides for nondisclosure of the addresses of law enforcement personnel and their families on voter registration lists.

Based on the determination that demands of individual privacy outweigh the merits of expanded public disclosure through the Internet of individual residential addresses, the Commissioners adopt the following guidelines for public Internet access to the County's web-based integrated property information.

1. The ability to search the database by name will be limited to external users, which are established professions or businesses which traditionally have had access to all or part of the integrated data. These professions and businesses include:
 - Title Companies
 - Lenders
 - Attorneys
 - Realtors
 - Engineers
 - Surveyors

Under the following conditions, these traditional users will be given a password in order to access the data using a name search:

- Proof of Legitimacy: Business License/Professional License
 - Fee for Service
 - Signing of Use Agreement (Contract) which provides that use will be for only legitimate business purposes, which limits disclosure to third parties of addresses obtained through the use of the system, and which incorporates the provisions of MCA § 2-6-109 prohibiting the use of the database to generate mailing lists.
2. All other users will have the ability to search the database by taxpayer (SUID) number, by geo-code, and by checking on a particular parcel. While the individual parcel search method will give owner names and property addresses, we feel that the practice is essentially the electronic equivalent of going door-to-door and that the threat to individual privacy is substantially less than that posed by allowing a name search of all parcels in the database.
 3. Nothing in this policy limits persons from accessing existing records in the traditional manner by inspecting such records in the Office where they are maintained or from preparing a mailing list from such original documents as permitted by MCA § 2-6-109.
 4. This policy will be reviewed and updated by the Board as required to meet changing conditions and expectations.

MISSOULA COUNTY
BOMB THREAT POLICY

PURPOSE

This policy and procedure is for bomb threats made against facilities of Missoula County government. The intent in most bomb threats is to create an atmosphere of anxiety and panic, which would disrupt the normal activity of the place that the device was supposedly located.

DEPARTMENTS AND BUILDINGS AFFECTED: ALL
POLICY

- 3.1 Upon receipt of this Policy Statement, Department Heads shall:
 - 3.1.1 Select first line supervisors to be responsible for searching their area;
 - 3.1.2 Distribute the Policy Statement to these supervisors, in confidence, with attention given to Covert Search Procedure - See Attachment 1; and
 - 3.1.3 Place copies of the Threat Check List under selected phones of the Department. At a minimum, the Threat Checklist should be placed with all phones capable of receiving outside calls.
- 3.2 All department heads may be notified of a bomb threat including satellite buildings, via PBX networking.
- 3.3 Procedures to carry out response to bomb threats shall be covert and minimized to the extent that the following objectives are achieved:
 - 3.3.1 Safety of employees and the public;
 - 3.3.2 Minimal disruption of normal activities; and
 - 3.3.3 No reaction feedback to the person who made the threat, if appropriate.
- 3.4 Any evacuation resulting from a bomb threat will be conducted in the same manner as a fire evacuation. (Evacuation order must come from proper authority SEE ANNEX II.) This shall be the Sheriff, advised by a consensus team. The team shall have representatives from the Sheriff's Office.
- 3.5 All media questions shall be referred to the Sheriff's Office.

- 3.6 Mandatory training and updating for all employees shall be conducted each year. This should not take more than 1/2 hour in time.

4. BUSINESS HOURS PROCEDURE

- 4.1 The employee receiving a bomb threat shall complete the Threat Check List, immediately notify the 9-1-1 Center and then notify his/her supervisor.
- 4.2 The 9-1-1 Center shall immediately notify the Sheriff's Office and City/County EOD (Explosive Ordinance Disposal) Team. The Sheriff's Representative shall immediately meet in the Disaster and Emergency Services (hereafter "DES") Conference Room (Command Post).
- 4.3 The City/County EOD Officer and the Sheriff's Representative shall interview the employee who received the threat.
- 4.4 The City/County EOD Officer and the Sheriff or Sheriff's Representative shall decide what response actions are to be taken including evacuation and which, if any, additional emergency service agencies are to be notified.
- 4.5 The Sheriff or representative shall advise the Board of County Commissioners of the threat and the response actions to be taken.
- 4.6 If a building-wide covert (low profile) search is to be made, the Sheriff's Office will coordinate search efforts by the following:
 - 4.6.1 Fan out and notify all Department Heads to conduct a search of their area; to include satellite buildings as a courtesy call.
 - 4.6.2 Search hallways, utility areas, bathrooms, storage areas, outside the building and other areas open to public access; and
 - 4.6.3 Stand watch at each building entrance and report any suspicious activity to the Command Post.
- 4.7 When instructed to do so, Department Heads shall select supervisor(s) to conduct a covert search of their area. *See Attachment 1.*
- 4.8 If the building is to be evacuated, the County Evacuation Procedure will be implemented. Assigned Sheriff's Deputies shall take stations at each entrance and prohibit persons from entering.
 - 4.8.1 If Evacuation Plan is implemented, meeting places must be farther than 300 yards and not in an area that is line-of-sight to Courthouse.
- 4.9 Based on an assessment from the Sheriff or representative, he shall decide when to resume normal operations. Once this decision is made, the Sheriff shall instruct assigned Sheriff's Deputies to fan out and notify all Department Heads or evacuated employees.

AFTER HOURS PROCEDURE

- 5.1 9-1-1 will immediately notify both the City Police Department and Sheriff's Office shift commanders *by telephone*.
- 5.2 9-1-1 will notify the City/County EOD Team.
- 5.3 9-1-1 will page second on-call Building Maintenance employee, who will also respond. The on-call employee and EOD Team member will conduct the building search and make a decision on whether or not to evacuate the building.
- 5.4 9-1-1 will notify the 9-1-1 Center manager, and Sheriff or Undersheriff of the bomb threat.

**MISSOULA COUNTY
POLICY CONCERNING NOTARIES PUBLIC**

PURPOSE

To establish a uniform policy regarding the acquisition and utilization of Notary Public seals in County offices.

BASIC ASSUMPTION

To provide a reasonable number of Notaries Public in County offices as a convenience to the general populace in filing documents (in transactions with the County) which require Notary certification.

The certifying statement by the Notary Public requires the Notary Public to attest that the signing parties are personally known. Individuals utilizing such service, therefore, must be prepared to offer picture I.D. to establish identity to protect the Notary Public from charges of fraud or misfeasance.

FEE STRUCTURE

The fee associated with the seal and accompanying insurance is subject to change, but at the present is \$90.00. In order to recover the cost of that fee, a uniform fee of \$1.00 for each notarization is established.

Note: Fee Waiver. Fee waiver should be accomplished for any document between departments of Missoula County or for any document where the County is one of the two parties to the transaction (as opposed to an agent processing the document).

CRITERIA FOR NOTARY

- (1) Volume of transactions in a department.
- (2) Availability of alternates (physical proximity).

OWNERSHIP

Involvement/necessity for any individual to possess a Notary Seal results from County employment. Therefore, individual ownership of Notary Seal does not appear to be a requirement. Furthermore, individual ownership should be phased out in order to assure that consistent policy regarding Notaries can be established.

TRANSITION

Currently, individually-owned Notary Seals should be "purchased" from the individuals based on the amount of time remaining on commission. If individuals decline the "buy out," then they should be precluded from exercising the Notary Commission on County time.

SCOPE

Attached is a list of County departments, with the recommendations regarding availability of Notaries.

DISCLOSURE

Pertinent information from this policy should be abstracted and posted for public information in the appropriate places.

MISSOULA COUNTY
GROSS RECEIPTS TAX

BACKGROUND

Per MCA 15-50-206, all contractors and subcontractors working on publicly-funded projects where the owner is a public entity are required to pay, or have withheld from them, 1% of the gross contract price. This applies to public contracts of \$5000 and above.

Within 10 days after awarding a public contract, the public agency or prime contractor must file a contract award report (Form PC-1), with the Department of Revenue Business Tax Section.

1% of each payment to the prime contractor is to be withheld and forwarded to the Department of Revenue Business Tax Section, along with a completed form PC-2. It is the contractor's responsibility to ensure subcontractors' compliance.

POLICY

In order to ensure compliance with this law, the County's liaison for each project is responsible for completing form PC-1.

Additionally, whenever a claim is processed for contractor payment, the liaison must also submit a claim for the 1% payment to the State.

Forms can be obtained from MT Dept of Revenue, Business Tax Division, Sam Mitchell Building, Helena, MT 59620.

MISSOULA COUNTY
CASH RECONCILIATION

1. Cash reconciliation shall be accomplished daily by the person in charge of the drawer and one other person. Both totals must agree.
2. Unexplained overages and shortages must not exceed \$10.00 or 1% of total receipts, whichever is least. If this does occur, the Department Head and County Auditor must be notified immediately. The County Auditor may notify the Sheriff and the decision as to the depth of the resulting audit and investigation may be made jointly by the Auditor and the Sheriff.
3. The cash reconciliations shall be a part of the department audit.
4. All departments with cash accounts shall deposit the day's transactions intact daily. (See Step 5 for variance procedure)
5. The County Auditor shall have the authority to grant variances to the daily deposit requirement, limited to:
 - A. A departmental cash account may be reconciled on a weekly basis if the number of transactions are so few that daily reconciliation is not warranted, or;
 - B. The total daily dollar transactions do not exceed \$100.00.
6. Personal transactions may not be made from one's own drawer. Evidence of this will result in immediate dismissal. Any personal transaction, such as making change or cashing checks, will require two people to transact.
7. Under no circumstance shall anyone perform work-related transactions in another clerk's cash drawer unless approved by the supervisor.
8. No personal money shall be in or near the cash drawer.
9. Under no circumstance shall employees' personal checks be cashed from departmental cash accounts. The only exception is that employees may cash personal checks for \$20 or less in the Treasurer's Office.
10. Any evidence supporting someone's removing cash from or inserting into a drawer will result in immediate dismissal.

MISSOULA COUNTY
ASSETS ACQUIRED FROM A SURPLUS PROPERTY PROGRAM

This policy outlines the general requirements for all fixed assets obtained by the County through a surplus property program.

- The department acquiring surplus property is responsible for all paperwork associated with the purchase.
- Surplus property will be valued at the cost of the asset plus all expenses incurred in preparing it for use. These additional costs include, for example, freight, travel, and installation costs.
- Departments that receive or purchase surplus property shall be responsible for meeting the State or Federal terms and conditions governing the control and use of such property while it is in their possession.

MISSOULA COUNTY
SNOW AND ICE CONTROL PROGRAM

This program applies only to roads and streets maintained by Missoula County.

1. There will be no snowplowing or sanding between midnight and 5 a.m. unless the new snow depth exceeds eight inches.
2. On Saturdays, Sundays and holidays, snow plowing and sanding will be limited to designated "Priority Snow Routes" unless new snow depth exceeds eight inches. Plows will be dispatched to areas with snow depth over eight inches. Some Sunday plowing may be done to prepare school bus routes for Monday.
3. If a blizzard warning has been declared by the Weather Service, plows and sanders will operate on all roads on all days from 5 am to midnight as manpower availability and weather conditions permit. First priority during blizzard conditions will be the designated priority snow routes.
4. During regular weekday shifts, snow plowing on school bus routes and arterials will have first priority. Other County roads will be done after the school bus routes.
5. During regular weekday shifts, the sanding priority will be:
 - a. Priority snow routes;
 - b. School bus routes;
 - c. Other roads
6. Sanding will begin in the urban areas and work outward. Rural areas may not receive sanding until the p.m. hours.

MISSOULA COUNTY
DAMAGE TO COUNTY PROPERTY ATTRIBUTABLE
TO COUNTY EMPLOYEES

From time to time damage occurs to County property that is directly attributable to one or more County employees. In the event that such damage shall occur, the employee's immediate supervisor or Department Head shall investigate the incident.

Unless it is determined that the employee was grossly negligent or the damage was deliberate, the employee will not be responsible for the repair of such damage. Final action on the matter shall rest with the Department Head.

If it is determined that the damage was deliberate or due to gross negligence, the Department Head will contact the County Attorney to decide on a course of action.

The Department Head is responsible for reporting all losses, however small, and whether insured or not, to the Risk Manager.

MISSOULA COUNTY
PERSONAL USE OF COUNTY TELEPHONE SYSTEM

Basic Use of County Telephone System:

The County telephone is in existence for business purposes. There are times, however, when personal use of telephones is necessary. For those calls, employees should make every effort to keep the conversation as brief as possible.

Long Distance Toll Charges:

County employees are encouraged to use personal credit cards for all personal long distance calls. However, if personal calls are made using the County system, the employee must reimburse the County for those calls. It is the responsibility of the Department Head to ensure that employees pay for these calls.

The Auditor's Office will review phone bills on a periodic basis and notify Department Heads of any concerns.

MISSOULA COUNTY
DAVIS BACON COMPLIANCE AND MONITORING

The Davis-Bacon Act requires that the local prevailing wage be paid on all federally-funded construction contracts exceeding \$2,000.

Montana law (MCA 18-2-402) states that prevailing wages are applicable for construction services let by state or local government in which the total cost is in excess of \$25,000.

Missoula County will comply with both federal and state Davis-Bacon requirements in all cases.

The Department responsible for the construction contract will administer this policy. The Department will ensure that all relevant bids and contracts contain appropriate language relative to Davis-Bacon and prevailing wage rate. The Department will also be responsible for monitoring the certified payrolls of all construction projects falling within the definition of this policy for compliance with prevailing wage rates.

MISSOULA COUNTY
DAILY MEETING POLICY

PURPOSE

The purpose of this policy is to facilitate communication with County Departments and Agencies and to facilitate timely decision making and policy direction from this Board.

POLICY

The Board will hold administrative meetings at a publicly scheduled time.

Meetings will be conducted according to an agenda organized as follows:

- a. Signing of documents.
- b. Review of upcoming events and meetings
- c. Consideration of old business
- d. Introduction of new business, and
- e. Other business and comments.

All agenda items must be submitted to the Commissioners' secretary by noon on the day prior to the meeting.

Matters not placed on the agenda in advance will be considered as time or circumstances dictate.

These daily meetings are for the purpose of addressing pressing matters in a timely fashion. Issues requiring prolonged discussion will be scheduled for a special meeting with the Board and with appropriate time allocated.

MISSOULA COUNTY
COUNTY INVESTMENT POLICY

I. Purpose

- A. The purpose of this policy is to establish the framework within which Missoula County's investment program shall be conducted.

II. Scope

- A. Funds included within the scope of this investment policy statement are the general fund, special revenue funds, debt service funds, school districts, trusts, special improvement districts and other agencies. Capital project funds and the County insurance trust may not necessarily adhere to this policy. Separate guidelines shall be developed for these special funds.

III. Objectives

- A. **Safety of capital:** Safety of principal is the foremost objective of the government of Missoula County. The objective is to mitigate credit risk and interest rate risk:
1. **Credit Risk:** The County will minimize credit risk, which is defined as the risk of loss due to the failure of the security issuer or backer, by:
 - **Limiting investments to the safest types of securities and investments as outlined in section VII.**
 - **Evaluating the financial stability of the financial institutions broker/dealer with which the County will do business.**
 - **Diversifying the investment portfolio so that potential losses on individual securities will be minimized.**
 2. **Interest Rate Risk:** The County will minimize the fluctuations or market value risk of securities in the portfolio due to changes in general interest rates, by:
 - a. **Structuring the investment portfolio so that liquidity is met first, then investing excess liquidity funds in a conservative investment manner that is consistent with risk and return expectations.**
- B. **Return on investment:** The government of Missoula County's cash management portfolio shall be designed with the objective of achieving a market rate of return throughout budgetary and economic cycles, taking into account the investment risk and liquidity needs. The objective for the overall funds will be to achieve rate equal to or greater than the 90-day Treasury bill. The core of investments will be limited to relatively low risk securities in anticipation of

earning a fair return relative to the risk being assumed. A specific benchmark may be established to compare return and risk for the core assets. It is the County's policy to hold investments to maturity; however, securities may be sold prior to maturity under the following circumstances:

- **A security that has a declining credit may be sold early to minimize loss of principal.**
 - **A security be swapped for one that would improve the quality, yield or target duration in the portfolio.**
 - **Liquidity needs of the portfolio require that the security be sold.**
- C. **Local considerations:** The government of Missoula County seeks to attain market rates or return on its investments consistent with constraints imposed by its safety objectives, cash flow considerations and state laws that restrict the placement of certain public funds. The Government's investment managers are encouraged to represent the public's best interests in removing constraints to the efficient investment of its funds.
- D. **Maintaining the public's trust:** All participants in the investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction that might impair public confidence in Missoula County's ability to govern effectively.
- E. **Legal considerations and limitations:** Missoula County's investment program shall be operated in compliance with Montana State Law. Please see Attachments A and B for copies of County Attorney Opinions No. 85-2 and 79-44.
- F. **Diversification:** Missoula County shall maintain a diversified portfolio of investment instruments to preclude outright losses through defaults and market losses due to price changes. The County may diversify by investing with local financial institutions, the State of Montana, or by purchasing qualified U.S. government securities to the extent consistent with the policy objectives on safety and capital and return on investment.
- G. **Liquidity:** The County's investments shall be managed to maintain the liquidity needed to meet each fund's cash requirements. Regardless of the investments, the County shall continue to meet its daily obligations.

IV. **Staffing**

- A. Missoula County is committed to providing on-going investment training for County's investment staff in order to ensure staff competence and integrity.
- B. Missoula County's investment program will operate in compliance with the so-called "prudent expert principle," which requires any investment manager to:
1. Discharge his/her duties with the care, skill, prudence, and diligence, under the circumstances then prevailing, that a prudent expert acting in a like capacity with the same resources and familiar with like matters exercises in the conduct of an enterprise of a like character with like aims,
 2. Diversify the holdings of each fund within the Missoula County investment

program to minimize the risk of loss and to maximize the rate of return, unless under the circumstances it is clearly prudent not to do so; and

3. Discharge his/her duties solely in the interest of and for the benefit of the funds forming the Missoula County investment program.

C. **Delegation of authority:** In accordance with Section 7-6-201 of the Montana Code Annotated, the responsibility for conducting investment transactions for Missoula County resides with the Treasurer. It is the responsibility of the County Treasurer to insure that competent individuals handle the daily investing of Missoula County's funds.

D. **Liability:** Section 7-6-212, Montana Code Annotated provides that "Where money shall have been deposited in accordance with the provisions of this part, the treasurer or town clerk shall not be liable for loss on account of any such deposit that may occur through damage by the elements or for any other cause or reason occasioned through means other than his own neglect, fraud, or dishonorable conduct." The treasurer and any duly appointed investment officers, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported immediately and that appropriate action is taken to control adverse developments.

E. **Investment Advisor:** The County may hire an investment advisor(s) to assist with the investment decisions and portfolio management. A competitive process shall occur to ensure that the best advisor(s) is selected.

V. **Investment Advisory Committee**

An ongoing investment advisory committee shall be established to review, monitor and evaluate the County's investment program on a continuing basis. The committee shall also have the authority to develop and grant variances upon the request of a financial institution. This committee shall consist of the County Clerk and Recorder/Treasurer, one County Commissioner or a representative from the Commissioner's office; the County Auditor; two representatives from the Treasurer's Division; the County Superintendent of Schools; two non-County government representatives; and one at-large member with professional experience, appointed by the Board of County Commissioners.

VI. **Bonding**

All appropriate investment personnel shall be bonded.

VII. **Designation of Allowable Instruments**

All investments allowed by state law will be eligible for the investment of Missoula County funds as in accordance to Section 7-6-202 of the Montana Code Annotated.

VIII. **Maximum Maturity Policy**

An investment authorized may not have a maturity date exceeding five years, except when the investment is used in an escrow account to refund an outstanding bond

issue in advance as in accordance to Section 7-6-202 of the Montana Code Annotated.

IX. Risk Assessment

The investment advisory committee will monitor both market risk (the possibility that interest rates will change adversely) and default risk (the possibility that the County could actually lose part or all of its principal due to the failure of one of its depositories).

X. Repurchase Agreements

A. "Retail" repurchase agreements will not be used. These instruments pledge an undivided share in a secondary reserve portfolio and typically offer inadequate protection in the event of issuer default. Missoula County will only invest in "perfected" repurchase agreements. These specifically identify the underlying security in the repurchase agreement.

B. The investment advisory committee in conjunction with the County Attorney's Office shall develop a master written repurchase agreement that defines the nature of the transaction as a simultaneous buy/sell, identifies securities eligible as collateral, provides the purchaser with redemption rights, identifies the location of collateral securities, and limits the issuer's rights of collateral substitution. Collateral should be defined as an underlying security to which the "repo" purchaser has a security interest during the term of the repurchase agreement and in the event of insolvency default.

C. Missoula County shall only do repurchase agreements with "primary" reporting dealers (monitored by the New York Federal Reserve Bank) and local financial institutions approved by the investment advisory committee. Repurchase agreements with brokers and dealers must be protected by third party custody safekeeping of collateral.

D. If physical separation and safekeeping of repo collateral is not feasible with local institutions, reasonable alternative solutions shall be developed by the investment advisory committee.

E. Collateral shall be marked to market on the day of the trade or otherwise protected against price deterioration as determined by the investment advisory committee.

F. The investment advisory committee shall define the level of over-collateralization needed, if any.

G. Collateral shall be verified in writing and may be examined on a surprise basis during the year. Verification of collateral shall be part of the independent audit engagement.

XI. Government Securities

A. Missoula County shall only purchase government securities from those financial institutions approved by the advisory committee.

B. Excessively frequent transactions that produce minimal net returns shall be avoided as they generate unnecessary extra commissions.

- C. Orders shall not be placed “at the market” (the interim market for government securities that have not yet been issued to their auction-purchasers) and shall be limited to legitimate forward deliveries. The “when issued” market shall not be used to speculate on interest rates when investing funds on deposit with the Missoula County Treasurer.

XII. Safekeeping and Custody

- A. All investment transactions shall be conducted on a delivery versus payment basis, which ensures that securities are deposited at the third party custodian simultaneously with the release of funds. Securities will be held in a custodial account by the third party custodian designated by the Treasurer and evidenced by safekeeping receipts. Non-negotiable Certificate of Deposits are not handled on delivery vs. payment basis and are exempt from this process. Some investments are transferred and settled through the Federal Reserve System in a book entry format. These book entry transactions are monitored by the safekeeping custodian and will be held in the account on that basis.
- B. If an adviser(s) is utilized, the securities can be held with the advisor(s) in a custodial account on behalf of the County. The advisor is not to use the securities in any way for their own purpose, such as lending and borrowing.

XIII. Federal Insurance

Deposit of Missoula County funds in financial institutions will be invested in accordance to Section 7-6-201 of the Montana Code Annotated.

XIV. Collateralization Requirements - Certificates of Deposit

- A. Pledged securities shall be valued at market rather than face value. In order to insure that Missoula County's deposits are secured by investments that are safe and liquid:
 - 1. All securities pledged for Missoula County funds must be capable of being “marked to market” preferably daily but within two business days at the maximum.
 - 2. All collateral shall be “marked to market” upon initial pledging with Missoula County. Updated values are to be reported by the depository to the Missoula County Treasurer on a quarterly basis. The Missoula County Treasurer may request revaluation of the pledged collateral more often than quarterly for certain securities with considerable market value fluctuation.
- B. For certificates of deposits, third party safekeeping of collateral shall be mandatory.
- C. Missoula County will adhere to state law (7-6-207 M.C.A.) by requiring any institutions with Missoula County funds to pledge security for that portion of the deposits which is not guaranteed or insured by FDIC, FSLIC or NCUA to the extent of:
 - 1. 50% of such deposits if the institution in which the deposit is made has a net worth to total assets ratio of 6% or more; or

2. 100% if the institution in which the deposit is made has a net worth to total assets ratio of less than 6%.
 3. The net worth to total assets ratio is to be calculated on a G.A.A.P. (Generally Accepted Accounting Principles) basis.
- D. The following securities shall be the only collateral eligible as pledging to secure deposits of Missoula County funds:
1. Direct obligations of the United States with the full faith and credit pledge of the United States.
 2. Securities issued or fully guaranteed by the following agencies of the United States or their successors:
 - a. Federal intermediate credit banks
 - b. Federal land bank (Farm credit services)
 - c. Federal home loan banks
 - d. Federal national mortgage association
 - e. Government national mortgage association
 - f. Small business administration
 - g. Federal housing administration
 - h. Federal home loan mortgage corporation
 3. General obligation bonds of the state or of any county, city, school district or other political subdivision of the state if they have a legal opinion from bond counsel.
 4. Revenue bonds of any county, city or other political subdivision of the state, when backed by the full faith and credit of such subdivision and are accompanied by a legal opinion from bond counsel.
 5. General obligation bonds of other states and of municipalities, counties and school districts of other states if they have a legal opinion from bond counsel.
 6. Cashier's checks issued to the depository institution by any federal reserve bank.

XV. Evaluating the Credit of County Depositories and Certificate of Deposit Issuers.

- A. All financial institutions bidding for deposits of County funds or repurchase agreements must provide the Missoula County Treasurer with copies of their quarterly call reports on a timely basis.
 1. All reports shall be treated as confidential information by the Missoula County Treasurer's staff.
 2. A financial institution belonging to a holding company shall also provide a copy of their holding company's annual report to the Missoula County Treasurer.

3. From all banks with Missoula County deposits, the following reports and supporting schedules contained in each institution's call report are required on a quarterly basis:

a. Consolidated Report of Condition

Schedule RC	Balance Sheet
Schedule RC-A	Cash & Balances Due from Depository Institutions
Schedule RC-B	Securities
Schedule RC-C	Loans & Lease Financing Receivables
Schedule RC-E	Deposit Liabilities
Schedule RC-F	Other Assets
Schedule RC-G	Other Liabilities
Schedule RC-J	Repricing Opportunities for Selected Balance Sheet Categories
Schedule RC-K	Quarterly Averages
Schedule RC-L	Commitments & Contingencies
Schedule RC-M	Memoranda
Schedule RC-N	Past due, Non-accrual & Renegotiated Loans & Lease Financing Receivables

Optional Submission of Narrative Statement Concerning the Figures Submitted on Schedule RC-N, Past due, Non-accrual, & Renegotiated Loans & Lease Financing Receivables

Schedule RC-O	Other Data for Deposit Insurance Assessment Loans to Executive Officers
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b. Consolidated Report of Income

Schedule RI	Income Statement
Schedule RI-A	Changes in Equity Capital
Schedule RI-B	Charge-offs & Recoveries & Changes in Allowance for Loan & Lease Losses
Schedule RI-C	Applicable Income Taxes by Taxing Authority
Schedule RI-E	Explanations

4. From all savings and loan associations with Missoula County Deposits, the following reports filed with the Federal Home Loan Bank Board are required when filed on a semi-annual basis. In addition, comparable (more abbreviated) reports prepared for the quarter between each of the FHLBB semi-annual reports are also required.

- a. Statement of Condition (Sections A, B, C)
- b. Income and Expense (Sections D, E)
 - Section F Supplemental Data
 - Section G Deposit Balances in Accounts with Fixed Maturity by Type
 - Section H Maturity and Yield Cost Information: Assets and Liabilities
 - Section I Annual Supplement
 - Section K Slow Loans & Other Scheduled Items

B. The Missoula County Treasurer’s staff shall evaluate the quarterly reports for the following information:

- 1. Profitability
- 2. Capitalization
- 3. Asset quality
- 4. Liquidity

C. The financial analysis without names of the specific financial institutions will be reviewed by the investment advisory committee.

XVI. Ratable Deposits

In accepting bids for deposits, Missoula County will also limit its deposits with any one financial institution to 10% of the County’s total deposits or 75% of the G.A.A.P. based equity of the institution, whichever is less.

XVII. Reporting

A. The Missoula County Treasurer’s Office will prepare the following quarterly reports for the investment advisory committee:

- 1. Transaction report
- 2. Portfolio statistics
 - a. Maturity structure
 - b. Types of holdings – Diversification
 - c. Average Maturity of total portfolio
 - d. Average Maturity of Core funds
 - e. Performance analysis if funds are handled by an advisor(s)

B. Annual listing of pledged securities of financial institutions in which County holdings exceed the amount guaranteed or insured by FDIC, FSLIC or NCUA, according to Section XL (C) of this policy.

C. Depository credit evaluation, when requested by the investment advisory

committee.

XVIII. Amendment

The Investment Advisory Committee may make recommendations to the Board of County Commissioners to amend this policy statement from time to time.

POLICY NO. 97-A
September 24, 1999

[From: Teresa Emery, Telephone Services]

MISSOULA COUNTY
PHONE CHANGES AND RELOCATIONS

Due to the large number of repeated requests for changes and relocation of phone sets, I am updating our policy for this procedure.

- Any requests for in-house data updates (name changes, directory changes) will continue to be free. There is, however, a charge for changes in the US West directory.
- Repairs will not cost anything unless abuse, theft or tampering is involved. Repairs of optional equipment (headsets, tape recorders, modems, etc.) are not the responsibility of this department.
- Any requests requiring physical changes and relocations will have a \$30.00 minimum charge. Large requests requiring more than an hour of labor will have an hourly rate of \$30.00/hr. added to that.
- All requests must be e-mailed directly to me unless it is an emergency. Emergencies should be reported directly to me at 2729 or to the switchboard if I am not in.
- New installs and large relocations will be negotiated on a case by case basis as they have in the past.

MISSOULA COUNTY
PUBLIC MEETING MINUTES

The purpose of this policy is to increase the accessibility of the Commissioners Public Meeting Minutes and to improve the written record of decisions.

A verbatim record of the decisions and discussion of the Board of County Commissioners Public Meeting will be kept on tape for six months. The written record of decisions of the Board of County Commissioners, including the date, time and place of the meetings, the names of the members present, the substance of all matters proposed, discussed or decided and the votes for each commission on each issue, will be kept current (within one month the meeting), signed by the Chair and become part of the permanent public record.

1. The tapes will be made available in the Commissioners' office by the staff with a listening device during office hours upon request.
2. A copy of a tape(s) will be available upon written request-and for a cost of \$5.00 per tape.

EFFECTIVE DATE AND IMPLEMENTATION

November 13, 1996. Tapes available for 6 months. The written record of decisions is currently being implemented.

POLICY NO. 96-E
October 24, 1996

MISSOULA COUNTY
PINE STREET DOOR

Commissioner Fern Hart moved that the policy of leaving the Pine Street door open for evening meetings during the time of the meeting be reinstated. The evening meetings are scheduled in the Commissioner's Office. The motion was seconded by Commissioner Barbara Evans and passed.

**MISSOULA COUNTY
RSID DUST ABATEMENT**

PURPOSE

The purpose of this policy is to formalize the administration of a Dust Abatement Rural Special Improvement District program.

Dust control and abatement on County maintained roads using the Rural Special Improvement District process requires the submittal of a petition that must include the following:

1. **Application.** An application must be completed and submitted along with a fee of \$150.00 to initiate the petition process. This cost will pay for the expense of staff and other professional services with maps, cost estimates and general document preparation of the petition. The \$150.00 fee is refundable upon the successful submittal of the petition with the 60% signature approval within the proposed district and the creation of the Rural Special Improvement District.
2. **Application Form.** The form (attached) will provide the necessary information about the particular area including the present status of the County road, approximate length of the roadway to be treated and an indication as to which properties should be included within the district and therefore benefit from the improvement.
3. All other Neighborhood RSID Policy and Procedures will apply.

PROCEDURES

The results of the application will produce a petition format with project cost estimates; a budget detail of materials and cost per parcel within the proposed district boundary; and a detail map designating property legal description, and showing district boundary lines. Therefore the applicant will have all the necessary information to begin the circulation process within the proposed district.

This Policy Statement was approved on the 25th day of June, 1996 and signed this 1st day of July, 1996.

**APPLICATION FOR
DUST ABATEMENT - RURAL SPECIAL IMPROVEMENT DISTRICT**

Applicant:

Name: _____

Address: _____

1. The name of the County road involved in the dust control problem and a description of its location in the County.

2. The approximate length (miles) of the road for the dust abatement material application.

3. Application fee \$150.00 paid _____ Check No.# _____

Date: _____

Signature: _____

Received by _____
Date: _____

MISSOULA COUNTY
CIP REPLACEMENT FUND FOR COUNTY MAINFRAME

A CIP replacement fund is established for the county mainframe system. The mainframe is on a five-year replacement cycle and the goal is to collect 1/5 of the estimated replacement cost each year. This will be done by charging each user (county, city, state and private) a fixed yearly amount based on the number of work stations they have accessing the mainframe. Each year the amount will be re-spread based on the number of stations attached to the mainframe. The amount collected will be for the sole purpose of mainframe replacement.

For budgeting purposes, the number of stations a department has accessing the mainframe will be verified by information Services by April 1st of each year. Any stations added after this date will not be assessed the fiat fee until the next fiscal year. Information Services will be responsible for billing each department by September 1st of each year.

MISSOULA COUNTY
RURAL SPECIAL IMPROVEMENT DISTRICTS

Exhibit A to this policy statement defines the boundaries of the Missoula Carbon Monoxide Non-Attainment Area Boundary. It is currently the goal of the County to pave all roads within this Boundary which fall under the County's jurisdiction with federal CMAQ funds. Therefore the Board of County Commissioners will not create any Rural Special Improvement Districts within this area for paving during the time that the CMAQ program is in existence. Any exceptions to this policy require specific action by the Board of County Commissioners,

This policy will remain in full force and effect until rescinded by the Board of County Commissioners.

NOTE: EXHIBIT A IS NOT ATTACHED. The non-attainment area as of March 7, 2005 may be viewed through the following link:

<http://www.co.missoula.mt.us/airquality/AirProgramProjects/CORedesignation/pdfs/FinalRedesignationRequest.pdf>

MISSOULA COUNTY
USE OF GEO CODE OR SUID NUMBER

PURPOSE

The purpose of this policy statement is to request that the GEO Code or SUID number (real estate tax identification number) be placed on all documents that transfer ownership of real property. This will enable the Department of Revenue to process ownership transfers in a more efficient manner and it will benefit the taxpayers when Missoula County establishes a geographical information system.

DISCUSSION

Jim Fairbanks, Department of Revenue Manager, Michael Sehestedt, Deputy County Attorney, and Vickie M. Zeier, Clerk & Recorder/Treasurer held a meeting on March 7, 1995 with local Title Companies and Attorneys to discuss the purpose of requesting the GEO Code # or SUID # on documents that transfer real property. The consensus was that since these parcel identification numbers are being collected routinely and written on conveyances by some at this time, they would accommodate this request.

POLICY

Missoula County hereby requests that a GEO Code or SUID number be provided on all documents being recorded with the Missoula County Clerk & Recorder's Office that transfer ownership of real property. The Assessor's Office will gladly assist in researching these parcel identification numbers.

**MISSOULA COUNTY
SPECIAL FUNDS FOR OWNERSHIP AND MAINTENANCE
OF COMPUTER HARDWARE**

This is a companion policy to 93-B *Computer Hardware and Software Purchase Policy*. The purpose of this policy is to address the ownership and maintenance of computer hardware purchased by special funds.

There will be two options for special funds with regard to ownership and maintenance of computer hardware:

Option 1:

Computer hardware purchased from resources in any of the special funds shall be owned by that special fund. The special fund shall be responsible for maintenance of that hardware, and will not call on Data Processing for assistance or loaner hardware.

Option 2:

Computer hardware purchased from resources of a special fund will become part of the inventory managed by Data Processing. The special fund will contribute to the maintenance pool managed through the CIP. Under this option, maintenance and loaner equipment will be available through Data Processing.

**MISSOULA COUNTY
INTERIM CERTIFICATE OF SURVEY REVIEW
PROCEDURE AND CRITERIA**

A. POLICY STATEMENT

The passage of HB 408 by the 1993 Legislature, together with the decision of the Montana Supreme Court in State ex rel. Dreher v. Fuller, (1993 Mont.) 50 St.Rep. 349, requires a comprehensive review and revision of Missoula County's Subdivision Regulations and Resolution 87-077, Missoula County Certificate of Survey and Review Procedure and Criteria. This policy statement is intended to "bridge the gap" between the effective date of HB 408 and the completion of a more comprehensive review and revision of the existing resolution.

B. DEFINITIONS

Act: The Subdivision and Platting Act.

Board: Missoula County Board of Commissioners.

Member of the immediate family: The spouse of the grantor and the children or parents of the grantor by blood or adoption.

Person: Includes an individual, firm, association, partnership, corporation and public agency.

Regulations: Missoula County Subdivision Regulations.

C. GENERAL REQUIREMENTS

1. The use of any exemption set forth in Sections 76-3-201 and 76-3-207 MCA for the purpose of evading subdivision review under the Act or the Regulations is prohibited.
2. In determining whether an exemption is claimed for the purpose to evade, the Board, or its review agent shall consider the specific exemption criteria set forth herein as well as other relevant facts, including, but not limited to:
 - a. The history of the tract since July 1, 1974;
 - b. The proposed configuration, of the particular tract to adjacent tracts, if the proposed exemptions were to be granted;
 - c. The pattern, if any, of exemptions used by the applicant and/or the applicant's immediate family, and/or other persons having a substantial business, economic, ownership or other relationship with the applicant that has or will result in the creation of a subdivision without review of the Board;
 - d. Whether the use of the exemption is in violation of statutes, Montana case law, administrative rules or Attorney General opinions.

D. EXEMPTIONS SUBJECT TO REVIEW

1. The following exemptions are provided by Sections 76-3-201 and 76-3-207 MCA. The exemptions are subject to denial if it is determined that they are being sought to evade the Act. The exemptions listed at h, i, j, k, and l are subject to surveying requirements.
 - a. Court ordered divisions;
 - b. Agreements creating a parcel which could have been created by eminent domain;
 - c. Security for construction mortgages, liens or trust indentures;
 - d. Severance of mineral interests from surface ownership;
 - e. Cemetery lots;
 - f. Reservation of life estates;
 - g. Lease or rent for farming and agricultural purposes;
 - h. Relocation of common boundary lines outside a platted subdivision;
 - i. Divisions outside a platted subdivision for gift or sale to an immediate family member;
 - j. Property subject to an agricultural covenant;
 - k. Relocation of common boundaries and the aggregation of lots for five or fewer lots within a platted subdivision;
 - l. Relocation of a common boundary between a single lot in a platted subdivision and adjoining land outside a platted subdivision.

E. APPLICATION AND ADMINISTRATIVE REVIEW PROCEDURE

Any person seeking to use exemptions from the Act must obtain approval from the Board or its designated review agent. The Missoula County Attorney's office is designated the review agent for the Board for exemption requests.

The applicant shall submit a completed Exemption Affidavit along with all necessary supporting documents to the office of the Missoula County Attorney. Incomplete applications shall be returned to the applicant and shall not be reviewed until the affidavit is entirely filled out, signed and notarized by either the applicant or his or her agent and all supporting documentation provided.

The County Attorney's Office may approve all exemption affidavits when no evidence of intent to evade the Act appears from the affidavit, supporting documents and other relevant information. Exemption criteria concerning evidence of intent to evade the Act is listed at Section F.

If the review agent determines the affidavit and supporting documents do not meet the applicable criteria for administrative approval, the application shall be referred to the Board for a hearing.

Agricultural exemptions require that the governing body and the property owner enter into a covenant running with the land, revocable only by mutual consent of the governing body and the property owner, that the divided land will be used exclusively for agricultural purposes. Therefore, all agricultural exemptions will require commissioner action.

F. HEARING PROCEDURE

1. The Board shall conduct a hearing on referred exemption requests at its regular Wednesday public meeting. Notice of the hearing shall be given to the applicant or his or her agent at least five (5) business days before the hearing.
2. The applicant or his or her agent must appear personally at the hearing. The applicant has the burden of proof by a preponderance of the evidence.
3. The Board shall issue a written decision of its determination within fifteen (15) days of the hearing. Reasons in support of its decision shall be included.

G. EXEMPTION CRITERIA

1. It shall be presumed that there is no intent to evade the Act when the following proposed divisions of land are fully documented:
 - a. A division of land which is created by order of any court of record in Montana or by operation of law or a bona fide agreement between the parties which could be imposed by a court in the absence of an agreement pursuant to the law of eminent domain;
 - b. Severance of oil, gas, minerals or water rights from surface ownership;
 - c. Creation of cemetery lots;
 - d. Reservation of life estate, when the reserved life estate includes an entire tract of record;
 - e. Rent or lease for farming or agricultural purposes so long as the written rental or lease agreement specifically limits the use of the property to identified farming or agricultural uses.
2. It shall be presumed that there is no intent to evade the Act when the following circumstances are clearly found to be documented:
 - a. Court ordered divisions, when it appears from the affidavit and supporting documentation that the parties were bona fide adverse parties and that the order was not the result of an agreement between the parties for the purpose of evading the Act.
 - b. Boundary relocations, including outside platted subdivisions, involving five or fewer lots in a platted subdivision or a platted lot and unplatted land.
 - 1) The relocation does not affect more than 20% of the total area of the parcels whose boundaries are being adjusted (in the case of aggregation of lots the area of one of the aggregated lots may be disregarded);

- 2) The relocation will not create an additional building site;
- 3) The relocation (except an aggregation) is between unrelated parties;
- 4) The purpose of the relocation is to reconfigure lot lines to address problems with topography, the location of improvements or similar issues;
- 5) There are no prior similar transfers with the original tract or other tracts by the applicant.

3. Family Transfer

- a. The applicant does not propose to use this exemption a second or subsequent time to transfer a parcel of land to the same family member, regardless of whether the previously created parcels were transferred to the family member or were transferred and subsequently conveyed by the family member;
- b. The parcel to be divided was not previously created by use of the family transfer exemption, security exemption or occasional exemption;
- c. A parent who purports to act as a conservator for a minor child provides bona fide assurances that the property will be managed on behalf of the child and not the parent.

4. Security Interest Exemptions

- a. The security interest exemption is used to segregate land for the purpose of providing security for construction mortgages, liens or trust indentures.
- b. The parcel is being created to provide security of financing of the construction of improvements on the parcel to be created;
- c. The applicant provides written documentation that either the lender requires the applicant, whether as a matter of established policy or law, to create a separate parcel as a condition of a construction loan or that the applicant is able to obtain unencumbered title to pledge as security to only a portion of the tract;
- d. That the applicant has made prior use of the security exemption he or she has not separately conveyed either the security parcel or the parent parcel.
- e. The applicant has not engaged in similar prior transfers with the original tract or other tracts.

5. Agricultural exemptions

- a. Agricultural uses include, but are not limited to farming, dairying, pasturage, grazing, animal and poultry husbandry, silviculture and removal of forest products, floriculture and horticulture;
- b. A change in the use of land exempted under this section for anything other than agricultural purposes subjects the property to review under these procedures. Another exemption may be substituted, if appropriate, or the property may be required to be reviewed under the subdivision regulations.

H. RECORDING

1. The Clerk and Recorder shall not accept or record any documents which purport to convey any interest in real property unless the offered document either includes or is accompanied by a reference to a tract of record or by an appropriate description and/or survey as required by the Act. In lieu of a reference to a tract of record, the applicant shall present a letter of approval from either the County Attorney's office or from the Board, approving the division of property shown on the certificate of survey offered for filing.
2. No certificate of survey dividing property by use of the boundary relocation exemptions, construction security exemptions, or family transfer exemption shall be accepted for recording unless accompanied by deeds actually conveying the property as required to implement the stated purpose of the survey.
3. Certificates of survey or any document which purports to convey any interest in real property subdividing property pursuant to Section 76-3-207 MCA shall not be accepted for filing unless the county treasurer has certified that no real property taxes assessed and levied on the land to be divided are not delinquent.

**MISSOULA COUNTY
CHARITABLE GIVING IN THE WORKPLACE**

During the past several years there has been an evolving case law relative to charitable giving in the public work place. This evolution basically requires public employers to open their doors to all charitable organizations for solicitation of employees if the practice has been to open the doors to one. Since Missoula County has participated in the United Way campaign for many years, this change is now applicable to our operation. Therefore, the Board of County Commissioners has adopted the following policy (see below) governing how this will be structured.

If you have any questions regarding this matter, please don't hesitate to contact our office.

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Missoula County Employees' Combined Campaign

The annual Missoula County Employee's Combined Campaign shall be the only County-sponsored charitable fund raising appeal conducted by and among County Employees at the work-site in order to:

- 1. To minimize the disruption in the work place.
- 2. To minimize the administration required to conduct the campaign.
- 3. To provide a range of choices to all County Employees.

The Missoula County Employee's combined Campaign shall solicit contributions to primarily benefit Missoula County and/or the people living within the county.

- 1. The organizations participating in the campaign shall have a substantial presence in Missoula County.
- 2. The predominate amount of the funds raised through the Missoula County Employee's shall remain in Missoula County.

County Employees Participating in Campaign Activities

County employees who are participating as volunteers in the combined campaign shall be permitted a reasonable amount of time to perform their duties related to the campaign. Employees shall coordinate the time requirements needed to perform their combined campaign duties with their supervisors so as not to conflict with their other required job duties.

Solicitation Methods

Employee solicitation shall be conducted during working hours using methods that permit true voluntary giving.

Coercion Prohibited

True voluntary giving is the essence of fund-raising activities. Actions that do not allow free choices or create the appearance that employees do not have a free choice to give or not to give, or to publicize their gifts or to keep them confidential, are contrary to the nature of Missoula County Employee's Combined Campaign. Goals should emphasize total giving and increased participation among employees.

Eligibility and Application Procedures

1. For the purpose of this policy an eligible organization is a charitable, non-profit organization which is either a single organization or a federation which is recognized by the Internal Revenue Service as tax-exempt under 26 U.S.C. 501(c) (3) and to which contributions are tax-deductible pursuant to 26 U.S.C. 170. Federations must be composed of at least five eligible charitable organizations, each of which is recognized by the Internal Revenue Service as tax-exempt under 26 U.S.C. 501(c)(3) and to which contributions are tax-deductible pursuant to 26 U.S.C. 170.
2. Have filed an IRS 990 Form for the most current fiscal year.
3. Has a substantial presence and provides direct services, benefits, or assistance within Missoula County and expends at least 75 percent of the organization funds within Missoula County, and has a board of directors from Missoula County.
4. Is accounting for its funds in accordance with generally accepted accounting principles, including as audit, review or management review conducted by an independent CPA.
5. Has a written policy and procedure of nondiscrimination in regard to race, color, religion, national origin, handicap, age, marital status or sex applicable to persons served by the organizations; applicable to the organization's staff; and applicable to membership on the charitable organization's board of directors; and provides full disclosure of administrative and funding raising costs and distribution contributions.
6. Provides full disclosure of administrative and fund-raising costs and distribution of contributions.
 - a. The totals from Columns (C) and (D) in the Statement of Functional Expenses in the IRS Form 990 will be used to determine the fund-raising and administrative expenses.
7. For Federations, individual member organizations may be excluded because they do not meet all of the eligibility requirements. The exclusion of a specific member organization will not automatically exclude the federation and its eligible member organizations from participating.
8. Sectarian activities must not be the primary focus of any charitable organization, including activities aimed at promoting the adoption of one or more religious viewpoints. Sectarian activities that are only incidental to the primary focus of the organization will not disqualify the organization on that basis.
9. A federation is also required to affirm annually that its member organizations are in compliance with the requirements of this policy.

10. Organizations or Federations participation in prior campaigns is not a guarantee of participation in subsequent campaigns. Application for participation is required each year by all organizations or federations wanting to participate. Organizations or federations may be denied access to participate based on failing to meet any of the eligibility requirements or by failing to adhere to the eligibility requirements or to the policies and procedures in the prior campaign.

Probationary Status

1. Probationary status may be used to put organizations or federations on notice that changes need to be made. Failure to make required changes may result in exclusion from participation in future campaigns.
2. Organizations or federations may be placed on probation by the County for not complying with any of the requirements as stated in this policy statement.
3. The probationary status will not automatically disqualify an organization or federation from further participation, but the County reserves the right to exclude an organization or federation from future participation for failure to comply with the requirements as determined by the County.

Application

1. An organization or federation which seeks authorization to conduct a funding raising campaign must apply with the Board of County Commissioners of its interest.
2. All materials required for eligibility consideration must be received by May 14th for the 1993 campaign and by the first work day in April for subsequent campaign years.
3. Authorization to conduct the campaign shall be given by the Board of County Commissioners.
4. The authorization is effective for only the year in which it is given.
5. Upon request, an applicant must provide documentation to substantiate the criteria and conditions noted above.
6. To insure that the organizations or federations that wish to solicit donations from Missoula County employees in the work-place are accurately portraying their programs and benefits, each organization or federation applying to participate must affirm annually that the organization substantiates they meet the above stated criteria and conditions of this policy.

Application Requirements

Payroll Deductions

If an organization or federation is authorized to conduct a fund-raising campaign and wishes to utilize Missoula County's payroll process for employee-initiated, voluntary payroll deductions, then the following conditions must be satisfied on an annual basis:

- a. Utilize a payroll deduction authorization form that has been approved by the Missoula County Fiscal Officer.
- b. Payroll deductions will be effective on a calendar year basis and initiated in January of the year following the campaign.

- c. A minimum of 25 employees must request payroll deduction for a specific federation.

Solicitation

Solicitation parameters will be established by the Board of County Commissioners and will be subject to the following minimum guidelines:

- a. There will be a single solicitation of County Employees. Organizations or federations authorized to conduct a fund raising campaign will be responsible for coordinating the time and materials for the solicitation and the training of campaigners.

A single appeal letter, brochure and payroll deduction pledge card will be permitted.

One (1) set of mailing labels for all current County Employees will be provided by the Office of Personnel.

The combined campaign may utilize County Mail Services for the distribution of one (1) County-wide mailing.

- b. The Board of County Commissioners will be responsible for appointing the employee committee to:
 - 1) reviewing and recommending applicants;
 - 2) approval of campaign materials, and
 - 3) over-all coordination of the charitable giving campaign.
- c. Appeals on decisions of the employee committee will be heard by the Board of County Commissioners within two weeks of receipt.
- d. All county-wide presentations/meetings will be conducted with a cooperative approach. The County reserves the right to limit the number and length of such meetings.
- e. A single deadline for turning in a pledge form will be established. Pledge forms will be delivered to the County Payroll Office. Pledge cards will be audited by a Committee representing authorized federations participating in the Charitable Campaign.

The Board of County Commissioners is the final authority in the interpretation or determination of any rules, policies, contracts, etc.

MISSOULA COUNTY
SALE OF TAX DEED LANDS
DISBURSEMENT OF PROCEEDS

PURPOSE

This policy and procedure is for guidance in the distribution of proceeds from the sale of tax deed lands acquired, and subsequently sold, by Missoula County.

DEPARTMENTS AFFECTED

Treasurer, Clerk and Recorder, Accounting & General Services.

POLICY

1. Missoula County will, according to statute, offer for sale at auction lands for which a tax deed has been issued to the County. Once the two required auctions have been held, any properties remaining unsold will be placed with a realtor to be sold by negotiated sale.
2. Sale of lands must be for a minimum of 70% of market value as set by the Missoula County Appraisal Office or, if desired and paid for by the prospective purchaser, an independent licensed appraiser.
3. Several alternatives exist for ascertaining true market value of a parcel depending on the type of debt still attached to the property after deed.
 - 3.1 Where a parcel has outstanding, non-perpetual, RSID or SID debt remaining, the total of this "future" debt may be deducted from the market value prior to arriving at the minimum legal purchase price. When this option is chosen by the prospective purchaser, the purchaser becomes responsible for the future payments on the RSID or SID prorated from closing.
 - 3.2 Should the purchaser desire, the purchase price may be figured from the original market value of the property and Missoula County then becomes liable for the payoff of these debts. When this option is chosen, a payoff amount will be submitted by the entity responsible for the financing of the debt and a check will be cut to them for that amount at closing.
 - 3.3 There may be other cases of extra-ordinary debt or necessary expenditures associated with the purchase of a parcel. In these cases, the amount must be negotiated with Missoula County and deducted from the market value of the property.
4. Debt, which attaches to a parcel after tax deed but before sale, must be paid in its entirety and will be deducted at the time of closing with documentation as to the amount and funds to be credited.

5. If the parcel is a part of, and pays assessments to, an established irrigation district, those assessments prior to the tax deed must be paid in full from the proceeds of the sale or they will remain as a lien on the property. Payment of the prior assessments from the proceeds should be made at closing by check made payable to the district.
6. The remaining proceeds from the sale shall be forwarded to Missoula County to first pay all costs associated with the tax deed and then applied on a pro-rata basis to the taxing jurisdictions for their charges which were extinguished by the County Tax Deed.
7. Any proceeds left after the preceding fees, taxes and other charges have been paid in full will be credited to the Missoula County RSID Revolving Fund.

MISSOULA COUNTY
ADOPTION OF NEW COUNTY LOGO

PURPOSE

This policy statement provides for the formal adoption of the new, official County logo and a standardized format for all official county stationery. This policy will replace policy statement 80-D.

DISCUSSION

As stated in policy statement 80-D, adoption of an official logo furthers the desire of the Board of County Commissioners to present a single, standardized symbol of County government to the public. The new logo represents a focus on unity of mission and common identity among the departments and agencies of MISSOULA COUNTY. Adopting a more standardized format for official stationery will help streamline the overall cost to the County, in using a standard paper stock and ink.

POLICY

All County offices and agencies shall employ the County logo and stationery format on all stationery which is utilized for the conduct of official County business and such other applications as are appropriate.

IMPLEMENTATION

1. To facilitate the transition to the new logo and format, each department will be contacted to assess stationery uses and needs. Typesetting for all County departments will then be put out for bid through Centralized Services and will be done in the most cost effective manner.
2. All County offices and agencies shall, within reason, attempt to exhaust any existing stationery supplies prior to ordering printing of supplies with the new logo.
3. To the greatest extent possible, all orders for stationery supplies shall be placed through Centralized Services to contribute to the cost effectiveness of this changeover.
4. Only minimal personalization of the format will be approved since a primary goal of this changeover is to present a standardized symbol of County government. Departments requiring such services will be referred to [Kathy Olson] of the graphic design section at the Missoula Planning Office.

MISSOULA COUNTY
JAIL INMATE MEDICAL RESERVE ACCOUNT

PURPOSE

This account is established solely to provide excess medical funding for expenses incurred for hospital care of inmates of the Missoula County Jail. We intend to provide for only those hospital care costs which are the legal obligation of Missoula County, exceed the originally adopted budget appropriation established for hospital care and would otherwise become an unfunded liability of Missoula County. We further intend that this account shall be excess to all other valid and collectible insurance or other funding sources available for inmate medical expense.

FUNDING

At the end of each fiscal year any amount not expended from the Hospital Care line in the Sheriff's budget shall be transferred to the Jail Inmate Medical Reserve Account. Additional amounts may also be transferred upon the request of the Missoula County Sheriff with the accord of the Board of County Commissioners. Money in the account not needed to meet expected expenditures shall be invested and all proceeds of the investment credited to the account.

The Missoula County Treasurer shall hold, manage, invest, reinvest and distribute the account funds according to the terms of this Policy Statement and the standards and guidelines applicable to funds of Missoula County. The Treasurer shall further keep an accurate record of the account funds and shall at least quarter annually furnish the Administrator of the account a report showing all receipts and disbursements.

ADMINISTRATION

The Board of County Commissioners shall appoint an Administrator who shall have the sole responsibility for the administration of this account.

CLAIMS

The Missoula County Sheriff shall present to the Administrator in writing any claim against the account and shall present documents, statements or other evidence to support the claim. The Administrator shall investigate the claim and may approve or disapprove the claim. The Administrator shall not approve any claim against this account to the extent that it arises from the transfer or use of funds from the Hospital Care line of the Sheriff's budget not expended for the reasonable and appropriate payment of jail inmate medical care costs.

AMENDMENT AND TERMINATION

The Board of County Commissioners may at any time amend, modify or terminate this Policy.

MISSOULA COUNTY
CENTRALIZED PURCHASING POLICY

PURPOSE

The intent of this policy is to update Policy Statement 81-C which established guidelines for the Centralized Purchasing function.

POLICY

1. Centralized Services will handle all purchasing except for the Road, Bridge and Surveyor's Department. The Road, Bridge and Surveyor's Department will work closely with Centralized Services to aid in proper system function.
2. Vendors will be advised of the following: a) purchase orders must be used for all purchases; b) invoices must be signed, c) vendors must include purchase order numbers on all purchases; d) vendors will be informed of the payment schedule of the Accounting System; e) merchandise will be delivered to and received by the Centralized Services Department or the Road, Bridge and Surveyor's Department and then routed to departments; and f) all invoices will be sent directly to either Centralized Services or the Road, Bridge and Surveyor's Department.
3. Extensive use will be made of purchase requisitions. Departments will fill out a purchase requisition and forward both copies to Centralized Services with the account number (coding) and a vendor noted (if there is a preference). Purchase requisition forms are available from Centralized Services. Departments are to notify Centralized Services about any changes in purchase orders. In situations where the use of purchase requisitions are not feasible, department heads should consult with Centralized Services to work out appropriate procedures.
4. Centralized Services or the Road, Bridge and Surveyor's Department will separate claims by fund prior to transmitting them to Accounting.
5. Exceptions to the use of purchase orders include: a) orders for less than \$25.00; b) travel claims; c) payments on contracts; d) juror fees; e) payments to election judges; f) yearly encumbrances; g) petty cash repayments; and h) motor vehicle and tax redemptions. If in doubt, contact Centralized Services.
6. Centralized Services and the Road, Bridge and Surveyor's Department will work in conjunction with Accounting to achieve a quick turn-around time on claims. Centralized Services and the Road, Bridge and Surveyor's Department will attempt a 48-hour time limit, beginning with receipts of invoices and ending with Accounting

receiving the approved claims. This can be accomplished with the cooperation of department heads and will enable the County to take advantage of discounts and possible lower prices when vendors realize that they will be getting payment within a reasonable time.

7. All exceptions to the Centralized Purchasing system must be approved by either Centralized Services or the Road, Bridge and Surveyor's Department (as appropriate) prior to purchase. Written explanations will be required.
8. Centralized Services has the responsibility for reviewing invoices. All original receipts must be forwarded to Centralized Services. Receipts must be signed by the County employee receiving the merchandise, or bills will not be paid.
9. Centralized Services will forward the purchase order to the appropriate department head for signature. The department head will then send the document to Accounting for additional verification and processing.
10. Accounting will then forward all claims to the Auditor, who has authority for approving any exceptions.
11. All claims and purchase orders require the following: a) original invoice or receipt or other documentation; b) signature of department head; c) proper coding; d) budget authorization; and e) asset or acquisition sheet, if required.

MISSOULA COUNTY
LOSS CONTROL POLICY STATEMENT

Whereas, Missoula County considers no part of its operation to be more important than loss control; and

Whereas, Missoula County recognizes the responsibility to provide a safe work environment for its employees and to carefully consider the preservation of assets;

Therefore, Be It Resolved by the Board of County Commissioners that:

Missoula County is establishing a Loss Control Management Program. The County expects its employees to respond to all planned safety efforts and to perform their assigned tasks in the safest manner possible.

The Risk Manager will be assigned responsibility for organizing the overall Loss Control Management Program.

In addition, the Risk Management Committee will establish loss control policy.

County department heads will be responsible for the safety and well-being of the workers in their departments, as well as the repair and maintenance of facilities and equipment in their areas of responsibility.

County employees will be responsible for their personal safety and for the safe completion of assigned tasks. Missoula County is committed to doing all in its power to make its Loss Control Management Program a success and expects all County employees to assist in this effort by contributing expertise and by following all established rules and procedures.

MISSOULA COUNTY
FLAG AT HALF MAST POLICY

The Board of County Commissioners requested that Operations Officer John DeVore research the protocol for lowering the flag to half-mast. Based on his findings, the Board approved the following policy:

The American flag on display at the Missoula County Courthouse will be lowered to half-mast upon a proclamation issued by the President of the United States or by the Governor of the State of Montana, or upon the passage of such a proclamation by the Missoula Board of County Commissioners.

MISSOULA COUNTY
COMPUTER TERMINALS

The need for terminal programmed purchase, replacement, maintenance and inventory control has been identified by the Data Processing Steering Committee. It was felt that a policy was needed since some of the terminals are getting old and maintenance is becoming expensive.

The Steering Committee recommended this policy to the Board of County Commissioners, and the Commissioners subsequently approved and adopted the following:

1. The ownership of all terminals currently in General Fund departments will be transferred to Data Processing ("DP"). DP will ensure that all terminals are properly listed in the Fixed Assets Inventory System.
2. DP will perform a Needs Analysis in conjunction with any department desiring new or additional terminals.
3. All terminals for General Fund departments will be budgeted for in the DP budget and will be purchased by DP.
4. All terminals for special funds will be budgeted by the special funds and purchased by DP. The budgeted amount will include purchase price, freight, installation and maintenance. DP will furnish cost estimates on request.
5. Three (3) terminals will be budgeted by DP in FY86 as spares and maintained as "loaners."
6. Twenty (20) percent of all General Fund terminals will be replaced each year. Special funds are encouraged to request terminal replacement on a timely basis.
7. All terminal purchases are to be part of the annual budgeting process. Departments are hereby advised that in an austere budget environment replacements/purchases may not be funded.

MISSOULA COUNTY
USE FEES FOR COUNTY PARKS

The need for use fees for County parks was identified by the Missoula County Park Board. It was felt that such fees were needed in order to provide the necessary maintenance and improvements of County recreation facilities and fields reserved by various organizations for periods of exclusive use. Parks and Recreation Director Jim Van Fossen was asked to develop such a policy.

The Missoula County Park Board recommended this policy to the Board of County Commissioners and the Commissioners subsequently approved and adopted the following schedule of use fees for County parks:

1. Tennis courts:

A fee of \$.50 per hour per court will be assessed to organizations which reserve the courts for their exclusive use.

2. Softball/Soccer Fields:

A fee of \$2.50 per team per game will be assessed to leagues or associations which reserve fields for their exclusive use.

3. Parks in General:

A. A fee of \$1.50 per participant per season or quarter will be assessed to high schools which reserve the general play area of a park for P.E. activity classes and/or intramural activities.

B. A fee of \$1,000 per season will be assessed to high schools for use of the general play area of a park for varsity and junior varsity athletic team practice (example: football or soccer team practice).

MISSOULA COUNTY
EMERGENCY CLOSURES

SUMMARY: This policy outlines procedures for the emergency closing of County offices and work stations, and policies for employee pay during periods of closure.

DEPARTMENTS AFFECTED: All.

APPLICABLE SITUATIONS: This policy is applicable to the following situations:

1. Any incident where reporting to work or remaining at work presents a threat to the health and safety of County employees; and
2. Facility problems which prohibit occupancy of specific offices and work stations.

CLOSING PROCEDURE: The following steps shall apply to closing:

1. Facility problems shall be reported to the County Operations Officer through the 9-1-1 Center. In this instance, employees may be required to report for work to a location designated by the department head. Employees shall not enter an area where hazards exist without the permission of the Operations Officer;
2. All department heads are to report any incident within the scope of their responsibilities which may warrant a decision to close;
3. The initial report shall be made to the Administrative Officer. This report shall be made as soon as possible without regard for the time of day. If the Administrative Officer cannot be reached, the report shall be made to the Executive Officer or the DES Coordinator.
4. The Administrative Officer, or alternate, shall prepare a situation statement and if conditions warrant shall immediately contact the Board of County Commissioners;
5. A decision by the Commissioners to close some or all County offices and work stations shall be announced through the media during non-working hours and through the department heads during work hours. The announcement shall include the effective hour and date of closing;
6. It shall be the duty of the Administrative Officer or designate to make an earnest effort to notify affected employees of closing during non-working hours. This notice shall be given at least one hour before the applicable report-to-work time;
7. Notification of closing shall be made to employees and the public through the media (all local radio and TV stations). The media shall be contacted by the 9-1-1 Center;

8. Unless a closing is announced through the media or department heads, all County offices and work stations are open and employees shall work their scheduled hours; and
9. In the event of a closing where employees cannot perform their regular jobs, they may be required to perform any other task as needed, provided such work does not endanger their health or safety and is consistent with applicable collective bargaining agreements.
10. Employees, such as sworn officers of the Sheriff's Department and those involved in emergency operations or support, whose duties may require working despite a threat to their health and safety, shall be governed by department policy.

EMPLOYEE PAY: Subject to provisions of the County Personnel Plan and applicable collective bargaining agreements, the following policies shall apply for employee pay during periods of closure:

1. Pay for work performed shall remain at the regular hourly rate;
2. Employees who do not work shall have the option of using accrued compensatory time, if eligible, charging their time to vacation, or taking leave without pay;
3. Employees who were on vacation or sick leave at the announced hour of closing shall charge their time off as originally intended;
4. During non-working hours, if one hour notice of closing per Closing Procedure paragraphs 6 and 7 above has been given, employees shall not be paid when not expected to work. If one hour notice has not been given, then employees shall receive two hours pay for reporting to work;
5. Employees who work on tasks outside their regular job during a closure shall be paid their normal rate of pay per hour;
6. An emergency closure in effect for five or more consecutive days may necessitate the enactment of lay-off procedures for certain employees to permit eligibility for unemployment benefits; and
7. If a closure occurs during working hours, employees shall be paid for work up to the announced hour of closing.

REOPENING: When conditions warrant, the Commissioners shall announce the hour and date for reopening County offices and work stations.

1. Announced reopening may be temporarily limited in terms of which offices are open and which employees are to report for work. Work hours may also be modified.
2. The reopening, and any limitations thereto, shall be announced to employees and the public through the media (all local radio and TV stations). The media shall be contacted by the 9-1-1 Center.
3. Unless otherwise specified, employee pay policies and duty assignments enacted during the closure shall cease to be effective at the announced hour of reopening.

RSID AID-TO-CONSTRUCTION

PURPOSE

The purpose of this policy is to clarify the administrative procedures to be employed in the allocation and transfer of County Aid-to-Construction program funds to individual Rural Special Improvement District projects. This procedure is intended to insure timely and accurate transfers and accounting of Aid-to-Construction funds.

RESPONSIBILITIES

RSID administration is responsible for:

1. Preparation of RSID Aid-to-Construction agreements in accordance with current County policy.
2. Notification of Accounting Department of amount and timing of each Aid-to-Construction cash transfer.

Accounting Department:

1. Responsible, upon appropriate notification for transferring funds from Aid-to-Construction fund to the appropriate individual RSID account.
2. Timely analysis and adjustment of Aid-to-Construction allocations based on current policy upon completion of project.

PROCEDURES

1. Upon Board of County Commissioner approval of any RSID that qualifies for Aid-to-Construction funds under current County policy, RSID administration shall prepare a formal Aid-to-Construction agreement for Board of County Commissioner approval.
2. The Aid-to-Construction actual agreement shall specify the amount of aid only as a percentage of actual total construction cost in accordance with current County policy for granting such aid. (Not actual dollar amount).
3. An actual cash figure shall not be included in the agreement unless it is the Board of County Commissioners' intention to grant that specific cash amount.
4. Upon completion of an RSID project, the Accounting Department will notify RSID administration of the actual cash amount of aid required for the project based upon the original cost-sharing percentage approved in the original Aid-to-Construction agreement on actual total construction costs.

5. The Accounting Department will transfer the appropriate amount of cash from the Aid-to-Construction account to the individual RSID account in accordance with appropriate accounting procedures when actual costs are determined.
6. RSID administration will monitor the balance of cash available in the Aid-to-Construction account for future project planning.
7. At the end of any fiscal year where a project has not been completed, RSID administration will be responsible for encumbering the necessary Aid-to-Construction funds for the next fiscal year based on the best available estimate as to the final construction cost.
8. When such encumbrances are finally adjusted based on final actual cost, any surplus funds will revert to the Aid-to-Construction funds for reallocation. In the event of a shortage of funds, such shortage must be made up from supplemental funds from the Aid-to-Construction account in the current fiscal year.
9. Those funds encumbered at the end of the fiscal year will be adjusted based on final actual costs. Any surplus funds will revert to the fund from which they were appropriated for possible reallocation in the following budget year.

IMPLEMENTATION

This policy shall become effective March 30, 1983.

MISSOULA COUNTY
INDUSTRIAL DEVELOPMENT REVENUE BONDS
Policies and Procedures as Adopted by Resolution #82-15

I. STATEMENT OF POLICY

The Montana Industrial Development Projects Act of 1965 authorizes counties to issue limited obligation revenue bonds to fund certain types of industrial development projects associated with economic development and determined to be in the public interest; such bonds are commonly referred to as “Industrial Development Revenue Bonds”.

Missoula County subscribes to the objective of advancing the economic well-being of the community, consistent with other goals affecting its quality of life, through efforts designed to strengthen the County’s economic base and subsequently its overall economy. To this end, it is intended that the program focus primarily on projects involving (1) export (or primary or basic) industries that market their goods and services predominantly outside the County, and (2) industries which reduce the need for imports, thereby promoting the strengthening of the economic base through possible diversification and expansion.

Further, the County wishes to promote creative and constructive use of Industrial Development Revenue (IDR) Bonds for projects that meet and enhance the interests of both the public as a whole and the particular applicant. To this end, the County extends its full cooperation to each applicant, with the intention that County employees provide assistance in a timely manner to any individual developing an application and that they communicate with the applicant during any review process.

II. ELIGIBILITY AND EVALUATION OF IDR BOND PROPOSALS

A. Requirements (Mandatory)

1. Upon completion, the project will have complied with all applicable local, state, and federal laws and regulations.
2. The proceeds from the bond sale will be used only for:
 - a. Purchase of real estate (land and buildings).
 - b. Construction of buildings.
 - c. Purchase and installation of machinery and equipment (including pollution control systems).
 - d. Fees associated with the project, as described in Section 90-5-109 M.C.A.

3. The proceeds will be used for an industrial enterprise or project located within Missoula County.
- B. Supplemental Considerations (Beneficial and Adverse)
1. Public comment.
 2. Impact of the project on the County's economic base.
 - a. Impact will be evaluated in terms of the potential for diversification or expansion of the economic base, with the intention of focusing primarily on projects involving (1) export industries (which market goods and services predominantly outside the County); and (2) industries which reduce the need for imports.

Export industries would include, but not be limited to, the following:

 - (1) Manufacturing (for example, lumber and wood products manufacturing, food product manufacturing, primary metals refining, printing and publishing, minerals refining, etc.)
 - (2) Mining and minerals exploration.
 - (3) Agricultural production.
 - (4) Hotel and motel lodging (for nonresidents).
 - (5) Regional (multistate or multicounty) medical facilities.
 - (6) National or regional (multistate or multicounty) headquarters office buildings and operations centers.
 - (7) Interstate or intercounty transportation.
 - (8) Tourist, recreation and convention facilities.
 - b. Any use not meeting the above criteria would require demonstration that the project would result in a positive long term impact on the local economy or tax base rather than a redistribution of the existing economic base.
 3. Impact of the project on new and existing public services.
 4. Potential for employment of area residents during construction and operation and for training or retraining for such employment if such training is necessary.
 5. Utilization of technology which conserves energy, uses area resources, or increases productivity.
 6. Impact on the environment, including air and water quality.
 7. Whether the applicant will provide adequate assurances of compliance with MCA 18-2-402 during the construction phase of the project and compliance with all other applicable labor, equal opportunity and affirmative action laws and regulations.

III. PROCEDURES

A. Application

1. The process of obtaining IDR Bonds is initiated by an application to the County Commissioners.
2. The application will be in writing and will include:
 - a. The name, address, and phone number of the applicant, the applicant's project representative, the applicant's bond counsel, and the applicant's parent company, if any.
 - b. A brief history and description of the applicant's business.
 - c. A short description of the project and a map showing its location.
 - d. A letter from investor(s), a financial institution or an underwriting firm stating that purchase of the applicant's bonds is being given, or will receive, active consideration.
 - e. A narrative which addresses the criteria in Section II, except for public comment (Section II.B.1).
 - f. Any other information regarding the project which will demonstrate that the project is in the public interest.
3. Upon receipt of an application, the County Commissioners will arrange a meeting with the applicant within ten (10) working days to discuss the project.
4. Following the meeting with the applicant, the Commissioners will:
 - a. Determine that there is sufficient merit in the application that a public hearing should be held to determine whether or not the project is in the public interest; or
 - b. Request additional information from the applicant; or
 - c. Determine to give no further consideration to the project.

B. Review Prior to Hearing

If the County Commissioners order that a hearing be held on the application, the following steps will be taken prior to the public hearing:

1. A date for the hearing will be set at least four (4) weeks, but not more than six (6) weeks, from the date of the order.
2. Notice of the hearing will be given by publication for at least three (3) consecutive Sundays preceding the hearing, and such notice will state that the application is available to the public for inspection at the Commissioners' Office in the Missoula County Courthouse.

3. A copy of the application will be forwarded to the Missoula Planning Office to review for compliance with the criteria listed in Section II (A and B).
 - a. The Planning Office staff will solicit review and comment from such public agencies as may be necessary to provide the Commissioners with a written report of its observations and recommendations regarding the project's compliance with the noted criteria.
 - b. Copies of the written staff report will be made available to the applicant and any other person who has requested same no later than 3:00 p.m., five (5) working days prior to the scheduled hearing.

C. Public Hearing

At the time and place set for the hearing, the County Commissioners will open the hearing and do the following:

1. Place in the record the application and any written comments received regarding that application.
2. Receive a presentation from the applicant regarding the project and place in the record any materials presented by the applicant.
3. Receive a presentation from the Missoula Planning Office staff and place its report in the record.
4. Receive any other comments in support of the project and place in the record any materials presented.
5. Receive comments in opposition to the project and place in the record any materials presented.
6. Receive any rebuttal offered.

D. Commission Action

Within ten (10) working days following the hearing, the Commissioners will have completed an assessment of the project based on the criteria in Section II and will proceed to take one of the following actions:

1. Determine that the project as proposed is in the public interest and act by resolution to provide notice of same.
2. Determine that, subject to specific conditions, the project is in the public interest and act by resolution to provide notice of same.
3. Determine that additional information is required in order to make a decision, in which case the hearing will be recessed to a date and time certain when the Commissioners will reconvene and accept the additional information together with any information offered to rebut specifically the material presented.
4. Determine that the project is not in the public interest and act by resolution to provide notice of same.

IV. FEES

The applicant will pay an initial fee of \$500. In addition, the applicant will pay all actual clerical and review expenses and costs incurred with the sale and issuance of the bonds.

V. MANDATORY REVIEW

This resolution will be reviewed and reevaluated every two (2) years following its enactment and shall require a public hearing.

POLICY NO. 80-C

July 14, 1980

MISSOULA COUNTY ENFORCEMENT OF PLAT FILING DEADLINES

PURPOSE

The purpose of this policy statement is to provide a consistent and equitable procedure for dealing with the problem posed by those plats which have not met the required filing deadlines.

DISCUSSION

The Missoula County Subdivision Regulations clearly establish deadlines for plat filing, following plat approval. The purpose of these deadlines is to allow for public improvements and services to be developed in an orderly and timely fashion and to prevent speculation. However, in the past, the enforcement of these deadlines has been sporadic. Therefore, in order to initiate a uniform enforcement of these deadlines, the following policy guidelines shall be applied effective immediately.

POLICY

1. Where the 120 day deadline for plat filing has been exceeded, or soon will be exceeded, the Planning Staff will notify the developer that he has 30 days in which to arrange for an extension of the plat filing deadline. If the developer fails to arrange for the extension, the plat must be resubmitted for final or summary review, as the original approval for final or summary review will be considered void. Final and summary approval will be considered void where there has been a lapse of more than one year from the date of final or summary plat approval and no plat has been filed or extensions granted.
2. If the developer contacts the Planning Office within 30 days of the date of notification, the Staff will review the extension request on a case by case basis. If an extension appears warranted, the Planning Staff would recommend to the governing body one and only one additional extension of 120 days.
3. If a subdivision has received preliminary plat approval but the final plat has not been submitted within the two year time limit specified under Section II. A. 10 of the Missoula County Subdivision Regulations, the developer will be required to resubmit the preliminary plat for approval.
4. Any new subdivisions submitted after June 1, 1980, must be filed within 120 days of the date of final approval, with no additional deadline extensions allowed. All future letters of final plat approval will indicate the deadline date for filing.

**MISSOULA COUNTY
DATA PROCESSING STEERING COMMITTEE**

PURPOSE

The intent of this policy statement is to endorse and promote the creation of a formal Data Processing Steering Committee. The purpose of this committee shall be to promote inter-departmental understanding and cooperation with the Data Processing Department. In that the data processing function is clearly intended to serve an administrative support function, it is important that those administrative bodies who are, or will be utilizing that function, be involved with that department on a planning level. Therefore, for the purpose of achieving optimum utilization of our data processing capability in a timely and cooperative manner, we set forth the following:

POLICY

1. Effective immediately and until such time as repealed or otherwise amended by subsequent Policy statements, there shall be a Data Processing Committee.
2. This committee shall meet no less than quarterly.
3. One full voting membership on the committee shall be allotted to each of the following departments or agencies:
 - a. Surveyor's Office;
 - b. Clerk & Recorder/Treasurer;
 - c. County Commissioners Office;
 - d. Auditor's Office;
 - e. Sheriff's Office;
 - f. Planning Staff;
 - g. Health Department; and
 - h. Information services.
4. Ex officio membership is also provided for an independent data processing professional appointed by the Board of County Commissioners and a representative of the State Department of Revenue.
5. Appointments to the Data Processing Steering Committee shall be totally at the discretion of the individual department or agency; however, appointees should be management personnel who are familiar with long term planning and project development in their respective departments.

6. The committee shall assume responsibility for adopting its own rules and procedures but must include the annual election of a chairman from its membership. The representative from the Data Processing department is not eligible to sit as chairman of the committee.
7. Minutes shall be kept for all meetings and copies shall be distributed to the Board of County Commissioners and all committee members in a timely manner. The preparation and distribution of these minutes shall be an administrative responsibility of the Data Processing Department. The minutes shall be approved and signed by the Steering Committee Chairman.
8. The Data Processing Steering Committee is specifically charged with the responsibility of approving project priorities for the Data Processing Department. The responsibility will include approval of a long-range plan (five-year plan), as well as short term plans (yearly work schedules) and all changes and modifications to those plans. The prerogative to fund any or all projects remains with the Board of County Commissioners.

EFFECTIVE DATE AND IMPLEMENTATION

This policy shall become effective on April 1, 1980. Departments assigned committee membership are asked to select their representative as soon as possible. The committee shall hold an organizational meeting no later than April 30, 1980.