# Cowlitz County Policies and Procedures

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Section 1.1 SCOPE OF POLICIES

These Policies, as enacted by the Board of County Commissioners, apply to all County employees and volunteers. In cases where these policies conflict with any County ordinance, Civil Service rules and regulations, the provisions of a collective bargaining agreement, state or federal law, the terms of that law or agreement prevail. Departments may implement tighter controls within the agency or department. In all other cases, these policies apply.

Section 1.2 IMPLEMENTING/CHANGING THE POLICIES/PROCEDURES

1.2.1 Policy.

The County by resolution may enact changes to the Policies/Procedures. The Board may deviate from the procedures in individual situations, particularly in an emergency, in order to achieve the primary mission of serving the County’s citizens.

1.2.2 Procedures.

1.2.2.1 Implementing New Policy.

Implementing a new policy will be by resolution to be adopted by the Board and will clearly outline the policy and the procedure.

1.2.2.2 Changing an Existing Policy.

Changing an existing policy will be by resolution to be adopted by the Board and done in legislative format showing the suggested changes.
Sections:

2.1

2.2 BOARD OF COMMISSIONERS RULES AND ORDER OF BUSINESS

2.3 CITIZEN AD-HOC ADVISORY BOARD

2.4 CONTINUITY OF GOVERNMENT

2.5 LOBBYING AT STATE OR FEDERAL LEVELS

2.6 NEWS MEDIA

2.7 OFFICE HOURS AND DAYS

2.8 VACANCIES FOR ELECTIVE OFFICE

2.9 VACANCIES FOR BOARD OR COMMITTEE

2.1

2.2 BOARD OF COMMISSIONERS RULES AND ORDER OF BUSINESS

Policy.

I. COUNTY BOARD

Cowlitz County shall be governed by the Board of County Commissioners. The Board of County Commissioners shall comply with the Washington State Open Public Meetings Act Chapter 42.30 RCW.

II. CHAIR, VICE-CHAIR AND BOARD ASSIGNMENTS

A. The Board of County Commissioners shall elect a Chair and Vice-Chair at the Board's first regular formal public meeting in January of each odd-numbered year.

B. The Chair shall preside over Board meetings. In case of the absence of the Board Chair, the Board Vice-Chair shall preside.
C. At a regular Commissioner Conference or Work Session in January of each odd numbered year the Board will determine Committee assignments.

III. BOARD MEETINGS

A. General information.

(1) Commissioners’ regular meetings are on Tuesday and Wednesday of each week as described and adopted in these Rules of Practice. All meetings are subject to cancellation or rescheduling, and special meetings may be held with proper legal notice. Executive Sessions may also be scheduled or held during these meetings, including the beginning.

(2) Final action may be taken in any regular or special meeting in accordance with the law.

(3) Two members constitute a quorum. A quorum shall be necessary for final action unless otherwise provided for by law.

(4) Any member of the Board may attend any Board meeting or public hearing by telephone or video conferencing; provided, however, that adequate audio-visual equipment is available at the location of the Board meeting so as to allow all present at the meeting, including the Clerk of the Board and the attending public, to hear the conferencing member’s voice and for the conferencing member to hear the other speakers at the meeting.

(5) Minutes shall be kept for all regular and special meetings of the Board. Minutes will not be kept for Executive Sessions. Audio recordings shall be kept for the regular Tuesday formal public meeting in accordance with RCW 42.30.030. Minutes shall be open and available for public inspection. Minutes will reflect the following:
   i. Date, time and location the meeting convened
   ii. Attendees from Governing body and Staff
   iii. General Nature of the business discussion
   iv. Action taken – not what was said.

(6) Special Meetings of the Board may be requested by any County Commissioner as provided by the provisions of RCW 42.30.080. Adjournments and continuances shall be governed by the provisions of RCW 42.30.090 and 42.30.100. Any request shall be made to the Clerk of the Board and shall specify the time, place and reason for such meeting. Upon receipt of the request, the Clerk will notify the other Commissioners and Chief of Staff.

(7) The Board may meet in Executive Session to discuss matters set forth in RCW 42.30.110 and RCW 42.30.140 including, but not limited to pending litigation, site acquisition of real estate and the price thereof, and certain personnel matters. Executive Sessions may be called during any regular or special meeting. No final action will be made during Executive Sessions.

(8) Public participation – Public attendance is always welcomed and encouraged by the Board. Citizens are welcome to make comment during the Commissioners’ regular formal public meeting on Tuesday. In accordance with RCW 42.30.040, citizens are not required to identify themselves unless otherwise required by law. Public comment at all other regular and special meetings of the Board will be at the discretion of the Chair on a case by case basis depending on the agenda and subject matter of the meeting. These sessions provide the Board information on topics of interest, update the Board on pending issues, provide pertinent policy making information, or provide for a final review of matters to come before the board at a future meeting or public hearing. These meetings also allow the Board the opportunity to interact with staff and each other to discuss pending matters of county business in a less formal setting.
(9) The Chair shall conduct meetings generally following Robert’s Rules of Order. The rules of the Board may be suspended upon approval of a motion. Interruptions or disturbances may be handled by the Chair in accordance with RCW 42.30.050.

(10) The Clerk of the Board and County Chief of Staff, or designee, shall be responsible for reviewing all Board meeting agendas prior to posting.

B. Regular Meetings

(1) **Commissioners’ Formal Public Meeting Pre-Conference.** The regular pre-conference shall convene every Tuesday at 8:45am; fifteen minutes prior to the Commissioners’ regular formal public meeting. The meeting is to establish a quorum of the Board and provide an opportunity to answer any last minute questions related to the meeting agenda.

(2) **Commissioners’ Regular Formal Public Meeting.** The regular formal meeting shall convene every Tuesday at 9:00 a.m. All such meetings shall be held in the third floor Hearing Room of the Administration Building, Kelso, Washington, unless otherwise legally noticed.

A. Agendas for these meetings should provide for the following:
   i. Acknowledge Board Members
   ii. Pledge of Allegiance
   iii. Special recognition (if applicable)
   iv. Minutes
   v. Consent Agenda
   vi. Public Comment on items not on the agenda
   vii. Regular Agenda
   viii. Public hearing matters (if applicable) or timed items
   ix. Bid awards (if applicable)
   x. Appointments
   xi. Board of Health quarterly
   xii. Other items at the discretion of the Board
   xiii. Adjourn

B. Departments must submit completed regular formal meeting agenda items by 5 pm the prior Tuesday. Completed submitted agenda items must contain at least two signed copies and have necessary approvals by 5 pm the prior Wednesday.

C. The meeting agenda for regular and special board meetings shall be noticed in accordance with RCW 42.30.080.

D. Any Commissioner may request that an item be removed from the Consent Agenda for discussion. An item removed from the Consent Agenda will be considered as a separate item of business by the Board. Approval of the Consent Agenda will be by a simple majority voice vote of the Board.

E. Agenda items may be placed on the consent agenda after review by the County Chief of Staff and Clerk of the Board as part of the weekly agenda review process.

(3) **Commissioners’ Work Sessions.** Regular Work Sessions are scheduled for the Commissioners as needed every Wednesday at 9:30 a.m. The Clerk of the Board and Chief of Staff will manage the scheduling of Commissioners’ Work Sessions. Work Sessions are scheduled for the purpose of providing the Board of Commissioners information on topics of interest that will update the Board on pending issues, provide pertinent policy making information, and/or provide for a final review of matters to come before the board.
at a regular formal meeting or public hearing. Work Sessions are held in the General Meeting Room in the Administration Building.

(4) **Commissioners’ Conference.** Regular Commissioners Conference meetings are held as needed every Wednesday at 1:30 pm. These meetings allow Commissioners the opportunity to interact with staff and each other to discuss pending matters of county business in a less formal setting. Commissioner Conference meetings are held in the Commissioners’ Office in the Administration Building.

(5) **Commissioners’ Staff Meeting.** Regular Commissioner Staff meetings are held as needed on the 2nd & 4th Wednesday at 8:30 am. These meetings offer an opportunity for all Directors, Managers and Elected Officials to interact and share information regarding important county organizational changes and projects. These meetings are held in the General Meeting Room in the Administration Building.

(6) **Elected Officials’ Meeting.** Regular Elected Officials meetings are held as needed quarterly the 5th Wednesday of the month at 7:00 a.m. These meetings offer an opportunity for Elected Officials to interact and share information regarding important county organizational changes and projects. These meetings are held in the General Meeting Room in the Administration Building.

**IV. FILLING VACANCIES**

A. Appointments to fill vacancies will be presented to the Commissioners by the Clerk of the Board. The Commissioners' appointments shall be approved by a majority at any regular meeting.

B. Any recommendation for an appointment must be made with an application to serve. Applications are not required for re-appointments.

C. Ad hoc, special committees, and/or task forces may be established as determined and recommended by the Board or in accordance with state law. They will cease to function when they have completed their duties and have made their final reports. Appointments to these groups shall be communicated to the department involved.

D. Elected Official vacancies will be filled following state law.

**V. COUNTY OPERATIONS**

A. Resolution No. 17-040 explains the policy and procedure for office hours. Office Hours are on file with the Clerk of the Board of County Commissioners and published on the County’s web site, which sets forth the specific business office days and hours for specific County offices and departments: [http://www.co.cowlitz.wa.us/](http://www.co.cowlitz.wa.us/)

B. Pertinent policies and procedures relating to salaries; employee benefits; general, sick and various other types of leave; holidays; hours of work; physical examinations; retirement; and all such matters of personnel and employee relations are cited in the Cowlitz County Human Resources Policy Manual, located on both the intranet and internet [http://intranet/commissioner/](http://intranet/commissioner/) and [http://www.co.cowlitz.wa.us/Index.aspx?NID=166](http://www.co.cowlitz.wa.us/Index.aspx?NID=166). All reference pertaining to such matters should be made thereto and inquiries made to the Director of Human Resources.

C. A Commissioners’ use of staff time beyond the Clerk of the Board or Chief of Staff should be approved by the Board.
D. A Commissioners’ concerns regarding county employees shall be referred to the Chief of Staff or the Director of Human Resources for investigation and follow up.

VI. APPOINTMENT, EVALUATION AND REMOVAL OF DEPARTMENT HEADS

A. The County Chief of Staff will appoint all non-elected County department head with approval by the Board of Commissioners.

B. The County Chief of Staff shall supervise and evaluate all appointed department heads under the jurisdiction of the Board of Commissioners.

C. Removal of any non-elected County department head shall be made by the County Chief of Staff with guidance of the Board when practical.

D. When a department head position is vacant, the County Chief of Staff, or designee, shall be authorized to perform those duties and execute documents for the department.

E. In accordance with Board policy, appointed department heads shall report to the Board of Commissioners through the County Chief of Staff.

F. The County Chief of Staff, with the approval of the Board chair, may designate a person to fulfill the duties during an absence.

G. When the County Chief of Staff position is vacant, the Board of Commissioners will appoint an interim County Chief of Staff.

VII. COUNTY BOARD MEMBER EXPENSES

Cowlitz County Commissioners may be reimbursed for long distance travel expenses when incurred in the course of official county business in accordance with County Policy.

(Res. 03-037, 3-25-03; Revised 1-29-19)

2.3 CITIZEN AD-HOC ADVISORY BOARD

Policy. The Board of County Commissioners formally adopts the following rules to govern any Citizen Ad-Hoc Advisory Board appointed by the Board. This should increase efficiencies in the business transactions and communications of the Ad-Hoc Advisory Board.

Definitions.

A. Ad-Hoc Advisory Board: any citizen Committee or Commission created by the Board of County Commissioners to give advice on subjects and perform such other functions as prescribed by the Board of County Commissioners. Ad-Hoc Advisory Board also includes task forces, informal committees, or working groups formed by Board of County Commissioners resolution for specified periods of time or for specific tasks.

B. Board: the Board of Cowlitz County Commissioners.

Procedures.
Purpose and Application.
The purpose of this section is to establish general provisions applicable to all Ad-Hoc Advisory Boards. The provisions of this resolution govern Ad-Hoc Advisory Boards unless otherwise specifically provided by ordinance, motion or resolution of the Board of County Commissioners, or as may be required by state law. In establishing an Ad-Hoc Advisory Board, the Board shall consider the following guidelines:

a. Budget
b. Scope of work, and clear task description
c. Term of board - sunset provision
d. Membership
e. Terms of office
f. Place of Ad-Hoc Advisory Board within County structure - who does Ad-Hoc Advisory Board report to?
g. Commissioner liaison (if any)
h. Time frames for Ad-Hoc Advisory Board action on tasks
i. Staffing (if any) for Ad-Hoc Advisory Board, and which County Department bears any staffing responsibility or expense for Ad-Hoc Advisory Board
j. Any other matters appropriate to the Ad-Hoc Advisory Board's work

Scope of Work.
A. Each Ad-Hoc Advisory Board will have a specific statement of purpose and function. This statement of purpose, as well as other information regarding duties and responsibilities, will be made available to all members when appointed.
B. The Board of County Commissioners may determine any specific guidelines or tasks to be referred to the Ad-Hoc Advisory Board by motion or resolution. Each Ad-Hoc Advisory Board shall develop a scope of work, within the jurisdiction and area of responsibility consistent with the Board of County Commissioners resolution forming the Ad-Hoc Advisory Board.

Membership.
A. The number of members and any specific qualifications of each Ad-Hoc Advisory Board shall be set forth by resolution of the Board of County Commissioners.
B. Unless otherwise specifically provided by applicable resolution or motion, the following procedures and requirements shall apply to all members of each Ad-Hoc Advisory Board:
   1. Each person shall be appointed by a majority of the Board of County Commissioners and shall commence service immediately or on the effective date of the previous member's resignation, or on the expiration of the existing term for the position, as applicable.
   2. Each appointment by the Board of County Commissioners shall include ending date and term for the position to which the person is appointed.
   3. The Board of County Commissioners also has the power to remove an existing member.

Officers - Identification and Election.
Each Ad-Hoc Advisory Board shall elect from its membership a presiding officer. The Ad-Hoc Advisory Board may elect other officers as it deems necessary.

Quorums, Transacting Business.
A majority of the appointed members of the Ad-Hoc Advisory Board shall constitute a quorum for the transaction of business. An affirmative vote of the majority of a quorum in attendance at any meeting shall be necessary to transact business or carry any proposition.

Terms of Office and Vacancies.
Appointments to the Ad-Hoc Advisory Board and the filling of vacancies shall be provided for in the resolution establishing or providing for the Ad-Hoc Advisory Board. Membership vacancies other than through expiration of term shall be filled for the un-expired term. Any member may be removed by Board of County Commissioners action based on Board of County Commissioners decision that removal is in the best interests of the County.

Conflicts of Interest.
If any members of an Ad-Hoc Advisory Board conclude that they have a conflict of interest or an appearance of fairness issue with respect to a matter pending before the Ad-Hoc Advisory Board, they shall disqualify themselves from participating in the deliberations and the decision-making process with respect to the matter.

Liaisons and Representatives.
A Board of County Commissioners member may be available to each Ad-Hoc Advisory Board for the purpose of providing a constructive relationship between the Board of County Commissioners and the Ad-Hoc Advisory Board.

Procedures, Records, and Minutes.
Robert’s Rules of Order Newly Revised shall govern rules of order not specified by statute, ordinance or Board resolution. The Ad-Hoc Advisory Board may adopt supplemental rules of procedure. The Ad-Hoc Advisory Board shall provide for the taking of minutes and maintaining the records of all regular and special meetings. Any Ad-Hoc Advisory Board may establish standing or ad-hoc committees comprised of Advisory Board members to assist in accomplishing its duties and responsibilities.

Meetings.
Each Ad-Hoc Advisory Board shall hold regular meetings at such times and places as is deemed advisable or as provided for in the resolution establishing the Ad-Hoc Advisory Board. All meetings of the entire body and of any subcommittee or task force of the Ad-Hoc Advisory Board shall be subject to all requirements of the Washington Open Public Meetings Act, and shall be open to the public, and shall be held at a public place at a regularly scheduled time, or at a special meeting time following proper notice.

Communications to Board of County Commissioners.
Expressions of an Ad-Hoc Advisory Board's position, recommendation or request for any action shall be in the form of a resolution, motion, or other written communication, setting forth the reasons, facts, policies, and/or findings of the body supporting the communication, and shall be directed to the Board of County Commissioners.

Compensation and Reimbursement of Expenses.
Members of Ad-Hoc Advisory Boards shall serve without compensation. Members shall seek pre-authorization for any proposed expense, unless part of a previously approved budget for the Ad-Hoc Advisory Board.

Lobbying Efforts.
Lobbying efforts by any Ad-Hoc Advisory Board on legislative or political matters should first be cleared with the Board of Commissioners. An individual member is free to voice a position, oral or written; on any issue as long as it is made clear that the member is not speaking as a representative of the County, or as a member of an Ad-Hoc Advisory Board.

(Res. 04-055, 3-30-04)

2.4 CONTINUITY OF GOVERNMENT

2.4.1 Policy.
When, as the result of an emergency, disaster, or natural causes, the number of County commissioners needed to act falls below a quorum, there shall be provisions to govern the continuity of the Board of County Commissioners.

**Definitions.**

A. **Unavailable:** Means either that a vacancy in the office exists or that the lawful incumbent of the office is absent or unable to exercise the powers and discharge the duties of the office following an attack and a declaration of existing emergency by the governor or his successor.

B. **Attack:** Means any acts of warfare taken by an enemy of the United States causing substantial damage or injury to persons or property in the United States and in the state of Washington.

**Procedures.**
The following are provisions to govern the continuity of the Board of County Commissioners in the event the number of County commissioners needed to act falls below a quorum as the result of an emergency, disaster, or natural causes:

A. Any or all available County commissioners shall have full authority to act jointly in all matters as the Board of County Commissioners.

B. In the event that no County commissioner(s) is available pursuant to the prior subsection, then those elected County officials as listed in this section, as are available for duty shall jointly act as the Board of County Commissioners and shall possess by majority vote the full authority of the Board of County Commissioners until such time as one or more County commissioners become available. The elected County officials referenced in this section shall consist of the following County officials: Assessor, Auditor, Clerk, Coroner, Prosecuting Attorney, Sheriff and Treasurer.

(Res. 04-056; 3-30-04)

2.5 **LOBBING AT STATE OR FEDERAL LEVELS**

**Policy.**

To ensure County-wide communication on issues, the Board requires notification before lobbying legislators.

Lobbying efforts by any advisory bodies on legislative or political matters should first be checked for consistency by contacting the commissioners.

**Procedures.**

**Department Heads.**
Department Heads are to notify the Board of County Commissioners (via letters, electronic mail or in-person testimony) on any legislative items before lobbying the state legislature or federal officials.

**Elected Officials.**
When elected officials lobby state or federal legislators, it is the desire of the Board of Commissioners to be advised of the issue and position the Elected Official is taking.

**Differing Position.**
In the event a position is taken that differs from that of the County’s policy, an advisory body acting as an official body of the County, cannot represent that position before another body. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that he or she is not speaking as a representative of Cowlitz County, or as a member of his or her commission, committee or task force.
2.6 NEWS MEDIA

Policy.
To ensure adequate release of county-wide communication to citizens, staff and media, notification on pertinent topics is essential.

Recognizing that Press Releases to the media are an integral part to good communication, Department Heads need to follow the established news media contact format to ensure uniformity.

Procedures.
Contact Initiated by News Media.
Notification of non-routine News Media contact should be passed on to the department’s Commissioner liaison via e-mail or voice-mail.

Department Heads are to notify either their commissioner liaison or the Chair of the Board when contacted by the news media for the purpose of communication between the Department Head and the Board. If contact from the media is made before discussing an issue with the media, inform the Board. If contact from the media and discussions with the media are made simultaneously, inform the Board of the contact and of the content of the issue. If the information discussed or requested by the media has previously been discussed with the Board or if the Board has previously taken action on the issue additional communication, with the Board, is not required unless new information has been requested or communicated with the media. (Refer to the Public Records Request Policy for public information requests.)

Press Releases.
  a. Send copies of all significant and non-routine Press Releases to the Board. (Refer to the Public Records Request Policy for public information requests).

  b. All Press Releases should be prepared and sent using the official Cowlitz County Press Release Form (available on the county’s Intranet-Forms).

If it is noted that incorrect information, as a result of News Media contact, is released to the Public, the Department Head needs to re-contact the media source, and their commissioner liaison.

Although a department may choose not to offer an official media Press Release, internal, updated information can be submitted to the Commissioners’ Office for inclusion on the County Website, by using the Press Release criteria listed above.

(Res. 07-083, 6-26-07; Res. 08-024, 3-4-08)

2.7 OFFICE HOURS AND DAYS

Policy.
The Board of County Commissioners prescribes the hours of business for all County and precinct offices (per RCW 36.16.100).

Procedures.
Except as specifically provided for or as an exception below, Cowlitz County offices will be open from eight-thirty a.m. to five o’clock p.m., Monday through Friday. The currently adopted or amended Attachment – Office Hours, on file with the Clerk of the Board of County Commissioners and published on the County website, sets forth the specific business office days and hours for specific County offices and departments.

Exceptions:

A. Legal Holidays
B. Legal Holidays falling on Sunday will be observed on the following Monday and Legal Holidays falling on Saturday will be observed on the preceding Friday in accordance with certain provisions of contracts and agreements entered into with the union representatives of County employees.
C. Departments may modify their business hours to temporarily accommodate special circumstances.
D. Elected officials may temporarily adjust the days and hours that their department is open to the public due to staffing levels or special circumstances, and may request to permanently adjust the days and hours, due to scheduling, workload or public convenience, from the Board of Commissioners.
E. Department Heads may temporarily adjust the days and hours that their department is open to the public due to staffing levels or special circumstances, and may request to permanently adjust the days and hours, due to scheduling, workload or public convenience, from the Board of Commissioners.

(Res. 98-029, 2-23-98; Res. 04-101, 6-1-04; Res. 17-040, 5-2-17)

2.8 VACANCIES FOR ELECTIVE OFFICE

Policy.
The Board of County Commissioners shall fill the vacancy of an elective office by appointment. The Board wants to ensure the public is made aware of such vacancies.

Procedures.
The process for filling vacancy(ies) for elective office is as follows:

A. Immediately notify the media of the vacancy(ies).
B. Set deadline for accepting applications for the position – notify media.
C. Set Time/Date/Location of interviews. May be the same time/date of deadline for accepting applications – notify media.
D. Interviews:
   1. All interviews will be held during a Board of County Commissioners public meeting.
   2. All applicants will be asked identical questions, although follow-up questions may be asked due to their original answers.
   3. During interview applicants not being interviewed will be asked to leave the meeting.
E. Set Time/Date/Location of final action. May be the same time/date/location of interviews – notify media.
F. Final action
   1. Chair takes nominations for the appointment to the vacancy.
   2. Chair recognizes each Board member, who made a nomination in the order they were received, to speak to the nomination.
   3. Chair recognizes Board members, for the purpose of speaking for/against a nomination.
G. Voting:
   1. Chair states name of the first nominee that was accepted and all Board members who wish to vote for that nominee shall vote by stating aye.
   2. Chair states the name of the second nominee, that was accepted (if any) and all Board members who wish to vote for that nominee shall vote by stating aye.
3. Chair states the name of the third nominee, that was accepted (if any) and all Board members who wish to vote for that nominee shall vote by stating aye.
4. Chair shall announce the vote.
5. If no nominee receives a majority vote of the board, the process will start again with members speaking for/against a nomination.

If more than one vacancy has occurred, the process for appointment for the additional vacancy(ies) shall proceed from **Final Action**.

*(Res. 01-021, 2-12-01)*

### 2.9 VACANCIES FOR BOARD OR COMMITTEE

**Policy.**
The Board of County Commissioners shall fill the vacancy of a Board or a Committee by appointment. The Board of County Commissioners encourages existing members of expiring terms on the boards or committees to re-apply and with this policy wants to ensure the public is made aware of such vacancies.

**Procedures.**
The process for filling vacancies for a Board or a Committee for, but not limited to, the Board of Equalization, Boundary Review, Expo Board, Rural Partial County Library District, Mosquito Control Board, Park and Recreation Board, Planning Commission, Solid Waste Advisory Board, Weed Control Board, and Workforce Development Council as appointed by the Board of County Commissioners is as follows:

A. Immediately notify the media of the vacancies.
B. Set deadline for accepting applications for the position - notify media.
C. Set Time/Date/Location of Interviews, if needed. May be the same time/date of deadline for accepting applications.
D. Final action by letter

*(Res. 02-016, 1-15-02)*

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**COWLITZ COUNTY POLICIES**

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3.1 HUMAN RESOURCES POLICIES AND PROCEDURES PURPOSE

These policies are established to create a standardized system for personnel management and to ensure that personnel actions and decisions are in compliance with federal, state and local laws and contemporary personnel management principles and practices.

This Handbook does not represent a contract or promise of specific treatment of current or former employees or job applicants. The County reserves the right to amend these policies and to grant exceptions or handle selected matters differently when legally warranted.

It is also important for officials, department heads and employees to understand when applying the Handbook, that it:

- IS a summary of this County’s personnel management policies and procedures. It is intended to revoke and supersede prior policies or summaries or informalities in such policies and procedures, and as to inconsistencies with such prior practices (excepting active employment and collective bargaining agreements) the Handbook shall apply.
- IS an evolving and changing document, subject to updating, which should be referenced for updates and amendments when applying personnel management policies and procedures. The policy and procedural statements within the Handbook are not promises for any specific action or treatment, but are general statements of County policy and procedure subject to unilateral change, and without prior notice.
- IS NOT the only source of personnel-related policies and procedures imposed by federal and state laws, and that officials, department heads and employees must reference such other sources and inquire with the Human Resources Department.
- IS NOT intended, impliedly or expressly, as a contract of employment. Nevertheless, the Handbook restrains the ability of any official, department head or employee to enter into any County employment agreement, policy or procedure inconsistent with the Handbook unless that individual possesses the requisite statutory, written and signed authorization from the appropriate County official, department head or supervisor.

SCOPE

The Handbook, except as otherwise provided below, is applicable to all County employees and departments:

These policies and procedures are applicable to employees covered by collective bargaining agreements to the extent allowable under RCW 41.56. Generally, these policies and procedures shall be considered to apply when the matter is not addressed by a collective bargaining agreement, subject to the duty to bargain requirements of RCW 41.56.
Where provisions of this handbook address topics covered by County Civil Service Rules, those rules shall supersede these policies and procedures. Otherwise, these policies and procedures apply to all Civil Service positions and employees.

Pursuant to the Board of Commissioners’ governance and budgetary authority, Handbook policies and procedures pertaining to County facilities and property, real or personal, and to employee compensation and benefits, as identified under Authority below, are applicable to all County employees including those reporting to Elected Official’s departments. In other areas, Elected Officials may adopt and apply differing policies and procedures within their departments. If no such policy is adopted and applied, this handbook shall apply.

Definitions.
The terms used in the Human Resources Policies shall have the meanings defined below:

A. Board: The Board of County Commissioners
B. Department Head: An employee who is responsible for directing one or more departments.
C. Elected Official: Any of the following officials: Assessor, Auditor, Clerk, Commissioner, Coroner, District Court Judge, Prosecuting Attorney, Sheriff, Superior Court Judge, or Treasurer.
D. Employer: For a department head, the "Employer" means the Board. For an exempt employee working under a department head, the "Employer" means the department head. For an exempt employee working for an elected official, the "Employer" means the Elected Official.
E. Exempt FLSA Employee: A person (i) who is a department head or who is employed under a department head, by an elected official, or by the Board; and (ii) whose position is not included in a collective bargaining unit recognized by Cowlitz County.
F. Employees Covered by Collective Bargaining Units: An employee covered by any of the following Collective Bargaining Units: Corrections Officers Guild, Local Union 58 – Corrections Sergeants, Local Union 58 – Corrections Clerical Secretary/Cooks, Local 1262 – Courthouse Union (includes Juvenile Detention), Local 334 – Roads Union, Sheriff Deputies/Sergeants Guild, Sheriff Support Specialists Guild, Local 49 – Health Union, and Emergency Services Association.
G. Fair Labor Standards Act (FLSA) and Washington Minimum Wage Act (WMWA) Exempt Employee: An employee who is not covered by the provisions of the FLSA or WMNA. Such employees are identified by resolution adopted by the Board.
H. Immediate Family: Spouse, parent (biological or an individual who stood in loco parentis* to an employee when the employee was a child), grandparent, brother, sister, parent-in-laws, child (including biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis*), grandchild, aunt, uncle, niece or nephew, or any other person related by blood or marriage regularly residing in the employee’s household at the time of death.
*in loco parentis... In the place of a parent, or of a parent’s authority
I. Non-Exempt FLSA Employee: Any employee in a position not designated exempt (as defined above). Non-exempt employees are subject to the overtime provisions of the FLSA.
J. Regular Full-Time Employee: An employee who’s regular work schedule is a minimum of thirty-seven and a half (37.5) or forty (40) hours a week.
K. Regular Part-time Employee: An employee who regularly works less than full-time but more than forty percent (40%) of a full-time employee. An employee who regularly works 125 hours or more per month but less than full-time receives County pro-rated benefits.
L. Other Types of Employees: Other types of employees are not eligible for County benefits.
   1. Temporary: Employee who holds jobs of limited duration due to special projects, abnormal workloads or emergencies.
   2. Seasonal: Seasonal employee is considered to be a temporary employee, unless specified otherwise in a collective bargaining agreement.
   3. Other: Employee who is scheduled to work 40% or less than a regular full-time employee.
3.2 ABSENCES DUE TO EMERGENCIES

Policy.
During times of inclement weather or natural disaster, it is essential that the County continues to provide vital public services. It is expected that employees make every reasonable effort to report to work without endangering their personal safety. When natural and other emergencies occur that makes it impossible or unsafe for employees to work, options are available for such absences to be covered.

Procedures.
Absences due to natural emergencies such as floods, storms and earthquakes; or emergencies such as power outages, fire, riot, insurrection or other emergencies will be handled as follows:

If any emergency makes it impossible or unsafe for employees to report to work at the beginning of the work day or when employees are sent home by their supervisor, such absences may be covered by accrued vacation leave, floating holiday or leave without pay.

3.3 ACTIVE DUTY CONTINUED HEALTH CARE BENEFITS FOR NON-BARGAINING UNIT EMPLOYEES

Policy.
The Active Duty Continued Health Care Benefits policy is for eligible Cowlitz County employees that are not covered by a Labor Agreement. The employee may continue to receive from the County any health care benefits the employee was receiving prior to mobilization within the limits and restrictions of the health care plan limited to the term(s) of the mobilization, but in no case shall be provided for more than 18 months from the date of mobilization.

Procedures.
If a regular full-time non-bargaining unit employee of the County has been mobilized under Title 10 or 32 of the United States Code for a period exceeding 30 days, the employee may continue to receive from the County any health care benefits the employee was receiving prior to mobilization within the limits and restrictions of the health care plan.

Eligible Employees and their dependent(s) (as long as they continue to be eligible dependent(s) as outlined by their health plan) will continue to receive from the County any health care benefits the employee was receiving prior to mobilization for the period outlined in this policy.

Continuation of benefits is contingent on the employee applying for the same, agreeing to seek reemployment with Cowlitz County under Title 38, Chapter 43 of the United States Code, the Uniformed Services Employment and Reemployment Rights Act (“USERRA”), and providing the County with supporting documentation as deemed necessary by the Human Resources Department.

Benefits provided for a mobilization under this Section shall be limited to the terms(s) of the mobilization, but in no case shall be provided for more than 18 months from the date of mobilization.
Receipt of continuation of benefits shall not grant any right, benefit, or interest in employment or re-employment not granted to employees under USERRA or Washington State Law. The Board of County Commissioners can modify or rescind this policy at its discretion.

(Res. 07-082, 6-26-07)

3.4 ADA GRIEVANCE PROCEDURES

Policy.
This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of service, activities, programs, or benefits by Cowlitz County. The Cowlitz County Human Resources Policy governs employment-related complaints of disability discrimination.

Procedures.
The grievance should be in writing on the attached ADA Grievance Form. If the grievance is not filed on the Grievance Form, grievant should provide the following information about the alleged violation: name, address, telephone number of complainant; location, date and description of the alleged violation; remedy sought and whether or not a complaint has been filed with another agency. Alternative means of filing complaints, including oral grievances can be filed by contacting the ADA Coordinator. The oral grievance will be reduced to writing by the ADA Coordinator, or designee, utilizing the ADA Grievance Form and will be signed by the grievant.

The grievance should be submitted by the grievant or designee as soon as possible, but no later than sixty (60) calendar days after the alleged violation to:

ADA Coordinator: Director of Human Resources
207 Fourth Avenue North, Room 306
Kelso, Washington 98626

Within fifteen (15) calendar days after receipt of the complaint, the ADA Coordinator, or designee, will conduct an investigation to determine the validity of the alleged violation. If appropriate, the ADA Coordinator, or designee, will meet with the complainant during the investigation to discuss the complaint and possible resolutions.

A written determination as to the validity of the complaint and description of the resolution, if appropriate, shall be issued by the ADA Coordinator and a copy forwarded to the grievant no later than thirty (30) days from the County’s receipt of the grievance.

The grievant may request reconsideration if dissatisfied with the written determination issued by the ADA Coordinator and may appeal the decision within fifteen (15) calendar days after receipt of the written response to the Chair of the Board of Cowlitz County Commissioners, 207 4th Ave. N, Room 305, Kelso, WA 98626.

Within fifteen (15) calendar days after receipt of the request for reconsideration, the Chair of the Board of Cowlitz County Commissioners will review the request or reconsideration and make a final determination.

All written grievances received by Cowlitz County, requests for reconsideration and responses will be retained by Cowlitz County for at least three years.
If the grievant is dissatisfied with the County’s handling of the grievance at any stage of the process or does not wish to file a grievance through the County’s ADA Grievance Procedure, the grievant may file a complaint directly with the United States Department of Justice or other appropriate state or federal agency. Use of the County’s grievance procedure is not a prerequisite to the pursuit of other remedies.

COWLITZ COUNTY
ADA GRIEVANCE FORM

| Today’s Date: __________________________ |
| Complainant: __________________________
  Address: ____________________________ |
  City, State, Zip: ______________________ |
  Telephone and E-mail: ________________ |
| Individual Discriminated Against: ________
  Address: ____________________________ |
  City, State, Zip: ______________________ |
  Telephone and E-mail: ________________ |
| Alleged Violation: Date(s) of Occurrence: ____________________
  Description of Violation and County Department Involved: __________ |
  ______________________________________ |
  ______________________________________ |
  ______________________________________ |
| Requested Action by County to Correct Violation: ________________
  ______________________________________ |
  ______________________________________ |
  ______________________________________ |
| Has Complaint been Filed with State or Federal Agency: _____ Yes ____ No.
  Name of Agency: ________________________ |
  Date Filed: ____________________________ |
  Contact Person: ________________________ |
| Signature: ______________________________ |
**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), Cowlitz County, Washington will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**EMPLOYMENT**: Cowlitz County, Washington 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 ADA.

**EFFECTIVE COMMUNICATION**: Cowlitz County, Washington will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Cowlitz County 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.

**MODIFICATIONS TO POLICIES AND PROCEDURES**: Cowlitz County, Washington will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Cowlitz County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Cowlitz County, Washington, should contact the Cowlitz County ADA Compliance Office as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require Cowlitz County, Washington to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Cowlitz County, Washington is not accessible to persons with disabilities should be directed to the Cowlitz County ADA Compliance Office.

Cowlitz County, Washington 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, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

(*Res. 92-169, 10-26 -92; Res. 10-054, 5-4-10*)

### 3.5 AFFIRMATIVE ACTION PLAN

**Policy.**


Affirmative Action describes a program or a set of policies and procedures under which equal employment opportunity may be achieved. The term "affirmative action" implies positive action. Therefore, the Affirmative Action Plan is a specific set of procedures taken to eliminate discriminatory practices in all County employment.
The purpose of this policy is to support the Equal Employment Opportunity laws. This jurisdiction is anxious to ensure equal employment opportunity to all job applicants and County Employees. There has been an attempt to identify responsibilities on the part of the department heads, their appointed representatives and the employee in fulfilling this goal. This Affirmative Action Plan has been developed and will be implemented to ensure Cowlitz County is doing its part toward Equal Employment Opportunity.

The County policy of equal opportunity and non-discrimination extends to all employment-related matters, including hiring, layoffs, promotion, transfer, work assignments, pay and benefits, discipline, training and other conditions of employment. Any form of discrimination based on age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability, or any other status protected by law, is strictly prohibited, unless based upon a bona fide occupational qualification: Provided, that the prohibition against discrimination because of such disability shall not apply if the particular disability prevents the proper performance of the particular work involved. Cowlitz County is committed to maintaining an environment free from discrimination, harassment and intimidation based on any status protected herein.

**Procedures.**

**Responsibility.**

Elected officials and department heads will be responsible to comply with the Affirmative Action Plan/Program in each of their respective departments. The Human Resources Director will be responsible to implement and maintain the Affirmative Action Plan for Cowlitz County. The Human Resources Director will assume the following duties:

A. The Director will work with elected officials and department heads towards eliminating artificial barriers to employment and promotion, especially those barriers that discourage and deter women and minorities.
B. The Director will recommend to the Board of County Commissioners rules and regulations consistent with the Affirmative Action Plan.
C. The Director will monitor, audit and evaluate the Affirmative Action Plan on a regular basis.
D. The Director will prepare the bi-annual EEO-4 Report and submit it to the Equal Employment Opportunity Commission.
E. The Director will report to the Board of County Commissioners upon completion of the EEO-4 Report and will keep the County Commissioners informed of developments and progress of the Affirmative Action Plan.

**Job Analysis.**

Job analysis is an orderly approach to documenting the elements of a job. Every County position will have a written job description that realistically and accurately describes the tasks performed and the knowledge, skills and abilities required to perform them. The purpose of job analysis and written job descriptions is to eliminate arbitrary requirements that act as barriers to employment.

**Testing.**

Written, oral or performance tests will be direct and correctly related to important tasks performed on the job. Test questions which do not relate to the work to be performed, will not be asked. Applicants will not be asked to demonstrate ability to perform tasks other than those required to perform the job.

**Probationary Period.**

During the probationary period of employment when designated by a labor agreement, it is the responsibility of the department heads (or the elected official) and the supervisor with diligent effort to see that the new
employee receives adequate training and assistance for them to succeed. It is the responsibility of the probationary employee to demonstrate ability to perform, and to be dependable.

**Employment Practices.**
The Human Resources Department will actively promote employment opportunities for all persons regardless of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability, or any other status protected by law.

A. Recruitment:
   1. The Human Resources Department will be notified of all job openings.
   2. A job description listing abilities and skills required will be posted on two bulletin boards in the Administration Building and the Hall of Justice indicating a closing date to receive applications.
   3. The position will be advertised in the local newspaper and may be advertised in newspapers of larger circulation.
   4. The Employment Security Office will be notified of the opening.
   5. Reasonable attempts to contact applicants are considered sufficient effort.
   6. The Minority Affairs Director of Lower Columbia College will be notified of the opening.
   7. Other advertisement and recruitment efforts will be made as deemed appropriate by the elected official, department head and/or Human Resources Department, as needed for the particular position.

B. Screening Process:
   1. Interview may be conducted in accordance with the selection process by elected officials, department heads or their appointed representative. The date of the interview and the interviewers initials will be noted on the application.
      a. Interview questions will be based on work experience, skills and abilities. Questions that are not job related will be avoided.
      b. During the interview(s), the applicant will be given an opportunity to read the job description if he or she has not already done so. The applicant will also be given the opportunity to ask questions.

C. Selection of Full Time Employees:
   1. The selection process will consist of the following steps:
      a. The Human Resources Department will collect all applications until after the closing date to receive applications.
      b. All of the applications will be given to the department head or to his/her appointed representative, to choose the candidates to be interviewed for the position or the department head may request the Human Resources Department to screen the applications according to the minimum qualifications.
      c. The final choice of the employee will be made by the department head, elected official or appointed representative.

D. Seasonal, Part-time and Extra Help Employees:
   1. Seasonal, part-time and extra help employees who have been employed by Cowlitz County in the past, may be hired for the same type of work in the future, and are exempt from making application and interview requirements as long as an up-to-date application is on file in the Human Resources Department.
   2. Recruitment, interview and selection of seasonal, part-time and extra help employees will be the same as mentioned in “Employment Practices” above, if it is believed the position may become full-time work within one year from the date of hire.

**Promotion.**
When an opening occurs, the department head or elected official in charge of that department will consider filling the position by promotion within the staff presently employed.

Employees of Cowlitz County, especially women and minorities, are encouraged to apply by proper application for open positions. It is natural that employees will want to be promoted to receive job status, better pay or to perform different tasks. If any employee of Cowlitz County does not apply for an open position, then no discrimination against said employee will take place because of said application. Cowlitz County employees applying for open positions will be treated on an equal basis as other applicants applying for the position. However, special consideration may be shown to minorities and women applying for positions in underutilized classifications.

Underutilization will be determined by the Human Resources Director or his authorized representative.

**Grievances.**
A grievance arising from the implementation of the Affirmative Action Plan should follow the steps listed in the current union agreements, depending upon the employee’s particular union.

**Utilization.**
The Human Resources Director will analyze County job classifications by sex and race on an Exhibit A. The Human Resources Director will also compare statistical information based on current census reports showing the minorities labor force and the white civilian labor force compared to the minorities labor force.

**Goals.**
It is our goal to continue to make all job opportunities open to all who are interested and qualified without regard to age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability, or any other status protected by law.

*(Res. 99-086, 5-24-99; Res. 03-146, 9-30-03; Res. No. 09-098, 6-16-09)*

### 3.6 ATHLETIC EVENTS EMPLOYEE PARTICIPATION

**Policy.**
Cowlitz County does not sponsor or endorse participation in or the organization of any athletic contests, i.e., baseball games, teams, racing, etc.

**Procedures.**
Any County employees participating in athletic events, even though with other County employees, shall in no way be covered by workers compensation or any County liability coverage; however, this does not affect the employee’s standard accident and health coverage.

*(Res. 01-099, 6-4-01)*

### 3.7 COBRA

**Policy.**
The Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, requires most employers sponsoring group health plans to offer employees and their eligible dependents the opportunity to elect a temporary continuation of group health plans in certain circumstances (qualifying events) when the
group coverage otherwise would end. This temporary continuation is generally 18 months, although in certain cases other longer continuation periods are available. Coverage continuation applies to the plan(s) the employee is enrolled in at the time of the qualifying event.

**Procedures.**

Qualifying Events:

A. Employment termination of the covered employee (for any reason other than gross misconduct); or

B. Reduction in the employee’s work hours that make him/her ineligible to participate in the group plans.

Dependents of covered employees also have the right to elect COBRA if they lose health plan coverage for any of the following qualifying events:

A. Death of the covered employee;

B. Employment termination of the covered employee (for any reason other than gross misconduct) or reduction in the employee’s hours making the employee ineligible to participate in the group health plans;

C. Divorce from the covered employee;

D. The employee enrolls for Medicare benefits;

E. A dependent ceases to be a “dependent child” as defined under the plan. The Plan Administrator and the Plan’s member services can assist in understanding the requirements to be a “dependent child”.

If an employee or covered/eligible dependent elects to continue group health plan(s) coverage, he/she is responsible for the monthly payments of the health plan premium, including an administrative fee of 2%. The health plan (insurance) administers the health plans under COBRA, and payments are made directly to them. Failure to make timely payments will result in the termination of coverage.

It is the responsibility of the covered employee and eligible dependents to notify the group health plan administrator (the Human Resources Department) in writing of any of the following qualifying events so that COBRA election is made available, no later than 60 days from the event:

- Divorce or legal separation
- Dependent ceases to be a “dependent child”
- Employee enrolls in Medicare

If any of these qualifying events occurs while on COBRA, the employee and the covered dependents must notify the COBRA administrator (the plan/insurance) within the above listed datelines. If the employee’s Medicare status terminates, he/she must notify the Group Plan or COBRA Plan Administrator within 30 days.

This policy is only a summary of your rights and obligations and does not offer any greater rights than those listed under COBRA statutes. Federal law is subject to change without notice, and so will this policy, as required by law. For more information on COBRA, refer to the Initial COBRA Notice (the employer will provide this Notice at or around the time of benefits enrollment); the COBRA Notice upon a Qualifying Event (the employer will provide this notice upon receiving written notice of a qualifying event); and/or the plan’s benefits booklet.

Information may be accessed on continuation of group health plan coverage under ERISA and COBRA with the U.S. Department of Labor’s Employee Benefits Security Administration (EBSA) ([www.dol.gov/ebsa](http://www.dol.gov/ebsa)).

*(Res. 04-162, 8-17-04)*
3.8 CODE OF ETHICS

Policy.
The proper operation of government requires that actions of public employees be impartial; that government decisions and policies be made in the proper channels of government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.

Procedures.
All elected officials, employees and volunteers of the County shall:

A. Avoid real and potential conflicts between private interests and public duties, remembering that the public interest must be their principle concern, and remembering that the appearance of conflict can be just as damaging as real conflict.
B. Keep confidential all information acquired through their position, which may be used for personal or financial gain for themselves or others.
C. Refrain from securing special privileges or exemptions for themselves, their relatives, and other persons, that are not available to all citizens.
D. Avoid receiving, soliciting or otherwise obtaining anything of value from any person that is intended to influence the performance of official duties.
E. Disclose to the appropriate authority the nature and extent of any financial or personal interest in a County contract or other official business when participating in discussions of or giving an opinion on the matter.
F. Seek no favor and confer no favor in the performance of official duties; abide by the principle that personal profit by misuse of public time is dishonest.

G. Participation in Political Activities and Campaigning

A. The County recognizes the right of its officials, employees, and volunteers, as citizens, to engage in political activities and campaigns for political office. Officials, employees and volunteers with the County may seek or support another for an elective office provided that person does not campaign on County property during working hours. County property and County time, supported by public funds, may not be used for political purposes.

B. County officials, employees and volunteers, when authorized by their respective elected official may provide information or communicate on matters pertaining to County affairs, and when authorized by their respective elected official and upon notice to the Board may advocate the official position or interests of the County, to any elected official or officer or employee of any agency or official body. If such advocacy constitutes “in person lobbying” activity on behalf of the County, the County will file quarterly statements in compliance with requirements of the Public Disclosure Commission.

C. County employees who hold elective or appointive public office in another organization are not entitled to time off from their County duties for reasons incident to such offices except as such time may qualify under leave policies of the County or applicable labor agreement for the employee.

D. County facilities may not be used to support or oppose a candidate or ballot proposition, directly or indirectly. Facilities include County equipment, telephones, computers, internet and intranet connections, buildings, supplies, employee work time, and department and official publications and documents, including email.

E. The Human Resources Department shall provide guidance, based upon State laws and Attorney General Opinions, and the policies of the Public Disclosure Commission, under which a County
official, employee or volunteer can participate in political activities while on County work time and utilize County facilities in campaigns on a nondiscriminatory, equal access basis.

F. References: RCW 41.06.250 (Political Activities); RCW 42.17A.555 (Use of public office or agency facilities in campaigns); RCW 42.17A.635 (Legislative activities of state units of government).

(Res. 93-173, 10-11-93; Res. 04-098, 6-1-04 and Participation in Political Activities during work time Res. 14-063, 7-22-14)

3.9 COMPENSATION WHILE REPRESENTING COWLITZ COUNTY

Policy.
Cowlitz County government elected officials or employees are invited periodically to attend meetings, seminars or workshops as a representative of Cowlitz County government. Cowlitz County employees are not entitled to receive additional compensation from another source while attending on County time.

Procedures.
Cowlitz County government elected officials or employees receiving compensation from another source for attending a meeting as a representative of Cowlitz County government, and it is earned while on County time, with the exception of jury duty, will remit that compensation to the Cowlitz County Treasurer for deposit in the General Fund.

(Res. 04-096, 6-1-04)

3.10 DEFERRED COMPENSATION

Policy.

Purpose.
The County has adopted Deferred Compensation Plans (collectively “the Plan”) pursuant to Section 457 of the Internal Revenue Code of 1986, as amended (“the Code”). The purpose of the Plan is to attract and retain County employees by enabling them to enhance their retirement security by permitting them to enter into agreements with the Employer to defer compensation and receive benefits at retirement, death, separation or termination of employment, and for financial hardships due to an unforeseeable emergency. The Plan includes Cowlitz County, and junior districts or agencies approved by the County Commissioners to participate in Cowlitz County employee benefits and where their personnel payroll is processed by Cowlitz County.

Nothing contained in the Plan shall be deemed to constitute an employment contract or agreement for services between the Participant and the Employer, nor shall it be deemed to give a Participant any right to be retained in the employ of, or under contract to, the Employer. Nothing herein or in the Plan shall be construed to modify the terms of any employment contract or agreement for services between a Participant and the Employer, as the Plan is intended to be a supplement thereto. Participation in the Plan shall be according to the terms of the Plan document, as now adopted or hereafter amended.

Procedures.
Annual Deferred Compensation is Subject to the Following Limitations:
1. Basic Annual Limitation as defined by the Code.
2. Age 50 Catch-up Annual Deferral Contributions as defined by the Code.
3. Special Section 457 Catch-up Limitation as defined by the Code.
100% of the includable employee’s compensation, as defined by the Code, is eligible for deferral, but the actual monthly deferral will be reduced by any mandatory or elective deferrals in effect at the time of the payroll.

**Participation Agreement.**
Participants must enter into a written Plan agreement setting forth certain provisions and elections relative to the Plan, establishing the amount of Deferred Compensation and the manner and method of paying benefits under the Plan, incorporating the terms and conditions of the Plan, and establishing the Participant’s participation in the Plan.

**Plan Administration.**
This plan shall be administered by a committee (“Committee”) of one or more persons as appointed by the Employer. The Committee shall represent the Employer in all matters concerning the administration of this Plan.

The Committee may contract with Plan Provider(s) to issue to the Employer an annuity contract known as “the Plan” and to provide services under the Plan for the convenience of the Employer, including, but not limited to, the enrollment of Eligible Individuals as Participants on behalf of the Employer, the maintenance of individual or other accounts and other records, the making of periodic reports and the disbursement of benefits to Participants and Beneficiaries as such services may be agreed to pursuant to such contract.

**Participation in the Plan.**
Any individual who performs services for the Employer, either employed or under contract, for which Compensation is paid who is eligible to participate in Cowlitz County employee benefits, and who executes a Participation Agreement is eligible to participate in the Plan. Contributions will start as soon as it is administratively feasible or the next available payroll issued after completion and submission of required documents.

At the time of entering into or modifying the Participation Agreement hereunder to defer compensation or at the time of re-entry following a withdrawal from participation, a Participant must agree to defer a minimum amount of 1% of the Participant’s Includible Compensation from the Employer or as specified by the Committee.

A Participant may request/apply for the following after entering into a Participation Agreement or completing the necessary documents as stipulated by the Plan:

1. change the amount deferred
2. change beneficiaries
3. stop participation completely
4. if stopped participation, may restart participation
5. change the selection for investment of the Participant’s Account
6. apply for unforeseeable emergency withdrawals
7. apply for benefits withdrawals when eligible

**Benefits.**
Benefits distributions will be paid as stipulated in the Plan upon notification to the Employer and/or the Plan of the Participant’s retirement, separation/termination of employment, or attaining 70 ½ years of age. The Plan does not have involuntary distributions. Partial benefits may be paid prior to retirement or separation of employment, as stipulated by the Plan, if the Committee approves the Participant’s request for an unforeseen emergency withdrawal.

Should the Participant die at any time before benefit payments have been commenced, benefits distributions will be made as stipulated by the Plan and in the manner and method elected by the Participant or Beneficiary,
as appropriate. If no Beneficiary is designated or if the Beneficiary does not survive the Participant for a period of thirty (30) days, the Employer shall pay to the estate of the Participant a single lump sum amount equal to the current value of the account; or if a Beneficiary survives the aforementioned thirty (30) day period but does not survive the full period after the Participant’s death during which such payments are to be made, then the Employer shall pay to the estate of such Beneficiary a single lump sum amount equal to the current value of the account.

Emergency Withdrawals.
In the case of an unforeseeable emergency prior to or subsequent to the commencement of benefit payments regardless of whether Separation from Service has occurred, a Participant may apply to the Committee for withdrawal of an amount reasonably necessary to satisfy the emergency need. If such application for withdrawal is approved by the Committee, the withdrawal will be made as soon as it is administratively feasible at the later of (a) the date specified in the Participant’s application; or (b) the date of approval by the Committee and shall be payable in a lump sum or otherwise as determined by the Committee. Funds that were paid into the Plan in lieu of Social Security shall not be withdrawn for an unforeseeable emergency.

In no event shall the amount of a withdrawal for unforeseeable emergency exceed the total amount of benefits, which would have been available if the Participant had separated from service at the time of withdrawal. Notwithstanding any other provision of this Plan, if a Participant makes a withdrawal hereunder, the amount of the Participant’s benefits under the Plan shall be appropriately reduced to reflect such withdrawal. The remainder of any benefits shall be payable in accordance with otherwise applicable provisions of the Plan. Refer to the Plan or contact the Human Resources Department for more details and information.

Amendment or Termination of Plan.
The Employer may terminate or amend the provisions of this policy and the Plan at any time; provided, however, that no termination or amendment shall affect the rights of Participants or their Beneficiaries to the receipt of payment of benefits to the extent of any compensation deferred before the time of the termination or amendment, as adjusted for investment experience under the designated vendor Plan prior to or subsequent to the amendment.

Upon such termination, the Participants in the Plan will be deemed to have withdrawn from the Plan as of the date of such termination. The Participant’s full compensation on a non-deferred basis will be thereupon restored, and the Employer shall pay such benefit or benefits as provided in the Plan according to the terms of the Plan.

Plan-To-Plan Transfers.
The Plan shall accept transfer amounts of compensation previously deferred pursuant to another deferred compensation plan pursuant to Section 457 of the Code and if defined eligible for transfer by the Plan.

Applicable Law.
The Plan shall be construed under the laws of the State of Washington, except to the extent superseded by federal law, including the Code.

(Adopted 4-6-81; 3-16-87; 12-19-88; 5-26-9; Res 05-201, 12-27-05)

3.11 DOMESTIC PARTNERSHIP BENEFITS POLICY
Policy.
For the purposes of County benefits, the employee and domestic partner must have entered into a state-registered domestic partnership that includes the following criteria:

A. The employee and the domestic partner are of the same sex; or may be of the opposite sex if at least one of the individuals is at least 62 years of age;
B. The employee and the domestic partner share one common and regular residence;
C. The employee and the domestic partner are at least 18 years of age or older;
D. Must have entered into a registered domestic partnership in the state of Washington or an equivalent domestic partnership from another state. Benefits to domestic partnerships will be based on Washington law, not the law of another state.

The domestic partner of an employee will be eligible to the same benefits as a spouse; as well as the children of a domestic partner will be eligible to the same benefits as the children of a spouse. The same plan document rules and benefits administration policies and procedures that apply to all employees and their dependents rules will apply to the domestic partnership.

The employee will be able to use County and Washington State leave benefits for or in relation to a domestic partner and/or the children of a domestic partner, in the same manner as an employee may do so for a spouse and/or the children of a spouse. Leave benefits under federal law do not apply to domestic partnerships.

Employees will be required to attach a copy of the domestic partnership registration when adding new dependents to health benefits, as well as copies of certificates of birth for unmarried dependent children of the domestic partner.

Procedures.
Tax Information in relation to Domestic Partnership and health benefit:
Under federal law, if the domestic partner does not qualify as a tax dependent as defined by IRS Code, then the portion of premiums the County pays for the coverage of the domestic partner will be included in the employee’s gross income and will be subject to federal tax withholding, state tax withholding (if applicable), and employment taxes. The amount will be reported on the employee’s W-2 form. If the County uses composite rates for health benefits, then the county will apply the comparable spouse rate of the tier-rates used or provided by the insurance company.

To calculate the tax and withhold it from pay, the premium for the coverage (medical and dental) is added to the earnings; the tax is computed and withheld. Then the premium used to calculate the tax is deducted from the pay because the gross pay was only inflated to calculate the applicable federal tax withholding, state tax withholding (if applicable), and employment taxes. See the shaded line of the example below which illustrates how the amount is shown when added in as an earning, and then subtracted from pay.

If an employee has elected a plan package that requires the employee to pay a share of premiums, then the portion of the employee’s premiums payments that are paid for coverage of a person who is not the employee’s dependent for federal income tax purposes (for
example, a domestic partner and/or a domestic partner’s child) will be paid from the employee’s after-tax earnings.

The employee is also unable to claim expenses for the domestic partner under the Health Care Flexible Spending Account (FSA), or under the Health Reimbursement Account (HRA/VEBA).

**When the Domestic Partner is a Tax Dependent as defined by IRS Code.**

The employee must review the Internal Revenue Code Section 152(a) as well as the Publication (501) for Exemptions, Standard Deduction, and Filing information, to determine if the domestic partner and/or the dependent children of the domestic partner meet the IRS definition of “dependent”. In such case, then no portion of the premiums paid by the County will be included in the employee’s income or be subject to federal or state withholding or employment taxes.

If the employee’s domestic partner and if applicable, the domestic partner’s child or children, qualify as a tax dependent(s), and the employee wants to avoid having employer-paid premiums treated as taxable income, then the employee must certify this by completing a signed declaration of the tax dependent status of the domestic partner and if applicable, the domestic partner’s child(dren), and attach a copy of the state registration of domestic partnership. It is the responsibility of the employee to make this decision. The County cannot assist in this determination.

If the County does not receive a properly completed declaration of dependent status form from the employee, the County will assume the domestic partner does not qualify as a tax dependent.

*(Adopted 12-22-2009)*

**3.12 DRUG FREE WORKPLACE**

**Policy.**

The manufacture, distribution, dispensing, possession, or use of a controlled substance or alcohol is prohibited in a Cowlitz County workplace. Limited exceptions to this policy are found under 10.2.2.28 (Food and Beverage Concessions).

**Procedures.**

All employees will be provided with a copy of this policy and any employee found to be in violation of this policy will be subject to the following actions:

A. Participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local agency, or appropriate agency approved by Cowlitz County; and/or
B. Appropriate disciplinary action up to and including termination; and
C. Any employee who is convicted of a criminal drug or alcohol statute wherein the violation occurred in the workplace shall notify the County Human Resources Director of such conviction no later than five (5) days after the conviction.

*(Res. 01-053, 3-26-01; Res. 18-080, 9-25-18)*

**3.13 EMPLOYEE RECOGNITION AND EXCELLENCE IN SERVICE**

**Policy.**
The success of Cowlitz County depends largely on the work contributions of the county's employees. In acknowledgement of the benefits received from an experienced workforce, the Board has established a Longevity Recognition Committee that will perform various duties in furtherance of the Board’s efforts in Employee Recognition and Excellence in Service.

The Board has chosen to recognize full-time employees who have been employed by the County in five-year intervals and to honor all retiring personnel. For such recognition, employees must be employed by the County, full-time for five years before being eligible for a longevity item.

Excellence in Service Awards are issued yearly to honor and recognize individual County employees, and excluding elected officials, who demonstrated outstanding service and true excellence in their job performance

**Procedures.**

**Employee Recognition Fund.**
There is currently an established budgetary fund entitled Employee Recognition Funds for recognition and award expenditures to be disbursed through the Auditor’s Office.

The Longevity Recognition Committee will purchase longevity recognition items. Invoices for payment will be submitted to the Office for payment. Items will be purchased in bulk to obtain the discounted rates of quantity orders and the Office will store all items.

**Employee List.**
The Department of Human Resources will provide a list in January of employees to be recognized to all Elected Officials, Department Heads and the Longevity Recognition Committee Chairperson. Information in the list will include years of service broken down by five year increments, employee's name, and department. Human Resources will receive confirmation from offices and departments and make any corrections necessary. Any discrepancies, complaints, or issues with their service years will be directed to Human Resources. The corrected list will be forwarded to the Longevity Recognition Committee Chairperson. Elected Officials and Department Heads will complete electronic order forms for their employees’ items. The Longevity Recognition Committee Chairperson will verify and forward the forms to the Auditor’s Office to obtain the recognition items for disbursement at a longevity recognition event.

**Recognition Events.**
An annual barbecue will be hosted by the Longevity Recognition Committee to honor all county employees. The Committee will notify the Health Department to obtain all appropriate permits and approvals.

An annual longevity recognition event will be hosted by the Elected Officials and Department Heads for selected longevity employees, utilizing the five-year increments of service. These longevity employees will be presented the recognition item they have chosen at the longevity recognition event, if possible, or another date and time set by the Longevity Recognition Committee.

Using a tiered system in five-year blocks, all employees with years of service from 5 to 10 years will receive a first tier Recognition of Service item, employees with 16 to 25 years will receive a second tier Recognition of Service item and all employees with service of 30 years and over will receive a third tier Recognition of Service item. Recognition of Service items will vary from year to year to avoid duplication of items and to continually modernize the program.
Excellence in Service Recognition

There will be up to three Excellence in Service Awards given each year. Each award winning recipient will receive an Excellence in Service Tier 2 item, an engraved plaque, and will have the option of requesting a designated parking space placed as close as practical to the employee's primary employment site for one year. All award nominees will receive a framed Nomination Certificate.

Excellence in Service Awards
Call for Nominations

The County Commissioners’ staff will send a Call for Nominations on or before June 15 of each year to all county employees. Completed nomination forms should be sent to the nominee's Elected Official or Department Head for authorization before submittal to the Commissioner’s office. All nomination forms are due to the Commissioner’s office by August 1 and then immediately turned over to the Longevity Committee to review and rank. Once this is completed by the committee the forms are then submitted back to the Commissioner’s office to have the Board make their final decision on whom will receive the award/s.

Nomination submittal forms must be from an employee who:

- Works in the same office or department as the nominee, or
- Has regular day-to-day contact with the nominee, and
- Has personally witnessed the excellence in service, or special act, performance, deed, or even the nominee provided, and
- Has submitted a detailed, written account of the service, act, performance, deed, or event.

Criteria to be considered for service awards:

In order for an employee (elected officials excluded) to be chosen for a service award, their nomination must be based upon performance during the preceding twelve-month period, and upon one or more of the following:

- Extraordinary excellence in service
- Special effort in changing a practice or procedure that saves time or money
- Innovation in delivering service
- A contribution out of the normal work effort, or above and beyond the person's normal duty
- Outstanding job performance
- Consistent performance of their duties in a manner highly reflective of competency
- Exceptional personal qualities, dedication, performance, and professionalism
- Improvement of conditions within the department or for various departments

The Excellence in Service official recognition of each nominee will be presented at a ceremony during a public meeting of the Board of County Commissioners in October.

The Outstanding Professional Achievement Award

Throughout the year, the County Commissioners will acknowledge and recognize employees whose work performance demonstrates outstanding professional achievement. This is a high level honor for the employee’s accomplishment and personal dedication.

An employee may be nominated by a peer, supervisor, or department head or elected official at any time during the year. A nomination form is available on the intranet. Nominations will be considered by the Longevity Recognition Committee for recommendation to the Board of County Commissioners. If the Board chooses to recognize the employee for Outstanding Professional Achievement, the employee will be provided with a recognition item and Certificate of Outstanding
Professional Achievement. The Longevity Recognition Committee will provide the recognition item and certificate to the Board for presentation to the awarded employee.

Retirement.
A budgetary fund entitled Employee Retirement Awards shall be established and all retirement award expenditures shall be disbursed through the Board of County Commissioner’s Office.

All retiring employees will receive a letter from the Board acknowledging their service to the County.

Employees with 10 through 19 years of service may receive a wooden retirement plaque, and employees with 20 years or more years of service may receive a piece of marble preserved from the historic County Administration Building’s remodel of the 1930’s.

Retiring Elected Officials and Department Heads may also receive a piece of the historic marble that was shipped from Tennessee in 1939 for use in the Administration Building’s addition.

Departments have the authority to purchase a cake, treats, refreshments and disposable service for the retiree's public function with the funds from the particular office’s or department's budget.

(Recognition - Res. 01-097, 6-4-01; Res. 03-063, 5-6-03; Res. 08-028, 3-4-08, Res. 09-209, 12-22-09
(Excellence in Service - Res. 08-026, 3-4-08; Res. No. 09-210, 12-22-09; Res. No. 11-063, 6-21-11; Res. No. 12-126, 9-25-12; Res 18-053, 6-26-18; Res 19-113, 10-29-19)

3.14 EXEMPT EMPLOYEE POLICY GUIDELINES

Policy.
The Board of Commissioners adopted these Exempt Employee Policy Guidelines to promote uniform personnel standards for exempt employees in Cowlitz County. These Guidelines are not part of any contract of employment, nor are they binding on the County as a contract. The Board can modify or rescind the Guidelines at its discretion.

Applicability.
County government operates through the Board and the other elected officials. The Board is responsible for many County functions, including all budgetary matters. The other elected officials perform special responsibilities established by law.

Employees of elected officials are said to have two "employers." The Board is their employer for purposes of setting their salaries and benefits. The elected official is their employer for all other purposes--hiring, firing, hours of work, job responsibilities, etc. Because of this division of authority, it is necessary in these Guidelines to distinguish between exempt employees of elected officials and other exempt employees, and to clarify how these Guidelines apply to judicial employees.

Exempt employees working for a department head, and exempt employees working directly for the Board are subject to these Guidelines in their entirety.

Exempt employees of elected officials are subject to these Guidelines with the following exceptions: sections entitled “Department Heads,” “Reduction in Force,” “Work Week” and “Grievances.”

Judicial employees are persons employed in the following offices or positions: District Court, Family Court, Juvenile Department, or Superior Court. For the purposes of these Guidelines, judicial employees are
considered to be employees of elected officials. Court Reporters are subject to only the following parts of these Guidelines: sections entitled “Purpose,” “Definitions,” “Applicability,” “Personnel Records,” “Health and Welfare Insurance,” “Retirement Benefits,” and “Jury Duty.”

**Department Heads.**
Department heads are appointed by the Board, serve at the pleasure of the Board, and may be removed by the Board with or without cause at any time.

Department heads are the officials primarily responsible for the operations of their departments. Department heads have the authority to hire, assign, and terminate their exempt employees, who serve at the pleasure of their department head and may be removed with or without cause by their department head at any time.

**Reduction in Force.**
If it is necessary to lay off any exempt employee as the result of lack of work, revenue, discontinuation of a program, or any other reason, the Employer shall have sole discretion in determining those to be laid off.

**Procedures.**

**Human Resources Records.**
The Office of Administrative Services shall maintain a personnel file and medical file for each employee. The personnel file shall contain records such as performance appraisals, status slips, training records and other employment related documentation. The medical file shall include all matters in the employer's possession related to the employee's medical history. The personnel file shall be available for inspection and review by the following persons and their authorized agents, subject to provisions of applicable laws and court orders:

1. the Board
2. the employing department head or elected official
3. the Human Resources Director
4. the individual exempt employee

The exempt employee may, by written request, permit other persons to have access to his or her personnel file. The medical file shall be accessible only to Human Resources staff and the employee unless the employee authorizes its release to other persons.

**Health and Welfare Insurance.**
Exempt employees meeting the required eligibility standards are entitled to health and welfare insurance benefits provided by the County.

**Retirement Benefits.**
The Washington State Department of Retirement Systems administers the Retirement system. Law Enforcement employees are eligible for the Law Enforcement Officers and Fire Fighters System; other employees are eligible for the Public Employees Retirement System. Currently, eligibility for LEOFF requires full time employment, and eligibility for PERS requires 70 hours per month for 5 months in a twelve-month period. Detailed eligibility rules and benefits of the plans are available at the Human Resources office.

**Vacation.**

A. **Intent and Purpose.** The sole intent and purpose of vacation is to allow full-time exempt employees periods of time away from the job with no loss of pay or benefits. Such time away from the job is intended to enhance exempt employees, emotional, mental and physical well-being.

B. **How Earned and First Taken.** Full-time exempt employees shall accrue vacation benefits on an hourly basis. A full-time exempt employee whose regular work schedule is 7-1/2 hours per day or 37.5 hours per week shall earn 7-1/2 hours of vacation for each calendar month of employment. A full-time
exempt employee whose regular work schedule is more than 7-1/2 hours per day and at least 40 hours per week shall earn 8 hours of vacation for each calendar month of employment. Exempt employees who work at least 1,500 hours per year but less than full-time shall accrue vacation on a pro rata basis. The formula for calculating pro rata vacation is: number of regular hours on payroll status divided by the regular hours in the month multiplied by 7.5 or 8. Temporary exempt employees are not eligible for any vacation benefits. Fair Labor Standards Act (FLSA) Exempt employees shall be charged for usage of vacation leave in full day increments, only; PROVIDED, that the employees’ partial day absences from work are not frequent or lengthy, or taken without their employer’s or immediate supervisor’s knowledge and approval – in which case, partial day absences shall be charged to the employee in tenth of an hour increments. Non-exempt employees shall be charged in tenth of an hour increments. Vacation may be used (subject to obtaining approval of scheduling) upon accrual.

C. Reduction in Force. In the event of a lay off, all accrued sick leave and vacation leave that is payable at termination as described in sick leave and vacation leave portions of these guidelines shall be paid to laid off personnel at time of layoff. For a period of one year thereafter, exempt employees so released will be eligible for rehire to vacancies occurring in the same classification and department. Such exempt employees shall keep the Employer advised of current address and telephone number. Such exempt employees offered re-employment must be available for work within fourteen calendar days of written notice mailed to the last address provided to the Employer. Failure to contact the Employer within such 14-day period constitutes waiver of any re-employment rights.

D. Reinstatement After Termination. Exempt employees who are laid off and rehired within 12 months shall maintain their years of service in effect at the time of layoff for purposes of calculating regular vacation leave and bonus hours.

E. First and Terminating Month of Employment. Exempt employees earn vacation leave for their first calendar month of employment if they are placed on the payroll on or before the 15th day of the month and work through the rest of the month. Terminating exempt employees do not receive vacation leave credit for the month in which they terminate unless they work through the 14th day of that month.

F. Sickness During Vacation Leave. An exempt employee who becomes sick during vacation leave may request that the time be charged to sick leave. Such request must be made in the same manner that vacation leave is requested.

G. Limit of Accumulation. Vacation leave is accumulative to a total of 248 hours for exempt employees. Once this limit is reached, no additional leave shall be accumulated unless the Employer grants a deferral. Employees requesting deferrals must follow the Vacation Deferral Request Policy.

H. Payment of Accrued Vacation Leave upon Termination. All unused accumulated vacation leave up to the 248-hour limit stated above shall be paid when an exempt employee leaves County employment. Employees terminating before their anniversary date shall be paid a pro rata amount of bonus days to date of termination. Total vacation leave payoff cannot exceed 248 hours, including any bonus leave.

I. Approval Required to Obtain Vacation. Vacation leave shall be taken at a time approved by the Employer.

J. Vacation Schedule and Bonus Hours. Bonus vacation hours shall be granted to the exempt employee and credited to the vacation account on the anniversary date of employment and in accordance with the vacation schedule shown below.

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<th>Bonus Hrs Earned 8 hr day</th>
<th>Total Vac Hrs Earned 8 hr day</th>
<th>Vac Hrs Earned 7.5 hr day</th>
<th>Bonus Hrs Earned 7.5 hr day</th>
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<td>172.5</td>
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Holidays.

A. **Paid Holidays.** The following days are recognized as legal, paid holidays for exempt employees:

1. New Year's Day (January 1)
2. Martin Luther King Day* (3rd Monday in January)
3. President’s Day (3rd Monday in February)
4. Memorial Day (Last Monday in May)
5. Independence Day (July 4)
6. Labor Day (1st Monday in September)
7. Veterans' Day (November 11)
8. Thanksgiving Day (4th Thursday in November)
9. The Day After Thanksgiving
10. Christmas Day (December 25)
11. One Floating Holiday *

*After completing ten (10) consecutive years of service with Cowlitz County, employee shall receive an additional floating holiday on January 1 of each year for a total of two (2) floating holidays each year.

B. **Unpaid Holidays.** Employees are entitled to two (2) unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. Unpaid holidays may be used, subject to approval, unless the employee’s absence would impose an undue hardship on the Employer or the employee is necessary to maintain public safety. (Refer to Policies and Procedures Chapter 3.29 Unpaid Holidays for Reasons of Faith or Conscience).

C. **Observance Of Holidays That Fall On A Weekend.** Whenever a legal holiday falls upon a Sunday, the following Monday shall be observed as the legal holiday. Whenever a legal holiday falls upon a Saturday, the preceding Friday shall be observed as the legal holiday.

D. **Approval Required To Obtain Floating Holiday.** An exempt employee may take one annual floating holiday, after six months of service. The floating holiday may be taken when approved by the Employer. Floating holiday time is non-accumulative and lapses at the end of each calendar year. There is no termination pay for any floating holiday not taken.

**Sick Leave**

**Sick Leave for FLSA Exempt Employees**
A. **Rate Of Accrual - Maximum Accumulation.** The purpose of sick leave is to provide a certain amount of paycheck insurance to ensure continued pay during periods of illness or disability. Full-time exempt employees accrue sick leave at the rate of 8 hours per month or 7.5 hours per month, depending on their regular daily schedule. Sick leave is earned for the first calendar month of employment if the exempt employee is on the payroll on or before the 15th day of the month and works through the end of that month. Exempt employees who work at least 1,500 hours per year but less than full-time shall accrue sick leave on a pro-rata basis. The formula for calculating pro rata sick leave is: number of regular hours on paid status divided by the regular hours in the month multiplied by 7.5 or 8. Temporary exempt employees are not eligible for any sick leave benefits. Maximum sick leave accrual is 1,200 hours.

B. **Use Of Sick Leave Benefits.** FLSA Exempt employees shall be charged for usage of sick leave in full day increments, only; PROVIDED, that the employees’ partial day absences from work are not frequent or lengthy, or taken without their employer’s or immediate supervisor’s knowledge and approval – in which cases, subject to the Family Medical Leave Act (FMLA), partial day absences shall be charged to the employee in tenths of an hour increments. Non-exempt employees shall be charged for usage of sick leave in tenth of an hour increments.

C. **Valid Reasons For Sick Leave.**
   1. Illness, injury or pregnancy, which incapacitates the employee to the extent of being unable to perform work.
   2. Exposure to contagious disease such as would jeopardize the health of fellow workers or the public.
   3. Doctor or dental appointments of the employee.
   4. Illness, injury, impairment, or physical or mental condition of a member of an exempt employee's immediate family requiring the presence of the employee. Immediate family means spouse, parent (biological or an individual who stood in loco parentis to an employee when the employee was a child), grandparent, brother, sister, parent-in-laws, child (including biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis), grandchild, aunt, uncle, niece or nephew, or any other person related by blood or marriage regularly residing in the employee’s household.
   5. A portion of sick leave may at the employee's option be deducted for each day absent for an employee who is receiving Worker's Compensation payments. The portion of sick leave deducted shall be the difference between the employee's full salary and the time loss payments. If the employee opts not to use sick leave, he/she shall so state in writing to the department payroll person by the twentieth (20th) of the month. Such option is irreversible after the twentieth (20th) of the month.
   6. As required by WAC 296-130.

D. **Use Of Vacation Leave As Sick Leave.** At the exempt employee's option, vacation leave may be used as sick leave, but sick leave may not be used as vacation leave.

E. **Proof Of Illness May Be Required.** The Employer shall have the right to require a doctor's certificate in support of a claim for sick leave. Exempt employees absent from employment due to illness and under a physician’s care may be requested to present a certificate of release to the Employer before returning to work.

F. **Termination Pay For Accrued Sick Leave.** An exempt employee separated from County service due to death, retirement, or termination, short of retirement age shall be compensated for 100% of sick leave accrued in the last two years of service, plus one-half of total unused accrued sick leave, minus 192 hour (8 hour days) or 180 hours (7.5 hour days). No exempt employee, however, may be
compensated for more than 360 hours of unused, accrued sick leave. Exempt employees with less than two years of service will be compensated for one-half of their accrued and unused sick leave.

**Sick Leave for Regular Full-Time FLSA Non-Exempt Employees and Part-Time Benefit Eligible FLSA Non-Exempt Employees**

As a result of the Washington Paid Sick Leave Law effective January 1, 2018 paid sick leave is available for employees to care for their health and the health of their family members.

**Authorized Uses of Paid Sick Leave**

Paid sick leave may be used for the following:

- An employee’s mental or physical illness, injury or health condition;
- Preventive care such as a medical, dental or optical appointments and/or treatment;
- Care of a family member with an illness, injury, health condition and/or preventive care such as a medical/dental/optical appointment;
- Closure of the employee’s place of business or child’s school/place of care by order of a public official for any health-related reasons;
- If the employee or the employee’s family member is a victim of domestic violence, sexual assault, or stalking.

Authorized use of paid sick leave for domestic violence, sexual assault or stalking includes:

- Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employee's and their family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault or stalking.
- Seeking treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking.
- Attending health care treatment for a victim who is the employee's family member.
- Obtaining, or assisting the employee's family member(s) in obtaining, services from: a domestic violence shelter; a rape crisis center; or a social services program for relief from domestic violence, sexual assault or stalking.
- To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault or stalking.
- Participating, for the employee or for the employee's family member(s), in: safety planning; or temporary or permanent relocation; or other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking.

**Family members included in this policy:**

“Family member” is defined as a child or parent (including biological, adopted, foster, step or legal guardian), a spouse, registered domestic partner, spouse’s parent, grandparent, grandchild or sibling.

**Accrual of Paid Sick Leave:**

Paid sick leave begins to accrue at the start of employment. You will be provided with an Employee Paid Sick Leave Notification at the start of employment. It contains information regarding: authorized use of paid sick leave, our company’s paid sick leave accrual year, carryover of paid sick leave, eligibility for use, and information about retaliation.

Effective January 1, 2018, full-time employees will accrue paid sick leave at a rate of 7.5 hours or 8 hours per month based on their standard hours. If an employee works more than 320 hours in 1 month they will accrue 8 hours of sick leave plus 1 additional hour for every 40 hours worked.
thereafter in that month. If the employee starts after the 15th of the month the employee will accrue 1 hour of paid sick leave for every 40 hours worked until the end of that month. If the employee is separated from employment (voluntary or involuntary) prior to the 15th of the month, the employee will accrue 1 hour of paid sick leave for every 40 hours worked during the last month of employment.

Part-time employees eligible for pro-rated benefits as defined in the Exempt Employee Guidelines will receive pro-rated Sick Leave.

There is no cap on the number of paid sick leave hours that may be accrued in a year.

**Paid Sick Leave Accrual Year**
Accrual year is: January 1 to December 31

**Carryover of Paid Sick Leave Hours**
At the end of the paid sick leave accrual year unused paid sick leave balances of 1200 hours or less will carry over to the following year.

**Eligibility to Use Accrued Paid Sick Leave**
Employees are eligible to use accrued paid sick leave upon accrual.

**Notification to Use Paid Sick Leave**
Reasonable notice for use of paid sick leave is required as defined by the employee’s Office or Department.

**Increments of Use for Paid Sick Leave**
Employees are allowed to use paid sick leave in increments of 10 minutes unless defined in smaller increments in the employee’s Office or Department.

**Rate of pay when using paid sick leave**
Paid sick leave hours will be compensated at an employee’s regular rate of pay, excluding overtime rates, where applicable.

Paid sick leave hours will not count towards the calculation of overtime. For example:

<table>
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<tr>
<th>Employee: John Doe</th>
<th>Rate of Pay: $15/hour</th>
<th>Overtime Rate: $22.50/hour</th>
<th>Earned Paid Sick Leave: $16/hour</th>
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<tr>
<td>Rate of compensation</td>
<td>$15/hour</td>
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**Verification for Absences Exceeding Three Days**
The Employer shall have the right to require a doctor’s certification in support of a claim for sick leave after three (3) consecutive working days of absence.

Employees have a right to assert that the verification requirement results in an unreasonable burden or expense on the employee, and further that such verifications may not exceed privacy and other requirements established by law.
Payroll
Paid sick leave balances will be available on the employee’s timecard which is located on PeopleSoft and will be the County’s notification to employees. The timecard will include:

- Accrued paid sick leave since the last notification
- Used paid sick leave since the last notification
- Current balance of paid sick leave available for use

Separation from Employment
As defined in the Exempt Employee Guideline.

Reinstatement of Employment
If an employee leaves employment and is rehired within 12 months of separation, any accrued, unused paid sick leave that was not paid out at separation will be reinstated to the employees paid sick leave balance.

If an employee is rehired within 12 months of separation, the employee will be able to use their accrued paid sick leave upon accrual.

Retaliation prohibited
Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is not allowed. Employees will not be disciplined for the lawful use of paid sick leave.

If an employee feels they are being discriminated or retaliated against, the employee may contact the Human Resources Director.

Contact Information
Employees with questions about Paid Sick leave may contact Human Resources at 360-577-3065 or personnel@co.cowlitz.wa.us.

Sick Leave for Temporary FLSA Non-Exempt and Part-Time Non- Benefit Eligible Employees
As a result of the Washington Paid Sick Leave Law effective January 1, 2018 paid sick leave is available for employees to care for their health and the health of their family members.

Authorized Uses of Paid Sick Leave
Paid sick leave may be used for the following:

- An employee’s mental or physical illness, injury or health condition;
- Preventive care such as a medical, dental or optical appointments and/or treatment;
- Care of a family member with an illness, injury, health condition and/or preventive care such as a medical/dental/optical appointment;
- Closure of the employee’s place of business or child’s school/place of care by order of a public official for any health-related reasons;
- If the employee or the employee’s family member is a victim of domestic violence, sexual assault, or stalking.

Authorized use of paid sick leave for domestic violence, sexual assault or stalking includes:

- Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employee’s and their family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault or stalking.
- Seeking treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking.
• Attending health care treatment for a victim who is the employee's family member.
• Obtaining, or assisting the employee's family member(s) in obtaining, services from: a domestic violence shelter; a rape crisis center; or a social services program for relief from domestic violence, sexual assault or stalking.
• To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault or stalking.
• Participating, for the employee or for the employee's family member(s), in: safety planning; or temporary or permanent relocation; or other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking.

Family members included in this policy:
“Family member” is defined as a child or parent (including biological, adopted, foster, step or legal guardian), a spouse, registered domestic partner, spouse’s parent, grandparent, grandchild or sibling.

Accrual of Paid Sick Leave:
Paid sick leave begins to accrue at the start of employment. You will be provided with an Employee Paid Sick Leave Notification at the start of employment. It contains information regarding: authorized use of paid sick leave, our company’s paid sick leave accrual year, carryover of paid sick leave, eligibility for use, and information about retaliation.

Effective January 1, 2018, employees accrue paid sick leave at a rate of one (1) hour for every 40 hours worked. There is no cap on the number of paid sick leave hours that may be accrued in a year.

Paid Sick Leave Accrual Year
Accrual year is: _January 1_ to _December 31_

Carryover of Paid Sick Leave Hours
At the end of the paid sick leave accrual year unused paid sick leave balances of 40 hours or less will carry over to the following year.

Eligibility to Use Accrued Paid Sick Leave
Employees are eligible to use accrued paid sick leave 90 calendar days after starting their employment.

Notification to Use Paid Sick Leave
Reasonable notice for use of paid sick leave is required as defined by the employee’s Office or Department.

Increments of Use for Paid Sick Leave
Employees are allowed to use paid sick leave in increments of 10 minutes unless defined in smaller increments in the employee’s Office or Department.

Rate of pay when using paid sick leave
Paid sick leave hours will be compensated at an employee’s regular rate of pay, excluding overtime rates, where applicable.

Paid sick leave hours will not count towards the calculation of overtime. For example:
Verification for Absences Exceeding Three Days
The Employer shall have the right to require a doctor’s certification in support of a claim for sick leave after three (3) consecutive working days of absence.

Employees have a right to assert that the verification requirement results in an unreasonable burden or expense on the employee, and further that such verifications may not exceed privacy and other requirements established by law.

Payroll
Employees will be notified of their paid sick leave balances each month on their timecard which is located on PeopleSoft. The timecard will include:

- Accrued paid sick leave since the last notification
- Used paid sick leave since the last notification
- Current balance of paid sick leave available for use

Separation from Employment
If an employee separates from employment, there will not be a financial or other reimbursement to the employee for accrued, unused paid sick leave at the time of separation.

Reinstatement of Employment
If an employee leaves employment and is rehired within 12 months of separation, any accrued, unused paid sick leave will be reinstated to the employees paid sick leave balance.

If an employee is rehired within 12 months of separation, the employee will not be required to wait another 90 days to use the accrued paid sick leave if the employee met that requirement during the previous period of employment. If an employee did not meet the 90-day requirement for the use of paid sick leave prior to separation, the previous period of time the employee worked for Cowlitz County will count towards the 90 days for purposes of determining the employees eligibility to use paid sick leave.

Shared Leave Program
Temporary and Part-Time employees are not eligible for the Shared Leave Program.

Retaliation prohibited
Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is not allowed. Employees will not be disciplined for the lawful use of paid sick leave.

If an employee feels they are being discriminated or retaliated against, the employee may contact the Human Resources Director.

Contact Information
Employees with questions about Paid Sick leave may contact Human Resources at 360-577-3065 or personnel@co.cowlitz.wa.us
Termination Pay-Vacation and Sick Leave.

All termination payments for accrued vacation and sick leave shall be based on the exempt employee’s salary at the time of termination and shall be included in the final payroll.

Payment for termination benefits shall be calculated as follows:

Monthly salary x 12 divided by average annual standard hours x hours to be paid = payment for accrued termination benefits.

In the case of death of an exempt employee, the Employer’s indebtedness to the employee shall be paid in accordance with R.C.W 49.48.120.

Leave Of Absence Without Pay.

Leave of absence (other than FMLA leave, Washington pregnancy disability leave, or other leave discussed in these guidelines) without pay may be granted at the discretion of the Employer. The Board must approve any leave in excess of 30 days.

Requests for leave of absence without pay must be submitted in writing (with copy to Human Resources) and approved by the Employer in advance of the effective leave date.

An exempt employee on leave of absence without pay shall not be eligible for accrual of sick leave, vacation, holiday pay, or seniority. The anniversary date (seniority date) shall be moved forward in the amount equal to the duration of the leave.

While on such leave of absence without pay, an exempt employee shall not be eligible for County payment of medical insurance. The exempt employee may maintain medical coverage by paying the County the full amount of the premium. Such payment may be made by personal check or payroll deduction when the employee has signed a payroll deduction authorization form.

Rights to return to employment are discretionary with the Employer and shall be explained in writing when the leave is granted. An exempt employee failing to return to work upon expiration of the leave of absence may be terminated from employment with Cowlitz County.

Bereavement Leave.

Upon the death of an immediate family member, employees will be allowed up to three (3) days off with pay to grieve, assist in making arrangements and attend the services. Employees who require additional time off may request other appropriate leave. Immediate family means spouse, parent (biological or an individual who stood in loco parentis to an employee when the employee was a child), grandparent, brother, sister, parent-in-laws, child (including biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis), grandchild, aunt, uncle, niece or nephew, or any other person related by blood or marriage regularly residing in the employee’s household at the time of death.

Military Leave of Absence.

All eligible employees will be granted military leave in accordance with any applicable state and/or federal law, and shall be required to provide such advance notice of the need for leave or any request for reinstatement according to the statutory procedures and time limits, and reinstatement shall be as required by law.
Jury Duty.
An exempt employee called for jury duty shall receive regular County pay less any jury duty reimbursement they may receive for the period of compelled service. If excused from jury duty on a County workday, the exempt employee shall contact his supervisor for work assignment.

Witness Duty.
Employees who are required to appear in court or in a state or federal administrative proceeding to testify under some form of subpoena or court order may use vacation or unpaid leave of absence.

Exempt employees who as a result of their job or as part of their job are required to be a witness, excluding litigation in which they are involved as parties will continue to receive their regular wages (but only the straight time hours of work scheduled, up to eight hours in any one day) while on such witness duty, but then must reimburse the County for any witness duty fees received (excluding any subsistence or travel allowance).

Salaries.
A. **Board Authority.** Salaries for all exempt employees shall be as set by the Board.

B. **Department Heads And Certain Other Exempt Employees.** The salaries of all department heads, the Family Court Commissioner, and the Chief Probation Officer of Juvenile Court shall be set by the Board. Salary adjustments and effective dates shall be as determined by the Board. The salaries of such exempt employees shall be determined apart from any step or other regular salary adjustment schedule applicable to other employees.

C. **Other Exempt Employees.** The salaries of exempt employees other than those specified above shall be as determined by the Board according to a three-step salary schedule established by the Board and administered by the Human Resources Director. Unless the Board determines that particular circumstances make some other method appropriate for a given position(s), a three-step progression shall be established for each position.

Step 1 will generally be the beginning salary for newly hired exempt employees; the Board must approve any exceptions. An exempt employee promoted to a position with higher salary steps shall be placed at Step 1, or five per cent (5%), whichever is greater. On the first of the month following one full year from date of hire the exempt employee shall advance to the next step and continue to advance to the next step each year thereafter until they have reached Step 3. Time on unpaid leave shall not be counted in calculating years of employment. No advancement shall be made beyond Step 3.

Any salary increase requires:

1. Proper budgetary authority
2. Sufficient funds
3. Recommendation by the department head or elected official
4. Completion of required length of service on or prior to the effective date of increase, and
5. Approval of the Board.

D. **Calculation Of Pay - Partial Month:**

Calculation of pay for an exempt employee who works a partial month shall be as follows:

1. Monthly salary divided by number of paid days in month =
2. Daily Rate x Number of days worked or entitled to* =
3. Salary for partial month
*Note: Must include days entitled to be paid such as holiday, sick or vacation days.

**Working Hours.**

A. **Workweek.** The workweek shall consist of five consecutive workdays, unless otherwise permitted by the Board. The workweek begins at 12:01 a.m. Monday and ends at 11:59 p.m. Sunday.

B. **Overtime.** All employees may be required to work hours beyond their regular schedule. Work performed in excess of 40 hours in one week is considered overtime under the Fair Labor Standards Act ("FLSA") or the Washington Minimum Wage Act ("WMWA"). The week begins at 12:01 a.m. Monday and ends at 11:59 p.m. Sunday. Whether an employee receives additional compensation for hours in excess of 40 in a workweek is determined by whether or not the employee is "exempt" or "non-exempt" from the overtime pay requirements of the Fair Labor Standards Act ("FLSA") and the Washington Minimum Wage Act ("WMWA"). The Employer must approve overtime work in advance and employer shall keep records of all overtime worked.

C. **Employees Who Are Exempt From The FLSA and WMWA.** Employees who are exempt from the FLSA and WMWA shall not be paid extra or receive additional compensation for any time worked in excess of 40 hours in a workweek or 8 hours in one day since the employees receive a salary intended to compensate them for all hours worked. Employees who are FLSA and WMWA exempt will be paid their regular salary each month unless the employee is absent without pay for periods of one day or more. Deductions from salary for partial days will not be made. Absences of a day or more can be charged to vacation or sick leave (if the absence is for a permissible sick leave reason).

D. **Employees Who Are Not Exempt From The FLSA And WMWA.** Employees who are not exempt from the FLSA and WMWA shall, at the employee’s discretion, be compensated either by payment of time and one-half the employee’s regular rate of pay for such hours or by awarding compensatory time off at one and one-half hours for all hours in excess of 40 in one week or 8 in one day. Non-fulltime employees who are not exempt from the FLSA and WMWA shall be eligible to receive overtime rate for all hours in excess of 40 in one week. The employer shall be informed in advance of the overtime what basis of compensation shall be used. Accruals of compensatory time off may not exceed 40 hours. Any hours in excess of 40 shall be paid. Employees with accrued compensatory time off will be permitted to use such time within a reasonable time after requesting to use such time if it would not unduly disrupt the employer's operation. Compensatory time off balances shall be paid at termination.

**Grievances.**

An exempt employee, who is aggrieved by any application of these Guidelines, or by any suspension, termination, or other disciplinary measure imposed by the department head, may file a grievance with the Board.

The grievance must be in writing and must be filed with the Board within 10 working days of the act, giving rise to the grievance. It must specify what part of these guidelines were allegedly violated, the act constituting the grievance, explain why the employee believes such act was wrong, and state what remedy the employee requests from the Board.

At the request of either the exempt employee or the Board, a meeting shall be held between the Board, the exempt employee, and the department head. An attorney may represent the exempt employee but the attorney’s role shall be limited to explaining whatever factual or legal issues the employee believes the Board should consider. At the exempt employee’s request, the Board shall meet separately with the exempt employee and with the department head. The exempt employee shall have a reasonable opportunity to present his grievance to
the Board, in person and/or in writing, and including written statements from other employees or other persons. The Board's consideration of a grievance shall be informal. Once the Board has completed such investigation of the grievance, as it deems reasonable under the circumstances, it shall issue a written decision within 30 working days after the hearing is concluded. Copies of the decision shall be sent to the exempt employee, the department head, and the Human Resources Director.

The Board may also refer any grievance to a Hearings Examiner who shall conduct these informal proceedings. In such event, all provisions of the grievance process relating to Board actions and procedures shall also apply to the Hearings Examiner. The Hearings Examiner shall issue Recommended Findings, which shall be reviewed by the Board based solely on the record and applicable law for issuance of the written, Board decision.

**Honesty and Integrity in All Things.**
Every employer has the right to expect certain basic standards of conduct and behavior from its employees, just as every employee has the right to expect the same of an employer and coworkers. Our fundamental expectation can be summed up in six words: Honesty and Integrity in all things.

Unfortunately, there is no formula or set of guidelines that can "define" appropriate ethical and moral judgment in every situation that an employee might face. Thus we must depend upon the good judgment and common sense of each of our employees and their willingness to seek advice from others within the County when difficult or ambiguous situations arise. However, our one absolute and unavailing expectation is that every employee, regardless of job or responsibilities, will conduct himself/herself with honesty and integrity in all matters and things. This not only means that falsification, misrepresentation and untruthfulness will not be tolerated, but that we also cannot accept conduct, statements, and "omissions" which are misleading or result in impressions or conclusions which distort the larger reality. This necessarily means that we expect employees to courteously and candidly cooperate in all County investigations or inquiries.

(Res. 6278; Res. 81-775, 10-12-81; Res. No. 81-805, 11-9-81; Res. 82-040, 2-16-82; Res. 83-119, 5-23-83; Res. 83-251, 11-14-83; Res. 89-168, 10-2-89; Res. 98-072, 5-11-98; Res. 06-153, 11-7-06; Res 16-004, 1-12-16; Res 16-011, 2-9-16; Res 16-155, 12-6-16; Res 17-024, 3-28-17; Res 18-001, 1-9-18)

### 3.15 EXEMPTIONS FROM FAIR LABOR STANDARDS ACT

**Policy.**
The Fair Labor Standards Act exempts executive, administrative and professional positions from the minimum wage and maximum hour provisions of the Act.

**Procedures.**
The positions within Cowlitz County government, which are exempt from the minimum wage and maximum hour provisions of the Fair Labor Standards Act, are listed below. The Human Resources Director, with approval by the Board of County Commissioners, determines whether new positions qualify for the exemption from the minimum wage and maximum hour provisions of the Fair Labor Standards Act.

**Executive.**
911 Communications Center
   Director
   911 Supervisors
Administrative Services
   Executive Assistant
Assessor
   Administrative Assistant
Chief Appraiser – Business Division
Chief Appraiser – Residential Division

Auditor
Senior Accountant
Accounting Manager
Elections Supervisor
Chief Deputy Auditor

Building and Planning
Director
Deputy Director
Building Official
Operations Manager

Clerk
Administrative Assistant

Commissioner
Coroner
Chief Deputy Coroner

Corrections Department
Corrections Executive
Director
Jail Captain
Corrections Programs Manager

District Court Administrator
Administrative Assistant

Expo/Conference Center
Director

Facilities Maintenance
Director

Health and Human Services
Director
Deputy Director for Operations
Human Services Manager
Finance and Office Manager
Community Health Manager
Environmental Health Manager

Information Technology/GIS
Director
Senior Systems Administrator
ERP Business Technical Manager

Juvenile
Court Services Manager
Detention Manager

Law Enforcement Records
Records Supervisor

Museum
Director

Office of Public Defense
Office Manager

Prosecuting Attorney
Administrative Assistant

Public Works
Director
County Engineer
Assistant County Engineer
Construction Manager
3.16 FAMILY AND MEDICAL LEAVE ACT (FMLA) AND WASHINGTON FMLA LEAVES POLICY

Policy.
Several different laws or rules allow family and medical leaves. The primary laws that may apply are the federal Family and Medical Leave Act (“FMLA”) and the Washington Family and Medical Leave Act (“Washington FMLA”).

We will attempt to briefly explain the various laws and rules below, but the important thing to remember is that if more than one set of laws or rules apply, you will receive the most favorable treatment. Applying and coordinating the different laws and rules can be confusing, so if you have a family or medical leave in your
future (for example, if you are expecting to become a parent) or know that you will need time off for surgery or other medical treatment for you or a covered family member), please contact your immediate supervisor, Elected Official or Department Head.

Please note that if the reason for the absence qualifies under a family medical and leave law, it is the County’s policy to count it under that law. If the absence is covered by two or more laws at the same time – as an example, most (but not all) absences covered by the Washington Family and Medical Leave Act are also covered by the federal Family and Medical Leave Act – the law generally allows an employer to count the time used under both laws simultaneously, and that is also the County’s policy.

What Is A Family Leave Under Washington Law?

The Washington Family and Medical Leave Act (“Washington FMLA”) was enacted by the 2006 Washington Legislature. This law is virtually identical to the federal Family and Medical Leave Act with these exceptions, *i.e.*, our Washington employees are entitled to these protections under *state* law:

- A female employee in Washington is entitled to a disability leave of absence covering the full period of disability caused by pregnancy, childbirth, or related medical conditions – even if longer than 12 weeks.
- A female employee who is eligible for Washington FMLA leave is entitled to up to 12 weeks of additional family and medical leave after recovery from the period of pregnancy-related disability.
- **IMPORTANT:** While Washington allows this additional leave time in circumstances, the first 12 weeks of leave will be counted against the FMLA entitlement (if the employee qualifies for FMLA leave). Non-FMLA unpaid time off could impact health insurance and other benefits as well as reinstatement rights. Contact the Personnel Department for more information.
- Reinstatement after Washington FMLA leave is to the former or an equivalent job at any workplace within 20 miles of the worksite to which the employee was assigned at the time the leave began.

What Is A Leave Under the Federal Family and Medical Leave Act (“FMLA”)?

**Eligibility.**
If you need a leave for the reasons or purposes outlined in the next section, you are eligible for FMLA leave if:

A. You have worked for the County for at least 12 months within the last seven years;
B. You have worked at least 1,250 hours in the 12-months immediately preceding the *start* of the leave; and
C. You are employed at a worksite where we employed 50 or more employees within 75 miles as of the date you *requested* leave.

**Reasons for FMLA Leave.** *FMLA leave may be granted for these reasons or purposes:*

A. To care for (or be with) a spouse, child, or parent with a “serious health condition”;
B. For your own serious health condition;
C. To be with (or care for) a child after birth, placement for adoption or foster care (or certain comparable situations), *i.e.*, “parental leave,” including any time necessary for the legal process required for adoption or foster care; or
D. For your own disability due to pregnancy, childbirth or related medical conditions, *i.e.*, “pregnancy disability leave,” or absence for prenatal care.

**Definitions.**
A. “Serious Health Condition” means an illness, injury, impairment, or physical or mental condition:

1. That involves an overnight stay in a hospital or similar facility; or
2. That causes a period of incapacity for four or more consecutive full calendar days of work, school or other regular activities, with either (1) two visits to a healthcare provider, or (2) treatment by a healthcare provider with at least one visit that results in a regimen of continuing treatment. The first visit in either situation must be within seven days of the start of the incapacity and the second visit (if required) within 30 days of the start of the incapacity; or
3. Any period of disability or treatment for a chronic health condition (for example, asthma, allergies, migraines, epilepsy or diabetes) over an extended period by a health care provider or that requires periodic visits to a healthcare provider (at least two visits per year); or
4. Any period of permanent or long-term disability due to a condition for which treatment may not be effective (for example, Alzheimer’s,) but for which the person is nonetheless under the supervision of a health care provider; or
5. Any period of absence to receive multiple treatments either for restorative surgery after an injury or for a condition (for example, chemotherapy or radiation for cancer, physical therapy for severe arthritis, or dialysis for kidney treatment) that if not treated would likely result in a period of disability for four or more consecutive calendar days.

Note: In some of these circumstances, treatment or care by a nurse, physician’s assistant, or therapist may qualify in lieu of treatment or care directly by a “health care provider.” “Disability” or “disabled” for FMLA purposes means (for an employee) the inability to perform at least one of your essential job duties.

Parental leave is available upon the birth of a child or placement of a child for adoption or foster care if the child is under age 18 (or is incapable of self-care because of a physical or mental disability), but the leave must be completed within one year of the event. If you are not eligible, you need to apply for a personal leave.

Pregnancy disability leave is only available if you are unable to perform one or more of the essential job duties of your regular position because of a pregnancy-related disability.

Application Procedures. See “How Do I Apply For A Leave?” section in this policy for time limits and procedures.

Medical verification. You may be required to provide appropriate medical certification to qualify for FMLA leave based upon a serious health condition. See “Medical Certifications” section in this policy.

Procedures.
Length of Leave.

- Eligible employee are entitled to up to 12 workweeks of FMLA leave in any leave year.
- Cowlitz County applies the “rolling back” year for the purposes of “leave year”. A “leave year” is determined by measuring back 12 months to determine how much leave time has been used and thus whether any additional leave is available. An employee is entitled to use any balance of leave which has not been used during the preceding 12 months.

NOTE: Any paid or unpaid leave for an FMLA-qualifying reason counts toward the maximum leave allowed under FMLA and any state leave law.

Spouses employed by us. If both you and your spouse work for us, parental leave (for the birth or placement of a son or daughter) or leave to care for a parent with a serious health condition will be limited to a combined total of 12 weeks for both of you in any 12-month period. Either of you may use any remaining FMLA leave for other qualifying family medical or disability purposes.
If the employee is eligible for and has accrued paid sick leave under County policy, paid sick leave must be used concurrently with FMLA leave if the FMLA leave is for reasons covered in County sick leave policy. The use of sick leave does not extend the 12-week maximum for FMLA leave. Family Medical Leave does not extend an employee’s sick leave beyond what has been accrued.

**Pay.** FMLA leaves are unpaid but employees are required to use earned sick leave concurrently with FMLA when the leave is for a sick leave reason before going on unpaid status. Eligible employees may use other applicable accrued paid leave while on FMLA. Some employees may also qualify for time-loss benefits under workers’ compensation. Note: In some circumstances involving intermittent or reduced leave, an exempt-from-FLSA employee’s salary may be prorated based upon the actual work schedule.

**Benefits and benefit accruals.** While on FMLA, paid or unpaid, the County continues to pay its regular share towards health benefits premiums and the employee is responsible for the employee share of premiums. If the leave is unpaid, you must make arrangements with the Personnel Department to cover the monthly employee premiums. While on FMLA, paid or unpaid, the employee’s seniority will not be affected. If the leave is unpaid, it will proportionally affect monthly leave accruals and paid holidays that occur during the unpaid leave.

*“Service” accruals for pension and retirement purposes.* Paid FMLA leave time (for example, time covered by vacation and/or sick leave) will count as hours of service for purposes of establishing eligibility, benefit accrual, and vesting in any pension and retirement plans. Unpaid FMLA leave time will not be counted as hours of service except as necessary to prevent you from having a break in service for benefit purposes. In addition, if any of these plans require you to be employed on a specific date to be credited with a year of service for vesting, contributions, or participation purposes, if you are on paid or unpaid FMLA leave on that date, you will be deemed to have been employed on that date.

**How Do I Apply for FMLA Leave?**

It is your responsibility to make all arrangements for a FMLA leave of absence (or any allowable extension or change) and to provide any required medical or other documentation. In making arrangements to take FMLA leave, follow the outlined steps:

- Notify your immediate supervisor, Elected Official or Department Head of the need to take FMLA leave (if the nature of your leave prevents you from personally contacting your manager, it is your responsibility to arrange for a family member or other representative to contact your employer).

- Complete all required leave of absence forms and submit to your immediate supervisor, Elected Official or Department Head with an explanation of the need for the leave, the intended or estimated start and return dates, and for most FMLA leaves, a timely, fully completed medical certification form.

- If your request for leave is for the same FMLA-qualifying reason as a prior FMLA leave, you must specifically reference the qualifying reason.

**How Much Notice Am I Required To Provide When I Need To Take FMLA Leave?**

- If you know of the need for the leave 30 or more days in advance, you must complete the leave of absence forms at least 30 days before you want the leave to begin. If it is not possible to give 30 days notice, you must request leave as soon as is practicable (generally the same day or the next business day) after you learn of the need for time away from work. You must also explain why you were unable to give 30 days’ notice.

- If you do not give us timely notice, we may deny or delay the start of your leave (for up to 30 days in some circumstances), and/or you may be subject to disciplinary action.
In unusual or emergency situations (for example, if you are injured in an accident, suddenly become ill, or give premature birth), when the need for FMLA leave was not foreseeable, you must request leave as soon as is practicable (generally the same day or the next business day) after you learn of the need for time away from work. All oral requests for FMLA leave must then be confirmed in writing as soon as is practicable and in no event later than three calendar days after you return to work.

As long as you are using some form of paid leave (for example, earned sick leave, vacation leave, or comp-time) to cover missed time, you need only comply with the notice provisions of those policies.

You also need to consult with your immediate supervisor, Elected Official or Department Head when scheduling intermittent or reduced leave for planned medical treatment or supervision so that we can work out the least disruptive schedule.

IMPORTANT: If you are seeking to use paid leave (for example, earned sick leave, vacation leave, or comp-time) or unpaid leave for a purpose that may qualify for FMLA and/or Washington FMLA you must notify us so that you will receive all of the benefits to which you are entitled. Failure to notify us of reasons for any absence, whether it is a partial or full day, could result in the absence being counted against you for attendance and other purposes (e.g., pay increases, promotional opportunities, etc.)

Will I Be Notified Whether My Leave Has Been Approved?
Your Elected Official, Department Head or their designee, and the Personnel Department must approve all leaves. Your Elected Official, Department Head or their designee will provide you with an oral preliminary response, and you will be notified in writing within five business days from the Personnel Department becomes aware of the need for leave (or an extension of leave) whether your request has been approved. If the request is not approved, you will also be notified of the reason. You must follow our call-in rules each day until you have been notified that a leave has been granted. Each failure to do so will be treated as a call-in violation.

Will I Be Notified Whether My Leave Is Being Designated As FMLA Leave?
If your leave qualifies as FMLA leave, you will receive an FMLA Designation Notice from the Personnel Department. If the leave is not determined to be FMLA-qualifying, you will be told that along with the reasons. If the leave is FMLA-qualifying, you will be told (to the extend known at the time) the amount of leave time that will be counted against your FMLA entitlement.

NOTE: Retroactive designation of leave is possible in several circumstances, but you will be promptly informed if that occurs.

The Designation Notice will also tell you whether you will be required to use some form of paid leave (for example, earned sick leave, vacation leave, or comp-time) to run concurrently with your FMLA time, and whether you will need a fitness-for-duty release prior to returning to work. (If you will be required to do so, the Notice will list the essential functions of the job that you must be certified as able to perform.)

What Are The Rules Regarding FMLA Leaves?
Initial Medical Certification – Ask your supervisor of the Personnel Department for the applicable form for your case.

For your own condition. For FMLA Leaves due to your own health condition, you will be required to provide a medical certification. This means that your healthcare provider must review your essential job functions and certify that your condition prevents you from performing at least one of them.
● For other family members. For leaves due to a qualifying family member’s health condition under Washington FMLA or FMLA, we require written certification from the treating healthcare provider(s). In appropriate situations, we may also require documentation of the individual’s relationship to the employee.

● Time Limits and Required Forms. Medical certification forms must be fully completed and returned prior to the start of any leave for which you have 30 days’ advance notice. In other circumstances (for example, in emergencies or other unusual circumstances where it was impossible to foresee the need for leave that far in advance,) you need to return the completed form as soon as is practicable (normally within 15 calendar days of the date you want to begin or began your absence or of our request for certification or recertification). If you fail to provide a timely, fully completed certification or recertification, you may be denied continuation of the leave and/or may be subject to disciplinary action up to and including termination.

If you or your healthcare provider submits an insufficient certification – that is, one in which one or more entries have not been completed, or if the information is vague, ambiguous, or non-responsive – you will be notified in writing of the information necessary to complete the certification and you will be allowed seven additional calendar days to provide it. Failure to do so generally will result in denial of FMLA leave.

● Cost. You will be required to bear the expense of the initial medical certification and any required recertification and/or return-to-work certification. The County will bear the expense of any required second or third opinion.

Medical Recertifications. We normally require employees to provide recertification of the medical need for continuing leave every 30 days, and annually if a medical condition lasts beyond a single year. However, recertification may be requested more often in certain situations (for example, where you request an available extension of a leave, where circumstances have changed significantly, or we have received information casting doubt on the validity of the prior certification). If you are taking leave on an intermittent or reduced schedule basis, you may be asked to provide recertification once every 30 days (or less frequently) if reasonable safety concerns exist regarding the performance of your job based on the condition triggering the leave. There are some exceptions, so you will be notified of the specific requirements. See “Time Limits and Required Forms” immediately above for other requirements.

Medical/Professional Examinations. We may request a second (or third) medical opinion at our expense if we question the initial certification. Otherwise, to the extent allowed by law, we may question any medical certificate or release and require any additional information we believe is appropriate under the circumstances. We may also initiate an unpaid leave of absence and/or require a medical or other professional examinations at our expense in circumstances where your performance, conduct or behavior, the nature of your job and/or your condition raises an issue as to your fitness for duty or ability to safely and effectively perform your regular job duties.

Confidentiality. All medical information will be kept in the employee’s confidential medical file and will not be the basis for any personnel actions or decisions other than those related to family and medical leave, reasonable accommodation, or as otherwise allowed by law.

Do I Have To Stay In Touch With The County While On FMLA Leave?
While on FMLA leave, employees must promptly report their leave needs changes to their supervisor, Elected Official or Department Head, and may be required to periodically report their status to their supervisor while on extended leave, including the date when they intend to return to work. “Periodically” means at least twice per month when you are off work for at least 30 consecutive calendar days, unless you have been informed otherwise. If you are physically unable to do so, then in such event you should ask a family member or friend to update the County periodically on your behalf. Violations of this expectation will be treated and same as any “call-in” violation.
What Are My Reinstatement Options?

Basic Reinstatement Policy.  Reinstatement is always subject to what your employment status would have been had you not been on FMLA leave.  As an example, if your office or department experienced a layoff while you were on leave, and if you were the one who would have been affected had you been working at the time, you will be placed on the same status with the same reinstatement rights, benefits, etc., that you would have received had you been at work rather than on leave.

Reinstatement Requests.  An employee who does not make contact within one working day after a leave expires, or was earlier able or released to return to work (including light-duty or modified work) and does not make contact, will be charged with a call-in violation to report absent for that and each additional workday missed and will be subject to applicable discipline including up to termination of employment.  Failure to report to work or call-in absent three consecutive workdays generally will result in the County’s assumption that you are resigning employment and termination notice under these assumptions will be issued.  Failure to notify absences or call in absence situations that are clearly beyond your control will be reviewed and determined on a case-by-case basis.

Reinstatement from Washington and/or FMLA Leave.  Employees returning from Washington FMLA and/or FMLA leave will be reinstated to their former job if it exists.  If the former job does not exist, reinstatement will be to a job with equivalent status, pay, benefits and other employment terms.  (If the leave qualifies as Washington FMLA leave, reinstatement rights exist at the former site as well as any other location within 20 miles.  In those unusual situations when neither the former nor an equivalent job is available to you under one of these laws, your reinstatement rights will be determined by our Basic Reinstatement Policy (above).

If you were on leave due to your own health condition, you may also be required to provide a release to return-to-work.

Important:  U.S. Department of Labor rules state that an employee who is unable to perform each of the essential job duties of the employee’s regular position for 12 workweeks in the 12-month FMLA period selected by an employer [“rolling back” year], loses FMLA reinstatement rights.

However, if we offer – and you accept – light-duty or modified work, you will retain your reinstatement rights through the end of that FMLA leave year.  As an example, let’s say that you were injured in a car accident and were unable to work for six weeks and then were released to light-duty work which the County offered and accepted.  Time spent in this voluntary light-duty position does not count against your FMLA entitlement, and your reinstatement rights are protected.  However, your reinstatement rights will expire at the end of the 12-month leave period that the County uses to calculate FMLA leave.

Can I Look For (Or Accept) Other Work While I’m On FMLA Leave?

You may not seek or accept any employment (including any form of self-employment) while on FMLA or Washington FMLA leave without obtaining advance written permission from your immediate supervisor, Elected Official or Department Head.
If you are on FMLA leave for your own serious health condition, you must also obtain the treating healthcare provider’s advance written permission prior to accepting other employment.  This will allow the healthcare provider(s) to ensure that you do not do anything that might aggravate the condition or further delay your return to work with us.  It also gives us the opportunity to see whether your condition at that time might allow us to return you to work in some capacity.

If you are on leave for your own serious health condition, you also should not engage in any on- or off-the-job activity (sports, hunting, hobbies, etc.) that violates your healthcare provider’s restrictions or might otherwise result in delaying your return to work.
We regard these as very important rules, and an employee who ignores them generally will be terminated.

**FMLA Military Leave Rights for Families of Servicemembers.**
Special FMLA military family leave is available to eligible employees in two situations: (1) when a servicemember/family member of an eligible employee has suffered serious injury or illness in the line of duty as a result of active military service, and (2) in certain "qualifying exigency" situations, e.g., when a qualifying family member is called or recalled to actual duty for a contingent operation.

**Notice to Employer and Certification**
You must provide notice of the need for military family leave as soon as it is reasonable and practicable if the need for leave is foreseeable or if the leave is based on notification of an impending call (or recall) or order to active duty. The County may require that a request for military family leave be supported by a medical certification, and the County will document any discussion with an employee in which there is any dispute about whether a request qualifies as one under FMLA.

**Use of Paid Leave**
As with regular FMLA leave, the County requires the use of your accrued sick leave while on FMLA for the 26-week period provided to care for an ill or injured servicemember, before going on unpaid status. You may elect to use any other earned paid leave in excess of what is required. The County requires the use of any applicable earned paid leave – (for example, earned sick leave, vacation leave, or comp-time) during the 12-week period for “qualifying exigency” leave. However, the County is not required to provide any form of paid leave which it normally would not provide.

**Eligibility for Military Caregiver Leave**
An eligible employee is the spouse, child (of any age), parent (including an individual who stood in loco parentis to the covered service member), or next of kin of a "covered service member." “Next of kin” is defined as the nearest blood relative other than spouse, parent or child (all of whom are already eligible and are now defined by USDOL rules in priority order), although a service member also may expressly designate a blood relative to serve as next of kin. The employee must otherwise be eligible for FMLA leave, i.e., must have been employed for at least 12 months by the County and must have worked 1,250 hours during the previous 12 months.

**Amount of Available Military Caregiver Leave**
An eligible employee may take up to 26 weeks of unpaid leave to care for a “covered service member,” that is, a family member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary disability retired list, as a result of a service-related “serious injury or illness.” This is defined as an injury or illness incurred by the service member in the line of duty while on active duty in the Armed Forces that may render him/her medically unfit to perform the duties of his/her office, grade, rank or rating.

NOTE: Former members of the Armed Forces, National Guard or Reserves, and members on the permanent disability retired list, are not considered to be "covered service members," and thus their family members are not eligible for this type of leave to care for them.

An eligible employee is entitled to a combined total of 26 workweeks of FMLA military caregiver leave and leave for any other FMLA-qualifying reason during the same "single 12-month period." However, an employee may take no more than 12 workweeks of "qualifying exigency" leave – discussed below – or for any other FMLA-qualifying reason. This 12-month period begins on the first day the eligible employee takes military caregiver leave and ends 12 months after that date, regardless of the "FMLA year" used by the County for
regular FMLA leaves. As with FMLA leave, if an employee takes less than the maximum 26 weeks of leave, the unused weeks are lost.

Military caregiver leave is applied on a per-covered-service member, per-injury basis. This means that an eligible employee may be entitled to take more than one period of 26 workweeks of leave during the period of employment if the leave is to care for different covered service members or for the same service member with a subsequent serious injury or illness, except that no more than a total of 26 workweeks of leave may be taken for any FMLA-qualifying reason within the "single 12-month period". As an example of these rules, during this single 12-month period, an eligible employee may take 18 weeks of FMLA military caregiver leave and eight weeks of regular FMLA leave due to a serious condition of the employee or some FMLA-qualifying family member.

Military caregiver leave is available on an intermittent basis when medically necessary as well as when the employee is needed only intermittently – such as where other care is usually available or care responsibilities are shared within another family member or a third party.

A husband and wife who are FMLA-eligible and both work for the County – even if they work at different work sites or in different departments or are located more than 75 miles apart – may be limited to a combined total of 26 workweeks of FMLA leave during a "single 12-month period." On the other hand, if one spouse is ineligible for FMLA leave, then the other spouse is entitled to the full 26 weeks.

**Designation of Military Caregiver Leave**

Military caregiver leave must be designated, and may be applied retroactively, in the same manner as other forms of FMLA leave. Similarly, it is the County’s responsibility to designate the leave as FMLA-qualifying and to provide the employee with notice of the designation, including whether the leave will be paid or unpaid. If military caregiver leave also qualifies for leave to care for a family member with a serious health condition during the "single 12-month period," the two types of leave cannot run concurrently, and the County will first designate the leave as military caregiver leave.

**Certification and Verification of Need for Military Caregiver Leave**

A request for military caregiver leave may be supported by completion of our certification form, the submission of the USDOL new optional Form WH-384, or by submitting "invitational travel orders" (ITOs), or "invitation travel authorizations" (ITAs). ITOs and ITAs are issued to family members to join an injured or ill service member at his or her bedside. If additional leave is required beyond that specified in the ITO or ITA, the employee may be requested to complete the employer's form or the WH-384. The County may request clarification of a certification, but may not request second or third opinions or recertifications.

As for other types of FMLA-qualifying leave, the healthcare provider may certify that the service member is undergoing medical treatment, recuperation, or therapy for a serious injury or illness that was incurred in the line of duty.

USDOL rules also clarify that there is no temporal proximity requirement between the time of the injury or illness and the time of the treatment, recuperation or therapy as long as the covered service member is a current member of the Armed Forces, National Guard or Reserves or on the temporary disability retired list.

**FMLA "Qualifying Exigency" Leave**

An eligible employee may take up to 12 weeks of unpaid leave to care for a family member if the employee’s spouse, child or parent is called (or recalled) to active duty while a member of the military Reserves or National Guard and is not already on active duty. This means that FMLA qualifying exigency leave is not available to employees whose family members serve in the *regular* military, only for Reservists and National Guard members who are on active *federal* service.
USDOL rules define a “qualifying exigency” with a list of seven specific examples as well as a catch-all provision that requires employer and employee to attempt to agree on "additional activities." Contact the Personnel Department if you have any questions. Or, access more information at www.dol.gov.

Certification and Verification of FMLA Qualifying Exigency Leave
The first time you request FMLA leave because of a qualifying exigency, the County may require you to provide a copy of the active duty orders or other military documentation indicating that the member is on active duty or has been called to active duty, and the dates of the active duty service. You are required to provide this information only once. If the need to take such leave arises out of a different period of active duty or call to active duty for the same covered service member, or for a different covered service member, the County will may request a copy of the new orders or other military documentation.

The County will require that leave for any qualifying exigency be supported by a certification. You may use the County’s form or use USDOL optional Form WH-384 or require a certification that includes certain specific information. Contact the Personnel Department for more information.

The County will provide written notice of the requirement for certification each time one is required, normally at the time you provide notice of the need for FMLA qualifying exigency leave or within five business days it is received and process by the Personnel Department. In the case of unforeseen leave, the notice should be given within five business days after the leave commences. If the County later has reason to question the appropriateness of a leave or its duration, we may request certification then, and you must provide it within 15 calendar days after the request.

The County may verify your explanation if you have failed to provide the required certification or the reason involves a meeting with a third party, in which event, the County may contact the individual or entity to verify the meeting. Your permission is not required to verify meetings or appointments with third parties, but no additional information may be requested. The County may also contact an appropriate unit of the Department of Defense to request verification that the member is on active duty or has been called to active duty without your permission, but may not seek additional information.

Family Military Leaves Under Washington Law
Washington has enacted a state law providing residents with special family military leave rights. Unpaid leave of up to 15 days per deployment is allowed when a spouse has been notified of an impending call, ordered to active duty before deployment, or when a military spouse is on leave from deployment. Please consult with the Personnel Department for information on eligibility and leave rights.

(Res. 94-103, 6-13-94; Res. 04-164, 8-17-04; Res. 12-014, 1-17-12)

3.17 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

Policy.
HIPAA’s administrative simplification title provides regulations on how our group health plans handle your protected health information (PHI).

A. It establishes privacy standards for protecting the confidentiality of individually identifiable health information, also known as PHI. PHI is any information related to the physical or mental health condition of an individual, which identifies or can be used to identify the individual to whom it relates. It includes oral, written and electronic information, as well as past, present and future health care or treatment information. Individually identifiable health information is PHI only if it is created or
received by a health plan. Information that is part of an employment record rather than information that is generated in connection with a health plan is not PHI.

B. It also establishes electronic data interchange standards and protocols for covered entities (health plans, health care providers and related entities) to facilitate, streamline and reduce costs of administrative functions.

**Procedures.**

**Applicable Practices.**

Cowlitz County applicable actions are with respect to privacy standards:

A. Cowlitz County does not expect exposure to PHI except by accident, through employment-related matters or programs, or at the employee’s or covered dependent’s request. Cowlitz County will handle PHI in a manner that complies with privacy protocols.

*Note: Medical information related to an individual’s employment relation with the employer is not subject to HIPAA, such as: Workers’ Compensation, Drug testing, Job related inoculation, Family and Medical Leave and Long Term Disability. Nonetheless, Cowlitz County is committed to practice applicable privacy standards when handling employees’ information.*

B. When necessary, PHI will be handled by authorized Human Resources Department staff, Department Heads or Elected Officials, supervisors, or designated payroll clerks at each department. Employees, other than those listed above, who come in contact with other employees’ PHI must maintain the confidentiality of this information, refrain from further handling and immediately refer it to any of the authorized PHI handlers. Employees or their covered dependents may request assistance from a County representative, which requires access and handling of PHI. In such cases, the request of an employee or covered dependent must be accompanied by an authorization for release of medical information.

C. Cowlitz County has received assurance from its group health plans of their intent to comply with HIPAA regulations by establishing privacy and security protocols covering protected health information and electronic data interchange, as well as assuring that their business associates are also in compliance through business associate agreements, where applicable.

**Permitted Uses and Disclosures of Health Information.**

Health and other information about individuals may be disclosed when required in the following circumstances:

A. By federal, state or local law, such as by court order, subpoena, warrant, summons, discovery request or other lawful process, by a public health, legal or regulatory governmental authority.
B. By military command authorities if the individual is a member or veteran of the armed forces.
C. By Workers’ Compensation and other employment-related programs.
D. By the Coroner and Medical Examiners, or funeral directors.
E. By a court order, subpoena, discovery request, or other lawful process when the employee is involved in a lawsuit or dispute or as part of a court’s administrative functions.
F. By law enforcement, national security, intelligence, counterintelligence and other national security agency/official in response to a court order, subpoena, warrant, summons, or similar process, authorized by law.
G. By federal, state or local agencies engaged in disaster relief to avert a serious threat to someone’s health or safety, as required by federal, state or local agencies.
H. By a correctional institution or law enforcement agency when the individual is an inmate of a correctional facility or in custody of a law enforcement agency, in order to (1) provide you with health
care or (2) to protect your health and safety or the health and safety of others or (3) for the safety and security of the correctional institution and its staff.

I. By organizations that handle organ and tissue donations, if you are an organ or tissue donor.

Other uses and disclosures of health information not covered by this notice or the laws that apply to us will be made only with the individual’s written permission. A permission to disclose information may be revoked at any time in writing. We will no longer disclose health information about individuals for the reasons covered by a revoked written authorization, except to the extent that we have already taken action in reliance on the authorization.

The health plans may use or disclose your PHI to facilitate medical services and treatment by providers, as well as to determine eligibility for benefits, facilitate and coordinate payment for medical services and treatment, and for utilization review to determine if the services/treatment are covered under the plan.

**Rights Regarding Your Health Information.**

An individual may:

A. Restrict how the Plan discloses their PHI as it conducts its administrative operations. An individual may also restrict to whom information is disclosed and how the Plan communicates with the individual. The Plans are not required to agree to the request, especially if related to any of the permitted disclosures as listed above.

B. Receive written notice of health information practices.

C. Access to your own PHI.

D. Request amendment or correction of inaccurate PHI. The Plan may deny the request if it believes the information is true and accurate, or if it did not create or keep the information in question.

E. Request and receive an accounting of non-routine (except for treatment, payment, or health care operations) disclosures, within the last six years, but not prior to April 14, 2003.

F. Upon a member’s request, receive a Certificate of Coverage within a reasonable time.

G. Decline group insurance coverage.

The above listed requests must be made in writing to the Plan’s Administration.

If you believe your privacy rights have been violated, you may submit a written complaint to the Health Plan Administration or file a complaint with the Secretary of the Department of Health and Human Services. You may express your concerns without fear of reprisal.

If you have questions about this notice contact the Cowlitz County Privacy Officers (the Director of Human Resources and the Human Resources Analyst) at the Human Resources Department. We reserve the right to change the terms or add new provisions to this Notice, and you will be notified of any changes.

(Res. 03-074, 5-20-03)

**3.18 JOB SHARE**

**Policy.**

In certain circumstances, an Elected Official or Department Head may permit duties and responsibilities of a single position to be divided to provide total coverage by two employees. The employees will normally divide the required working hours within a pay period.

Each employee in a job sharing position must have all the knowledge, skills and abilities necessary to perform the job.
Procedures.

Salary.

The salary and benefits of a job share position shall be the same as the benefits for a single job in a given classification. The incumbents in a job share position shall share the benefits of that position on a pro rata basis according to the hours that each works. Participation in the Retirement System shall be as set forth in the rules of the Washington State Department of Retirement Systems.

In no event shall the benefits of a job share position exceed those of a single budgeted position in any given classification.

In the event that one individual in the job share position vacates the position for any reason, a replacement must be employed within sixty (60) days or the job share position shall revert to a single budgeted position and the remaining job share incumbent must become full time, or be placed in a part-time position with no benefits, or be terminated.

Where applicable the salary steps of the job share participants shall be set for each individual as prescribed in the Exempt Employee Policy Guidelines.

Working Hours.

Overtime shall apply only when a single individual's time in the job share position exceeds eight (8) hours per day or forty (40) hours in a week. Payment for overtime and accrual and usage of compensatory time shall be as set forth in the previous section of these guidelines.

(Res. 93-100, 6-28-93; Res. 04-165, 8-17-04)

3.19 MEDICAL AND DENTAL INSURANCE FOR DEPENDENTS

Policy.

All employees may insure their eligible dependents under the health and welfare plans afforded by the County.

Procedures.

Enrollment periods through Human Resources in the Office of Administrative Services are open to all employees at the time of hire and yearly thereafter. Such dependent coverage is available regardless of whether or not the spouse is employed by the County.

(Res. 86-002, 1-6-86)

3.20 MEDICAL AND DENTAL – VEBA

Policy.

The Internal Revenue Code, Section 501(c)(9) allows for the creation of a voluntary employees’ beneficiary association that is an employer sponsored, tax exempt health and welfare trust. Such tax exempt plans are available for public sector employees in the state of Washington. The County has determined a medical expense reimbursement plan, which provides a tax free account for employees to pay for medical, dental and vision expenses that are not covered by any other insurance plan is in the best interest of the County and its employees.

Procedures.
The medical expense reimbursement plan established by the County will be administered in accordance with the plan documents provided by the MEP/VEBA Trust (the trust) on file in Human Resources in the Office of Administrative Services.

The plan will be funded by employer contributions.

The Board retains the right to modify or repeal this medical expense reimbursement plan after giving 30 days notice to the County employees.

(Res. 00-139, 12-11-00)

3.21 NON-DISCRIMINATION POLICY

Policy.
Cowlitz County will comply with the provisions of Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Chapter 49.60 RCW, the Americans with Disabilities Act, the Vietnam Era Veterans Readjustment Assistance Act of 1974, the Veterans reemployment Rights Act, and the Uniformed Services Employment and Reemployment Act of 1994.

Procedures.
The County policy of equal opportunity and non-discrimination extends to all employment-related matters, including hiring, layoffs promotion, transfer, work assignments, pay and benefits, discipline, training and other conditions of employment. Any form of discrimination based on age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability, or any other status protected by law, is strictly prohibited, unless based upon a bona fide occupational qualification: Provided, that the prohibition against discrimination because of such disability shall not apply if the particular disability prevents the property performance of the particular work involved. Cowlitz County is committed to maintaining an environment free from discrimination, harassment and intimidation based on any status protected herein.

(Res. No. 6230, 6-20-79; Res. 09-095, 6-12-09)

3.22 NURSING MOTHERS SUPPORT POLICY

Policy.
Cowlitz County acknowledges breastfeeding as beneficial for infant and young child health and development as well as beneficial for the mother’s well-being. Cowlitz County is committed to fostering a supportive and respectful work environment for employees who choose to breastfeed in order to help them make the transition back to work easier. Cowlitz County also encourages employees and management to have a positive, accepting attitude toward working women who choose to nurse their infant after returning to work. The County will work to reasonably accommodate the needs of the mother to express milk in the workplace while enabling her to accomplish the requirements of her job.

Procedures.
Leave for Nursing Mothers.
Employees who breastfeed their child and who choose to express milk during working hours will be provided reasonable breaks, as determined below.
For non-exempt employees specifically, such breaks shall be available for up to 1 year after a child’s birth. Such employees may use their normal break and lunch time. If the employee needs to take longer breaks or
more than two breaks during the working hours to express milk, the employee will need to use vacation, compensatory time, or time off without pay if the employee has no vacation, as long as providing such additional time away from work does not unduly disrupt operations.

Any employee who wants to request time off or schedule a change(s) to express milk shall meet with their Elected Official or Department Head (or designee). Flexible working arrangements will also be considered when time away from work does not unduly disrupt operations. The Elected Official/Department Head is the sole decision maker as to what is an unduly disruption of operations.

**Adequate Environment**
The employee shall also discuss with a Human Resources representative and/or their Elected Official/Department Head or designee to determine the process and what reasonable options are available for the employee near their normal work location. A private accommodating environment that is shielded from view and secure from intrusion by co-workers and the public will be made available.

An employee at a meeting or in training at a Count facility away from their normal work location may contact Human Resources for the nearest location of a nursing mothers area.

*(Res. No. 12-046, 3-27-12; Res No. 18-052)*

### 3.23 PERSONNEL ADJUSTMENTS

**Policy.**
The Board of Commissioners hereby establishes a Personnel Staffing Adjustment Policy to inform and guide its decisions regarding changes in staffing levels when requests are received outside the biennial budget review or mid-biennium review process. The first priority is to maintain essential levels of service. Therefore, a proposal for new or expanded service that includes a request for additional staff or reclassification of existing staff:

- **(a)** should be budget neutral or funded through internal cost savings for the current year; or
- **(b)** should provide for an increase in revenue sufficient to support the additional staff request; or
- **(c)** should consolidate or integrate similar or compatible functions to improve operational efficiency and public access to county services; or
- **(d)** should be offset by a reduction or elimination of lower priority services; or
- **(e)** upon a showing of extraordinary circumstances and the increase is in the best interests of the County as determined by the Board.

**Purpose.**
The adoption of the County’s biennial budget establishes the programmatic, financial and staffing plans for all County departments. It is recognized, however, that changes in service demands, legal, technical, organizational, or programmatic requirements may, from time-to-time, necessitate staffing changes outside the budget review and adoption process. These changes can be accomplished through emergency and supplemental appropriations approved by the Board of Commissioners.

However, the Board of Commissioners recognizes that allocation and re-allocation of County resources must occur in an orderly and equitable manner to ensure fiscal sustainability. It is difficult to evaluate county-wide financial impacts, needs and programmatic requirements of the County when discrete requests are presented outside the comprehensive budget review process.
The Board of Commissioners wishes to establish a uniform process by which it may consider adjustments in staffing levels and reclassification requests outside the biennial budget review or mid-biennium review process.

**Applicability.**
This policy applies to all County officials unless otherwise governed by state statute.

**Definitions.**
Classification means job categorization system that includes job descriptions and/or titles indicating the level of responsibility and pay grade and a wage or salary matrix that indicates grades and the steps within those grades.

Department Director means an appointed official, manager or supervisor directly in charge of a specific department.

Elected Official means a person elected to an official capacity within the County who oversees the day-to-day operations of a specific department or responsibility within County government.

FTE means full time equivalent.

Reclassification means a review of changes in job duties which results in a new title or classification and possibly a different pay grade.

**Procedure.**

**Request For Personnel Adjustments.**
The Board will establish the maximum number of county employees designated as full time equivalent (FTE) positions which positions will be detailed in the budget resolution or supplementary budget documents. FTEs will be detailed by division, department, and/or fund. Approved FTEs cannot be transferred from one division, department, or fund to another division, department, or fund unless authorized by the Board in a public meeting.

The Board may authorize an increase in the maximum number of authorized FTEs for a specific budget year for a particular division, department, and fund upon finding that

(a) changes in service demands or legal requirements mandate an increase in FTEs; in which case the position(s) should be funded by new or increased grant funds, fees, charges, intergovernmental revenues or other revenues not already appropriated in the budget; or

(b) the increased personnel costs are budget neutral or funded through internal cost savings; or

(c) the proposal consolidates or integrates similar or compatible functions to improve operational efficiency and public access to county services; or

(d) the increased personnel costs are offset by a reduction or elimination of lower priority services; or

(e) upon a showing of extraordinary circumstances and the increase is in the best interests of the County as determined by the Board.

**Procedure to Create New Positions.**
Generally, Elected Officials and Department Directors may request new positions for Board approval when submitting their biennial budget requests or during the mid-biennium review process. However, a request for a new position may be initiated mid-year in response to unanticipated changes in service demands, legal, technical, organization or programmatic requirements. The request will be initiated by submitting a job description and information to the Human Resources Department on form(s) prepared by the Department. A copy of the job description and form(s) will be provided to the Office of Financial Management.
Resources and the Office of Financial Management will review the request for personnel, financial and operational impacts.

The Board will consider the request after receiving a recommendation from the Department Head or Elected Official initiating the request, the Human Resources Director and the OFM Director. The decision of the Board will be final.

**Procedure to Request Classification Studies.**

Generally, Elected Officials and Department Directors may request a classification study of an individual position or group of positions for Board approval when submitting their biennial budget requests or during the mid-biennium review process. However, a request for a classification study may be initiated mid-year in response to unanticipated changes in service demands, legal, technical, organizational, or programmatic requirements. Requests must be submitted to the Human Resources Department on forms prepared by the Department and will be reviewed by the Human Resources Department and the Office of Financial Management. Human Resources and the Office of Financial Management will provide a report to the Board. A narrative accompanying form should:

(a) describe the additional job functions undertaken since the position was created or the incumbent hired;
(b) describe what position(s) was formerly responsible for the job functions described above;
(c) describe the circumstances which resulted in assignment of additional job functions;
(d) describe what innovations and process changes this position has been responsible for;
(e) describe how consolidation of departments or positions throughout the County has affected this position; and
(f) provide other information relevant to the request.

A request to upgrade may not be used as a means to obtain a merit raise for the incumbent nor to reflect an increased volume of work, if the work is performed at the same level of responsibility that the incumbent is currently performing. It may be used to recognize an overall increase in the responsibilities of the position and must involve an analysis of the critical elements of the position, qualifications, responsibilities, tasks and duties of the position and not the qualifications of the incumbent in the position.

A request to reclassify a position to a lower range will be considered as the result of a decrease in the level or responsibilities, or a change in tasks and duties of the position which changes areas of emphasis and level of skill required in the position.

The Board will consider the request after receiving a recommendation from the Department Head or Elected Official initiating the request, the Human Resources Director and the OFM Director. The decision of the Board will be final.

**Budget Adjustments.**

If a budget amendment is deemed necessary as the result of actions taken pursuant to this Policy, the Office of Financial Management will include the adjustments in the next appropriate emergency or supplemental budget amendment.

**Periodic Reports: Personnel Cost Information to be Provided by OFM Director and/or Human Resources Director.**

The OFM Director and/or the Human Resources Director, will from time-to-time, as may be requested by the Board of Commissioners, submit reports to the Board during the fiscal year describing personnel changes, which report shall include, among other things:
(a) Activity during the previous quarter regarding, terminations, resignations, recruiting efforts and vacant approved positions filled;
(b) Activity year-to-date;
(c) FTE changes following Board action made pursuant to this Policy, including changes in budget appropriations;
(d) Detail on efforts to fill vacant positions (even if filled on a temporary basis) if the work to be performed is different from the job description for the position when vacated, including descriptions of the work to be performed; and
(e) Reclassifications requests received pursuant to this Policy and disposition of the request.

**Emergencies or Extraordinary Circumstances.**
The Board may waive the requirements of this policy when an emergency or extraordinary circumstances exist, as determined by the Board.
REQUEST TO FILL POSITION

[ ] Current  [ ] New

Position # ________
Position Title __________________

Complete pages 1 & 2

Proposed Position Title:

Attach proposed job description & complete pages 1 & 2

1. Department: ___________________________________________

2. Reason the position is open/requested:
   _______________________________________________________

3. Is the position currently funded in the budget?  Yes ______ No ______

4. Source of the funds and percentages of each: ___________________________
    _______________________________________________________

5. What is the return on investment for this position? i.e., Reduce Costs or Generate Revenue
   __________________

6. Does this request address a need in the current Strategic Plan?  Yes ____  No ____

If “Yes,” explain _____________________________

7. Date the position will be open: _________________

8. When are you requesting to fill the position?
   A. First available start date__________________
   B. One month delay________________________
   C. Two month delay________________________
   D. Three month delay_______________________

9. List all the alternatives that were considered before making this request:
   ___________________________________________
   ___________________________________________
   ___________________________________________

Elected Official/Department Head Signature  Date

Approved: ______  Date: ____________  Department Meeting: ________________

Title __________________
Job Class # _________________
Fill at Step _________________
Effective Date _______________

Reviewed
(date & initial)
HR: __________
OFM: __________

New Position Request Supplemental Information

1. Describe the duties, responsibilities and qualifications required for the new position.
2. Describe the circumstances which resulted in the need for a new position.

3. Summarize the potential impact to the Department’s current budget and anticipated following year’s budget.

4. Identify funding sources and amounts available to support the position. Is the funding one-time or ongoing?

5. Provide other information you wish the Board to consider relative to this position request.

(Res. No. 07-097, 7-31-07; Res. No. 15-068, 7-7-15)
1.0 Definitions

For the purpose of this policy, the following definitions apply:

1.1 Accident – DOT (FHWA) – means:

(1) The death of a human being;

(2) A citation under State or local law for a moving traffic violation arising from the accident.

(3) Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or,

(4) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

(5) The occurrence must be reported to the Federal Highway Administration under applicable regulations.

1.2 Alcohol concentration means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

1.3 Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol.

1.4 Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

1.5 Canceled test (drug) means a test which has been declared invalid. It is neither a positive nor a negative test. This term includes a specimen which is rejected for testing by a laboratory. Further testing is required under pre-employment and return to duty drug testing.

1.6 CDL – means a commercial driver’s license issued by the state driver licensing agency.

1.7 Conducting Cowlitz County business means being in a situation where decisions are made that commit Cowlitz County to some action, or being in a position where actions could injure or adversely affect other individuals or Cowlitz County.

1.8 Confirmatory test (alcohol) means a second test following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration.

1.9 Confirmatory test (controlled substances) means a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screen test and that uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. (GC/ MS) Gas Chromatography Mass Spectrometry
Consulting Physician means a licensed physician retained by Cowlitz County to advise on drug testing and other industrial medicine issues.

Contractor means a person or organization that provides service to or works for Cowlitz County.

Covered substances means:

1. Legally obtained drugs (prescription and non-prescription remedies) when used according to directions to alleviate a specific condition.

2. Illegal drugs, including:
   
   (a) Drugs which are not legally obtainable, and;
   (b) Drugs which are legally obtainable, but have not been obtained legally, and;
   (c) Drugs which are legally obtained, but are knowingly used for other than the prescribed purpose or in other than the prescribed manner, and;
   (d) So-called “designer drugs” or drug substances not approved for medical or other use by the State Board of Pharmacy, the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration.

3. Unauthorized substances, including any substance that is intentionally used to cause impairment of physical and/or mental functioning.

4. DOT Covered Substances are those substances that will be tested when called for by the DOT, specifically. DOT alcohol tests identify alcohol concentration of 0.02 and greater. DOT drug tests require laboratory testing and the current covered substances with their cutoff concentrations, as listed by the DOT are as follows:

<table>
<thead>
<tr>
<th>Initial test analyte</th>
<th>Initial test cutoff</th>
<th>Confirmatory test analyte</th>
<th>Confirmatory test cutoff concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana metabolites (THCA)</td>
<td>50 ng/mL</td>
<td>THCA</td>
<td>15 ng/mL.</td>
</tr>
<tr>
<td>Cocaine metabolite (Benzoylcegonine)</td>
<td>150 ng/mL</td>
<td>Benzoylecgonine</td>
<td>100 ng/mL.</td>
</tr>
<tr>
<td>Codeine/ Morphine</td>
<td>2000 ng/mL</td>
<td>Codeine</td>
<td>2000 ng/mL.</td>
</tr>
<tr>
<td>Hydrocodone/ Hydromorphone</td>
<td>300 ng/mL</td>
<td>Hydrocodone</td>
<td>100 ng/mL.</td>
</tr>
<tr>
<td>Oxycodone/ Oxymorphone</td>
<td>100 ng/mL</td>
<td>Oxycodone</td>
<td>100 ng/mL.</td>
</tr>
<tr>
<td>6-Acetylmorphine</td>
<td>10 ng/mL</td>
<td>6-Acetylmorphine</td>
<td>10 ng/mL.</td>
</tr>
<tr>
<td>Phencyclidine</td>
<td>25 ng/mL</td>
<td>Phencyclidine</td>
<td>25 ng/mL.</td>
</tr>
<tr>
<td>Amphetamine/ Methamphetamine</td>
<td>500 ng/mL</td>
<td>Amphetamine</td>
<td>250 ng/mL.</td>
</tr>
<tr>
<td>MDMA4/MDA</td>
<td>500 ng/mL</td>
<td>MDMA</td>
<td>250 ng/mL.</td>
</tr>
</tbody>
</table>
1.13 DOT means the U.S. Department of Transportation.

1.14 Drug use means the consumption of any substance (legal or illicit) that may cause an interference with the capacity to perform safe and/or productive work.

1.15 FHWA means the Federal Highway Administration of the U.S. Department of Transportation.

1.16 FHWA Covered employee means a person who is applying for or transferring to a FHWA defined position requiring a commercial driver’s license (CDL).

1.17 Medical Review Officer (MRO) means a licensed physician responsible for receiving laboratory results generated by (Employer’s) drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s confirmed positive test result together with his or her medical history and any other relevant biomedical information.

1.18 Proof of wellness means a notice from the treatment specialist or substance abuse professional indicating the applicant/employee is no longer dependent on some drug/alcohol substance to the extent it can affect safe and productive work.

1.19 Refusal to submit means:

(1) A verbal declination after being given a clear and specific order to submit to urine and/or breath testing.

(2) That an employee fails to produce adequate breath for testing or the non production of a urine specimen without a valid medical explanation after he or she has received notice of the requirement to be tested.

(3) An employee engages in conduct that clearly obstructs the collection process.

1.20 Safety-sensitive function (FHWA) means any of those on-duty functions set forth in section 395.2, On-duty time, paragraphs (1) through (7) of the U.S. CFR.

1.21 Safety-sensitive function means performing work involving the operation of machinery or motor vehicles or performing tasks directly affecting the safety or others.

1.22 SAMHSA means the Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services.

1.23 Screening Test (alcohol) means an analytical procedure to determine whether a covered employee may have a prohibited concentration of alcohol in his or her system.

1.24 Substance abuse professional (SAP) means a licensed physician (Medical Doctor or Doctor of Osteopathy), licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commissioner), with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

1.25 Under the influence means that a covered substance is present in the body and is detected by breath alcohol testing (0.02 BAC or greater) or urine drug testing (a confirmed positive).
[Note: For the purposes of this policy, 0.02 BAC is established as the lowest conclusive detectable level in breath alcohol testing; however, noting breath odor is conclusive to remove an employee from service.]

2.0 APPLICATION

2.1 Cowlitz County Employees. This policy applies to all Cowlitz County employees, while on Cowlitz County owned or leased property or while off premises conducting Cowlitz County business, who are required, in the course of employment, to operate a commercial motor vehicle. This policy also applies to all employees of the Public Works Department regardless of a requirement to operate a commercial motor vehicle. This includes off premises during lunch break or other break periods where the employee is scheduled to return to work, on call status and pre-shift periods.

2.2 Independent Contractor, Vendor Employees and Visitors, independent contractors, their employees, and vendor employees are expected to be free from the effects of drug or alcohol use/abuse while conducting business for or in the name of Cowlitz County. As a consequence, contractor or vendor employees or visitors found to be violating this policy will not be allowed to continue to conduct business and their supervisor, if appropriate, will be notified.

3.0 PROHIBITED CONDUCT

3.1 Refusal to Submit to a Drug/Alcohol Test.

3.1.1 Insubordination as it relates to any employee refusing to comply with a request for a drug/alcohol test will be regarded as grounds for termination.

3.1.2 Any employee leaving the scene of an accident before a testing decision is made will be regarded as refusing to be tested. Refer to 8.3.3 for steps in post accident testing.

3.1.3 Any employee consuming alcohol after an accident and before a testing decision is made will be regarded as refusing to be tested.

3.1.4 Any conduct that clearly obstructs the collection process will also be regarded as grounds for termination.

3.2 Providing False Information and/or Attempting to Contaminate or Alter a Urine Specimen. Any employee providing false information about a urine specimen and/or attempting to contaminate a urine specimen will be subject to termination.

3.3 Refusal or Failure to Comply with Treatment Recommendations. Any employee refusing or failing to comply with treatment and after-care recommendations will be subject to termination.

3.4 Testing Positive for Prohibited Drugs, Alcohol and Unauthorized Substances on a Second or Subsequent Occasion. Should an employee be retained or be re-employed following an initial positive test and then test positive for a prohibited drug, alcohol or unauthorized substance on a second or subsequent occasion and within five years of a prior positive drug/alcohol test, the employee will be subject to termination.

3.5 Sale, Transfer, Possession with Intent to Deliver. Any employee engaging in the sale or attempted sale, purchase or transfer, or possession with intent to deliver illegal drugs, unauthorized substances or alcohol on Cowlitz County property, in Cowlitz County vehicles or equipment or while on Cowlitz County business will be terminated. Law enforcement authorities will be notified.
3.6 Possession. Any employee found in possession of any amount of illegal drugs, unauthorized substances or alcohol in Cowlitz County vehicles or while conducting Cowlitz County business will be disciplined up to and including termination. Law enforcement authorities may be notified.

3.7 Use or Under the Influence. Any employee found using or reasonably believed to be under the influence of an illegal drug, alcohol or unauthorized substance at work or reporting to work with the intention of work shall not be allowed to perform their job while in that condition, and shall be relieved of duty without pay for the remainder of that shift and will be subject to drug/alcohol testing.

3.7.1 Non-Safety Sensitive Functions. If an employee is performing a non-safety sensitive function and found positive (confirmed drug positive by the MRO or a breath alcohol concentration of 0.02 or greater), the employee shall be relieved of duty without pay for the remainder of that shift, and will be subject to disciplinary action up to and including termination.

3.7.2 Safety Sensitive Functions. If the employee was found to be operating (or reporting to work with the intention of operating) a motor vehicle or performing any other safety sensitive function and found positive (confirmed drug positive by the MRI or a breath alcohol concentration of .02 or greater), the employee will be subject to discipline including termination. Employees injuring another person in such a condition will be subject to discipline including termination.

3.7.3 Alcohol Concentration of .04 or Greater. If an employee tests positive with a breath concentration of .04 or greater they shall be removed from their duties without pay, must be evaluated by a substance abuse professional, treated if recommended by a substance abuse professional, and retest with a .02 or lower prior to returning to work.

3.8 On-Call Employees Use of Alcohol

3.8.1 On Call Employees. No employee who is on a designated on-call status shall consume alcohol during the period of their on-call status.

3.9 Failure to Notify Cowlitz County of Criminal Drug Conviction. Employees are required to notify Cowlitz County of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Failure to do so within five (5) days of conviction will result in termination. (U.S. Drug Free Workplace Act of 1988)

4.0 USE OF LEGALLY OBTAINED DRUGS

4.1 Protection from Work. Employees adversely affected in their use of any legally obtained drugs (prescription or non-prescription) cannot be allowed to perform a safety sensitive job in such a condition.

4.2 Notification Required. Prior to commencing work, each employee must report immediately to their supervisor/manager the use of any prescription or non-prescription drug, which may affect driving performance or contains a cautionary label regarding the operation of equipment or vehicles. Employees taking medication with cautionary labels will provide proper medical authorization to work from a physician. Employees failing to report use of any prescription or non-prescription drug affecting work will be subject to disciplinary action up to and including termination.

5.0 POLICY COMMUNICATION
5.1 Current Employees. All current employees will receive a copy of the Fit for Work policy thirty days before the implementation date and will acknowledge receipt by signature. In addition, the policy will be posted.

5.2 New Employees. All new employees hired after the effective date of the policy will be given a copy of the Fit for Work policy as a part of new employee orientation. New employees will acknowledge they have read the policy and such acknowledgment will be noted by signature in employee personnel files.

5.3 Defined, DOT Employees. All employees transferring into or new employees being assigned to a DOT safety-sensitive position will be notified of the specific requirement for drug/alcohol testing.

6.0 TRAINING

6.1 Current Employees. All employees will receive information and training on:

6.1.1 Effects and consequences of drug and alcohol use on personal health, safety, and the work environment.

6.1.2 Manifestations and behavioral clues indicative of drug and alcohol use and abuse.

6.2 Supervisor/Managers. All supervisor/managers who make reasonable suspicion determinations will receive training that meets or exceeds DOT standards for training on the physical, behavioral and performance indicators or probable drug and alcohol use.

6.3 New Hires and New Supervisors

6.3.1 All newly hired employees will participate in an alcohol and other drug abuse policy and drug awareness session.

6.3.2 All newly promoted supervisors will not make reasonable suspicion determinations until they participate in a supervisory training process to acquaint them with the physical, behavioral and performance indicators of probable drug use. Training in this area will meet or exceed DOT standards.

7.0 ROLE OF THE MEDICAL REVIEW OFFICER (MRO) AND CONSULTING PHYSICIAN

7.1 Duties

7.1.1 Recipient of Drug Testing Results. The MRO will be the sole recipient of SAMHSA drug testing results from the laboratory and positive results of all non-SAMHSA drug-testing results.

7.1.2 Verification of Positives. The MRO will verify that the laboratory report of a positive result is reasonable. The MRO, if necessary:

(1) When requested by the applicant/employee, will review the individual’s medical history, including any medical records and biomedical information provided.

(2) When requested by the applicant/employee, will afford the individual an opportunity to discuss the test results with the MRO or a local designated consulting physician.

(3) Will determine whether there is a legitimate medical explanation for the result, including legally prescribed medication.
(4) Will request, as needed, pertinent analytical records or require re-analysis of any specimen to verify results.

(5) Will determine that there is clinical evidence, in addition to the urine test, of unauthorized use of any opium, opiate, or opium derivative if the laboratory does not confirm the presence of 6-monoacetylmorphine.

7.1.3 Post Accident Specimen Collection Facilitation. The MRO or local consulting physician, when requested, will assist in facilitating the collection of specimens related to an accident event.

7.1.4 Fit for Work Consultation. The MRO or local consulting physician will, when requested, be available for consultation to determine the ability of an employee to report to work or continue work when under the influence of over-the-counter medication and/or prescription medication.

7.1.5 Return to Work Consultation. The MRO or local consulting physician will, when requested, review the records and examine, when appropriate, all employees returning to duty after a positive drug urine or wanting to return to duty after having refused to take a drug/alcohol test. The MRO will consult with treatment counselors and Cowlitz County staff when making the evaluation.

7.2 Release of Results. Test results will be released only under the following circumstances:

7.2.1 The MRO will report all positive test results (after review) and all positive and negative SAMHSA test results to the Cowlitz County individual designated to receive the results. Designated individuals are Jim Zdilar and Sabrina Fraidenburg of the Human Resources Department.

7.2.2 The MRO may release the results to a third party only when the person tested signs an authorization for the release to an identified person unless requested by State or Government Authorities.

7.2.3 The MRO may release the results of a drug/alcohol test to the person who is tested.

7.3 Reporting. The MRO will only report to the Cowlitz County designated representative or designee.

7.4 Relationships.

7.4.1 Testing Laboratories. The MRO will be the primary contact for technical inquiries to the testing laboratory.

7.4.2 Treatment and Rehabilitation Facilities. The MRO will have direct contact with substance abuse professionals regarding drug positives.

7.4.3 Employee Assistance Counselors. The MRO will, if appropriate, confer with any employee assistance counselor when evaluating a return to duty status.

7.5 Reports

7.5.1 The MRO will retain records for five years of reports of individuals who do not pass a drug/alcohol test. Reports of individuals who do pass a drug/alcohol test will be retained for one year.

7.5.2 The MRO will provide Cowlitz County the necessary information for the preparation of Federal reports when requested by State or Federal Authorities and on an annual basis.
8.0 REFE RRAL FOR TESTING

8.1 Pre-employment Testing. All offers of Cowlitz County employment for a position requiring a CDL will be contingent upon the applicant successfully passing a drug and alcohol test. No applicant for employment to a position in the Public Works Department will be assigned to work unless they have passed a urine drug and breath alcohol test. Breath alcohol testing clearance shall not be given if the alcohol concentration level is 0.02 BAC or Less

8.1.1 Test Specimens

(1) Breath – all applicants will be subject to the collection of a breath sample(s) to determine if current consumption of alcohol is present. See 1.13 (4) (f)

(2) Urine – all applicants being hired will be subject to a SAMHSA panel test for illegal and unauthorized substances. See 1.13 (4) (a)-(e)

8.1.2 Notification of Testing Requirement. Applicants will be notified of the requirement to pass a drug/alcohol test at the time of application.

8.1.3 Canceled Test. When a pre-employment drug test is determined to be a canceled test by the MRO, the applicant will be required to immediately submit another urine specimen for testing.

8.1.4 Reapplication After a Positive Test. Applicants who test positive without adequate explanation of the results will not be considered for employment until the next available position and must present proof of completed SAP process.

8.2 Reasonable Suspicion Testing. All employees will be subject to drug/alcohol testing if there is reasonable suspicion to believe he/she may be under the influence of some drug or alcohol.

8.2.1 Reasonable Suspicion Defined. Reasonable suspicion for drug/alcohol testing means specific contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. In other words, a reasonable suspicion decision consists of specific facts, circumstances, physical evidence, physical signs and symptoms or a pattern of performance and/or behavior that would cause a trained supervisor to reasonably conclude an employee may have engaged in on the job drug or alcohol use, or may be under the influence of some drug/substance including alcohol.

Note: An alcohol reasonable suspicion determination must be based on observations and facts related to an employee’s condition and/or performance just before or while the employee is to or has performed work for Cowlitz County.

8.2.2 Examples of reasonable suspicion include, but are not limited to:

(1) Unsatisfactory work performance, including accidents and incidents, adequately documented, and where some drug or alcohol related documentation indicates a linkage or a change in an employee’s prior patterns of work performance and where some drug or alcohol performance-related documentation indicates a linkage.

(2) Physical symptoms consistent with substance abuse.

(3) Evidence of illegal substance use, possession, sale or delivery.
(4) Fights (to mean physical contact) and assaults, or erratic or violent behavior.

8.2.3 Test Specimens

(1) Breath – employees will be subject to the collection of a breath sample(s) to determine if current consumption of alcohol is present.

(2) Urine – employees will be subject to a urine drug test for DOT covered substances.

8.2.4 Steps in Reasonable Suspicion Testing:

(1) Objective Inquiry. When reasonable suspicion exists, the affected employee will be questioned and observed. A decision to request a specimen will be based on eye witness reports, facts of the event and observed physical and behavioral characteristics of the affected employee. The employee will be interviewed in a private area.

(2) Verification. All requests to an employee for a drug/alcohol test will be verified by another supervisor/manager who has received training in recognition of signs and symptoms of drug and alcohol abuse. Such verification may be done in person or telephonically.

(3) Relief of Duty. The employee will be relieved of duty until the results of the drug/alcohol test are complete and verified.

(4) Transportation Assistance. The employee will be accompanied to the collection site by a supervisor or manager. The employee will be provided transportation home. If the employee refuses and demands to drive his/her vehicle, Cowlitz County shall notify law enforcement.

(5) Report. The events of a request for a specimen will be reduced to writing and will be reviewed by Cowlitz County management.

8.3 Post Accident Testing Defined. An employee will be drug and alcohol tested if one of the following circumstances exists:

(a) A defined accident occurs and there is a loss of life if a driver was performing safety sensitive functions at the time of the fatality; or,

(b) An accident occurs and there is no loss of life and the driver receives a citation under State or local law for a moving traffic violation arising from the accident.

8.3.1 Test Specimens

(1) Breath – employees will be subject to the collection of a breath sample(s) to determine if current consumption of alcohol is present.

(2) Urine – employees will be subject to a urine drug test for DOT covered substances. Employees performing a safety-sensitive function will have two urine specimens (split specimen) collected from the covered substance test under the DOT rule.

(3) Blood – in accidents and incidents that cause severe life disabling injury or substantial liability to Cowlitz County, a blood sample may be drawn for future testing if breath alcohol testing is not readily available.
8.3.2 Steps in Post Accident Testing

(1) Treat any injury first. The physical health of the driver, responsible employee, or general public is always a higher priority than the collection of a drug/alcohol sample.

(2) Cooperate with law enforcement. Allow local law enforcement to conduct their investigation. The police may require a breath alcohol test or blood specimen to be drawn for a legal determination of blood alcohol.

(3) Explain. Tell the employee that a drug/alcohol test is as much to protect him/her as it is to determine facts for Cowlitz County. Point out to the employee that a negative finding will objectively put to rest any suspicion of drug/alcohol involvement in the accident.

(4) Notify the hospital of the need for a specimen. If the employee is injured and unable to consent to a urine sample, wait until the treating physician determines the employee is able to understand a request, sign the necessary forms, and provide a sample. If the employee is unconscious, ask the treating physician to collect a specimen. If the hospital takes a sample, but refuses to release a specimen, ask them to retain it in their custody and freeze it with proper chain of custody procedures.

(5) Notify the MRO. Explain the circumstances of the accident. The MRO will assist in facilitating the specimen collection process.

(6) Collection Timing. The specimen should be collected as soon as possible after the accident.

(7) Alcohol collection. Alcohol testing must occur within two hours of the accident. If the collection occurs after two hours, but within eight hours of the accident, a report must be filed with FHWA for FHWA covered employees. After eight hours has elapsed, breath alcohol testing will be done at the discretion of Cowlitz County.

(8) Urine Collection. Urine collection must occur within 32 hours of the accident.

(9) Work with the coroner in a fatality accident. If the accident results in an employee’s death, an autopsy most likely will be performed. As soon after the accident as possible, request in writing and in person that the medical examiner, coroner, or pathologist obtain a urine specimen of at least 100 milliliters to be placed into a specimen bottle and sealed according to directions.

(10) Collect accident documentation promptly. Collect and document as many facts and observations as possible immediately following the accident. Accident investigators, either employees or contracted individuals, should be used to accurately document critical information. Note the time and date of both the occurrence of the accident and specimen collection.

8.3.3 Relief of Duty. An employee may be returned to duty, at the supervisor’s discretion, pending results from a post accident/incident event if there is reasonable belief the employee was not under the influence at the time of the accident. If the employee has been medically examined, post incident; they must receive a return to work clearance from Cowlitz County’s MRO/consulting physician before returning to work.

8.4 Return to Duty Testing (Re-entry to Work) and Follow-up Testing
8.4.1 Return to Duty Testing Criteria. An employee, having previously tested positive for drugs or alcohol or voluntarily acknowledged being under the influence of drugs or alcohol while on duty, will be required to pass a drug/alcohol test before being returned to duty. Such employees will not be allowed to return to work until they:

1. Test negative for the DOT covered substances and are evaluated and released for duty by the Medical Review Officer (if the prior incident was drug related); or

2. Test below a 0.02 alcohol concentration and are released by a substance abuse professional (if the prior incident was alcohol related).

8.4.2 Follow-up Testing. An employee, requiring return to duty drug/alcohol testing, may be subject to unannounced drug/alcohol tests for up to 60 months after returning to work. There shall be no fewer than six tests in the first 12 months of follow-up testing. The specific number will be recommended by the substance abuse professional. The employee will pay all return to duty and follow-up testing costs.

8.4.3 Test Specimens

1. Breath – employees will be subject to the collection of a breath sample(s) to determine if current consumption of alcohol is present.

2. Urine – employees will be subject to a urine drug test for DOT covered substances. Employees performing a safety-sensitive function will have two urine specimens (split specimen) collected for the covered substances test under the DOT rule.

8.4.4 Canceled Test. When a return to duty drug test is determined to be a canceled test by the MRO, the employee will be required to immediately submit another urine specimen for testing.

8.5 Random Testing

8.5.1 Random Testing Defined. Random testing means that:

1. drug tests are unannounced;
2. every commercial motor vehicle driver (who is subject to drug testing) of a motor carrier has an equal chance of being selected for testing.

8.5.2 Selection Rate. The selection rate will be no less than 50% for urine drug testing and breath alcohol testing.

8.5.3 Application. All commercial vehicle drivers subject to drug testing shall be required to submit to random testing after the effective date of the Federal rule or law. Other employees, if specifically designated by Cowlitz County, will be subject to random drug testing as well.

8.5.4 Notification of Employee. Employees, when notified of a random selection, shall cease work functions and immediately proceed to the collection site. If the DOT covered driver is performing safety-sensitive functions when notified, the driver will cease to perform the safety-sensitive function and proceed to the testing site as soon as possible.

8.6 Retesting of a Split Specimen. If the drug test result of the primary urine specimen is verified positive, the employee performing a safety-sensitive function may request that the MRO direct the split specimen to be tested in a different DHHS-certified laboratory for presence of the drug(s) for which a positive
result was obtained in the test of the primary specimen. Such request must be in writing to the MRO and within 72 hours of the employee having been notified of the verified positive drug test result. Retests will be at the employee’s expense.

9.0 SPECIMEN COLLECTION

9.1 Specimen Collection Sites. Urine and/or breath specimens will be collected at sites approved by Cowlitz County or a designated representative.

9.2 Specimen Collection Persons. The only persons authorized to collect specimens are as follows:

(1) Urine – Persons trained in the SAMHSA collection process.

(2) Breath – Persons (employees of Cowlitz County or the collection site) who have been trained as Breath Alcohol Technicians in a DOT approved training program.

(3) Blood – Persons authorized or certified by state law to draw blood.

9.3 Specimen Collection Protocol. Breath and urine specimens will be collected strictly in accordance with established collection protocols and will strictly adhere to the collection requirements specified in 49 CFR Park 40, “Procedures for Transportation Workplace Drug and Alcohol Testing Programs.”

9.4 Split Specimen(s). All urine collections for DOT covered employees will be split into two specimens and shipped to the laboratory.

10.0 LABORATORY TESTING

10.1 Approved Laboratory Defined. Only laboratories and laboratory systems approved for the testing of urine specimens by the U.S. Department of Health and Human Services, SAMHSA will be used.

10.2 Reports. The laboratory will provide summary information on number of tests and results.

11.0 SUPERVISOR RESPONSIBILITIES

11.1 Reasonable Suspicion and Post Accident Testing. Supervisors are expected to base testing requests on objective observations and to thoroughly document all steps.

11.2 Confidentiality. Supervisors/managers will communicate information regarding a fit for work incident strictly on a need to know basis.

11.3 Accountability. Supervisors/managers who knowingly disregard the requirements of this policy with respect to fit for work concerns will be regarded as neglecting their responsibilities and may be disciplined up to and including termination.

12.0 EMPLOYEE ASSISTANCE AND REHABILITATION

12.1 Intent. Cowlitz County highly encourages employees who have personal problems to utilize the employee assistance program before those problems affect their job performance. Employees who voluntarily seek assistance in dealing with emotional distress, personal health problems or problems relating to alcohol or drug use before there is a performance issue will be provided the same leave benefits as with any other health-related issue. Employees will be held accountable for acceptable job
performance regardless of participation in or requests for referral to the employee assistance program. In no case will disciplinary amnesty be granted to employees asking for assistance and referral.

12.2 Management Referrals. Employees who are referred as a part of supervisory performance counseling or intervention are assured of confidentiality. Only those in the chain of responsibility and Personnel may be aware of an EAP referral/treatment request.

12.3 Positive Test Referrals. If an employee tests positive for the presence of alcohol or prohibited drugs and is retained as an employee, they shall be referred to Cowlitz County’s employee assistance program for assessment and will be required to fulfill specified steps of treatment before being considered ready for evaluation for return to duty to any position at Cowlitz County. Cowlitz County employees may be allowed the opportunity for rehabilitation following a positive alcohol or drug test under the following conditions:

1. Voluntary self-referrals of the employee prior to any type of incident or accident.
2. Management intervention/referral prior to any incident or accident.
3. First time positive drug or alcohol test (unrelated to any incident or accident) for an employee not performing a safety-sensitive function while under the influence.

12.4 Return to Duty Evaluation. No employee shall return to work after a positive test for alcohol (0.02 or above) or drugs (positive finding from the laboratory and/or MRO) until they have been evaluated and released for duty by the Medical Review Officer (DOT covered substances) and/or a substance abuse professional (DOT, non-DOT covered substances and alcohol).

12.5 Confidentiality and Conduct. A direct request by the employee for assistance will be made a part of the employee’s medical file. Any related performance issues or disciplinary action will be in the employee’s personnel file.

12.6 Free From Discrimination. Employees will not have job security or promotional opportunities jeopardized solely because of a request for help.

12.7 Re-entry to Work

12.7.1 After Mandatory Referral. Employees re-entering the workforce after a mandatory referral for a fit for work issue will agree to a re-entry contract. That contract may include, but is not limited to:

1. A release to work statement from an approved treatment specialist.
2. Evidence of a plan setting out aftercare and follow-up treatment procedures with the assistance counselor or a treatment specialist and Medical Review Officer/Consulting Physician for a minimum of six months. The assistance counselor may specify longer periods of follow-up.
3. A review and release for work by a designated Cowlitz County representative and the Medical Review Officer/Consulting Physician (for drug positives) or Cowlitz County’s substance abuse professional (for alcohol positives).
4. A negative test for drugs, unauthorized substances and alcohol.
5. An agreement to unannounced drug/alcohol testing (for up to five years).
6. A statement of expected compliance with Cowlitz County work rules, policies, and procedures.
7. Specific agreement by the employee that violation of the agreement will be grounds for termination.
12.7.2 After Voluntary Self-Referral. Employees self-referring to a substance abuse treatment program, with the prior knowledge of their supervisor or Cowlitz County management, must agree to a re-entry contract. The contract will include:

(1) A release to work statement from an approved treatment specialist.
(2) An evaluation and release to work by a designated Cowlitz County representative.

13.0 CONFIDENTIALITY, RECORD KEEPING AND REPORTS.

13.1 Confidentiality

13.1.1 Test Results. All test results will be regarded as medical data and will be stored in a separate location than the employee’s general performance file. The status of an employee’s drug/alcohol test will be communicated within Cowlitz County on a strict need-to-know basis.

13.1.2 Employee Assistance Referrals. Any knowledge of an employee’s attendance at a substance abuse treatment program will be treated the same as medical data and will be filed in the employee’s medical file. The status of an employee’s involvement with employee assistance and/or substance abuse treatment will also be communicated within Cowlitz County on a strict need-to-know basis.

13.2 Record Keeping

13.2.1 Test/Collection Records. The Medical Review Officer will maintain original test results. Cowlitz County will also maintain records received from the MRO regarding test results which will be stored in a secure location with controlled access. All records relating to the urine and alcohol collection process will be maintained by Cowlitz County, the Medical Review Officer, and the collection site (if other than the Medical Review Officer and/or on-site collection).

13.2.2 Record Retention Schedule

(1) Ten years – records relating to the administration of the Fit for Work Policy, including policy and program development, employee awareness and supervisory training, collection site training, and program administration.

(2) Five years – records of positive drug and alcohol tests; refusals to take required drug/alcohol tests; calibration documentation; and referrals to the substance abuse professional.

(3) Two years – records relating to the breath and urine collection process.

(4) One year – records of negative drug and alcohol test results.

13.3 DOT Reports. Cowlitz County will file an annual report with DOT summarizing the results of the anti-drug and alcohol misuse prevention program.

14.0 BUSINESS USE OF ALCOHOL

14.1 Never a Business Obligation. The consumption of alcohol should never be considered a business obligation.

14.2 Separation of Business and Business Entertainment. Employees will not consume beverages containing alcohol while conducting business. Conducting business can be defined as any event where
the interests of Cowlitz County are being obligated and/or represented. Business entertainment can be defined as events where the primary purpose is friendship and socialization. When in doubt, the best advice is don’t drink. Lunch, with the expectation of returning to business or the workplace, would not be considered business entertainment.

14.3 Cowlitz County Sponsored Social Events. Employees who consume alcohol containing beverages at Cowlitz County sponsored social events are highly encouraged not to drive after drinking.
Supervisor Guidelines for Urine Drug and Breath Alcohol Testing

I Urine Drug Testing

(1) Collection Site(s)

A. Daytime, work week – Monday-Friday, 7:00 a.m. to 5:30 p.m.:
   a. Collections for random, return to duty, follow-up testing
   b. Collections where a physician is also involved (pre-employment, post accident, reasonable suspicion)

PeaceHealth Occupational Health (formerly Workplace Wellness)
1405 Delaware St.
Longview, WA 98632
360-414-2332
24 Hour pager 360-501-0337
If no answer, contact Peace Health at 360-414-2000 and ask them to page the Occupational Health on call person.

(2) Whenever possible, notify the collection site that an employee is being brought to the collection site. Inform the collection site if there are minor injuries.

B. Evening, weekends

Occupational Health Services
1405 Delaware St.
Longview, WA 98632
360-414-2332
24 Hour pager 360-501-0337
If no answer, contact Peace Health at 360-414-2000 and ask them to page the Occupational Health on call person.

(3) Collection Site Procedures

A. The collection site will collect urine specimens for safety sensitive and non-safety sensitive employees using the “SAMHSA protocol.” This means that:
   a. Pictured identification is required. If the employee does not have pictured identification, physical verification from a supervisor will be required.
   b. The employee is asked to remove outer clothing (bulky sweaters, coats, hats, etc.)
   c. The collection container is in a sealed wrapper.
   d. The collection is unobserved.
   e. The collection room has all soap and chemicals removed. Water sources are disabled.
   f. Bluing is placed in the toilet bowl and reservoir.
   g. The employee is in continuous observation of the collected specimen until sealed for shipping.
   h. Temperature of the specimen is immediately taken.
   i. The container is observed for unusual odors or appearance.
   j. The container is sealed and labeled for shipping according to the strict chain of custody procedures.

(4) Medical Review Officer

A. The Medical Review Officer will:
   a. Review all DOT required drug tests.
   b. Evaluate an employee’s return to duty status (after a urine drug positive).
c. Consult with Cowlitz County management on an employee’s capacity to work in safety sensitive functions while taking medication.

(5) Drug Testing Laboratory Procedures
A. All laboratory testing will be conducted in a SAMHSA certified laboratory. All tests will conform to standards. This means that:
   a. Strict chain of custody procedures is followed.
   b. The specimen is checked for dilution and acid adulteration.
   c. The first test is a screening test using EMIT technology.
   d. If the first test is positive, a second confirming test using CG/MS (Gas Chromatography/Mass Spectrometry) is used.
   e. A laboratory positive only occurs if both EMIT and GC/MS produce the same findings.
   f. All laboratory positives are personally reviewed by a medical review officer (negatives are also reviewed by a MRO for DOT designated positions).

B. The drug-testing laboratory is:

Occupational Health Services
1405 Delaware St.
Longview, WA 98632
360-414-2332

24 Hour pager 360-501-0337
If no answer, contact Peace Health at 360-414-2000 and ask them to page the Occupational Health on call person.

II. Breath Alcohol Testing “Breath Alcohol Testing”

(1) When required, employees will have their breath tested for the presence of alcohol using a U.S. DOT approved breath testing analyzer.
   A. All tests shall conform to standards. This means that:
      a. Pictured identification is required.
      b. Tests can only be administered by a properly certified breath alcohol technician (BAT) using a calibrated and DOT approved evidential breath tester (EBT).
      c. Visual and aural privacy is provided.
      d. Any results exceeding 0.02 BAC on the screening test is confirmed after waiting no less than 15 minutes nor more than 20 minutes.
      e. Any test exceeding 0.02 BAC will require immediate notification of the appropriate Cowlitz County manager.
      f. The only persons authorized to conduct breath testing are properly trained law enforcement, properly trained collection site persons (BAT’s) and properly trained Cowlitz County personnel.

(2) The Breath Alcohol Testing Facility is:

Occupational Health Services
1405 Delaware St.
Longview, WA 98632
360-414-2332
If no answer, contact Peace Health at 360-414-2000 and ask them to page the Occupational Health on call person.

(Res 18-056, 6-26-18)

3.25 CORRECTIONS UNIFORMS

Policy.
The Board of County Commissioners recognizes the need for establishing a Cowlitz County policy to provide an annual uniform cleaning allowance for Corrections Department exempt staff should be adopted.

Procedures
Funds from the Corrections Department budget may be expended annually to Corrections Department exempt staff, deemed eligible by the Director or the Director’s designee, for the purpose of providing a uniform cleaning allowance.

The annual cleaning allowance for eligible Corrections Department exempt employees shall be commensurate with the amount allowed by Article 11 of the Teamsters Local Union No. 58 Bargaining Agreement for non-exempt employees.

The policy to provide an annual uniform cleaning allowance for eligible Corrections Department exempt employees commensurate with the amount allowed by Article 11 of the Teamsters Local Union No. 58 Collective Bargaining Agreement, is hereby approved, and the Office of Financial Management is directed to draft such an amendment to Chapter 3 of the Cowlitz County Policies and Procedures Manual.

(Res. 17-058, 7-18-17)

3.26 UNIFORM CLEANING ALLOWANCE POLICY
EXEMPT STAFF OF THE COWLITZ COUNTY CORRECTIONS DEPARTMENT

Introduction
Due to the nature of the business, some exempt employees of the Cowlitz County Corrections Department are required to wear uniforms while on the job which uniforms are not suitable for everyday use. A reasonable cost for cleaning and maintenance of the uniforms should be considered a business expense of Cowlitz County.

Policy
Therefore, the Cowlitz County Board of Commissioners establishes a policy and these procedures to provide for payment of a uniform cleaning allowance for exempt employees of the Cowlitz County Corrections Department.

Cowlitz County retains the absolute right to amend, delete, supplement, or rescind this policy based upon its professional and business concerns to do so with or without notice. The County reserves, in its sole discretion, the right not to follow these policies in any particular case. No member of County management has the authority to bind the County to any terms or conditions related to this policy other than those to whom authority is delegated herein.

To the extent this policy and these procedures are inconsistent with a specific provision of the Exempt Employee Policy Guidelines, as now enacted, or hereinafter amended, the provisions of the Exempt Employee Policy Guidelines shall control, provided that the requirements of Washington law shall be paramount.

Definitions
The Corrections Department includes operations of the Jail, Offender Services and Adult Probation as described in Cowlitz County Code Chapter 2.08, as currently enacted or hereinafter amended. The Executive Director is the director appointed by the Cowlitz County Board of Commissioners to supervise the operations of the Corrections Department. Exempt Employees are those employees of the Corrections Department who are exempt from the Federal Fair Labor Standards Act (FLSA) and the Washington Minimum Wage Act (WMWA) and whose position is not included in a collective bargaining unit or guild recognized by Cowlitz County.

**Uniform Cleaning Allowance**
Exempt employees of the Cowlitz County Corrections Department- Jail Division, who are required to wear uniforms, shall receive a uniform cleaning allowance. The amount shall be commensurate with the uniform cleaning allowance paid to Corrections Sergeants in accordance with provisions in the Collective Bargaining Agreement between Cowlitz County and Teamsters Local Union No. 58.

The uniform cleaning allowance will be paid to exempt employees each year on or about July 10. This amount will be pro-rated in cases where an employee separates from service before the uniform cleaning allowance is paid.

The uniform cleaning allowance is intended to fairly compensate employees for the cost of cleaning uniforms required by the employer to be worn by the employee at work. There is no obligation to reimburse employees for the time spent washing uniforms or having them laundered.

**Delegation of Authorities**
The following authorities are delegated by the Board of Commissioners for administration of this policy.

**Authority of the Executive Director**
The Board of Commissioners hereby delegates to the Director of the Corrections Department authority to administer this policy, including, but not limited to determining employee eligibility for the program, documenting the date and amounts paid, and when a uniform allowance is not paid, the reason(s) why the uniform allowance is not paid. All expenses associated with this policy are chargeable as an expense to the Department of Corrections budget.

**Authority of the Board of Commissioners**
The Board of Commissioners maintains final authority over decisions made by the director.

(Res. No. 17-067, 8-15-17)

### 3.27 SHERIFF’S ADMINISTRATION PERSONNEL UNIFORM

**Policy.**

The Board of County Commissioners recognizes the need for Sheriff’s Office administrative personnel to purchase replacement uniforms and clothing with County funds within the Sheriff’s Office budget. The Cowlitz County Sheriff has the authority to approve requests.

**Procedures.**

Cowlitz County funds from the Sheriff’s Office budget may be expended for fair wear and tear uniform replacements for the positions of Sheriff, Undersheriff, Chief Criminal Deputy, Captain (Inspector) and the Chief Civil Deputy in the Cowlitz County Sheriff’s Office only after approval from the Sheriff.
No Cowlitz County funds shall be expended for civilian clothing, accessories, or cleaning, for the positions of Sheriff, Undersheriff, Chief Criminal Deputy, Chief Civil Deputy or Captain (Inspector) in the Cowlitz County Sheriff’s Office. However, civilian clothing and enforcement equipment (holsters, handcuffs, etc.) damaged or destroyed in the line of duty will be replaced on a fair wear and tear basis as approved by the Sheriff.

The Sheriff’s Captain (Inspector) position is allowed the same clothing provisions as provided for in the current labor agreement with the Cowlitz Deputies’ Guild.

(Res. 03-061, 4-29-03)

3.28 SICK LEAVE/VACATION TRANSFER PROGRAM

Policy.

All employees who are eligible to accrue sick leave or vacation are eligible to participate as a recipient or donor in the sick leave/vacation transfer program subject to the provisions outlined in this policy.

County employees are permitted to donate sick leave or vacation leave to another employee who is, or whose member of an employee’s immediate family is suffering from an illness, injury, impairment, or physical or mental condition and such condition has caused or will cause the receiving employee to go on leave without pay for more than five working days or to leave County employment.

Sick Leave/Vacation Transfer Program adopted in a County union contract pre-empts this policy.

Definitions.

- **Immediate Family**: means spouse, parent (biological or an individual who stood in loco parentis to an employee when the employee was a child), grandparent, brother, sister, parent-in-laws, child (including biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis), grandchild, aunt, uncle, niece or nephew, or any other person related by blood or marriage regularly residing in the employee’s household.

Procedures.

Recipient Request and Approval.

An employee or an employee’s immediate family member if the employee is physically or mentally incapable may request to receive donated sick leave or vacation.

The receiving employee must submit a Sick Leave/Vacation request form to the employer. If the employer finds that the receiving employee meets the eligibility requirements described in this policy such employer may approve the receiving employee’s request and forward to the Auditor’s Office (copy Human Resources) for implementation.

Donor Request and Approval.

An employee may request to donate sick leave or vacation leave to another County employee who has been authorized to receive such sick leave or vacation. Such request to donate sick leave or vacation leave shall be made in writing by the donor employee to his/her appointing authority. If the donor employee’s request meets the conditions described in this policy such request may be approved by the donor employee’s appointing
authority and forwarded to the Auditor’s office (copy to Human Resources) to be matched with the approved recipient’s request and implemented.

**Acknowledgement that Transfer is a Gift.**

The donor employee and the receiving employee shall file with the Auditor (copies to Human Resources for permanent record in their personnel file) their personal declaration that such sick leave/vacation transfer is intended to be a gift and has been or will be accomplished for no, or without the exchange of any, compensation or consideration whatsoever.

**Request Forms.**

The Department of Human Resources shall prescribe forms to be used by County employees for the purpose of requesting to receive or donating sick leave/vacation.

**Sick Leave/Vacation – Receipt and Donor Value.**

All sick leave/vacation being donated shall be donated on an hourly basis regardless of the donor’s rate of pay and the recipient shall use it on an hourly basis regardless of the recipient’s base rate of pay; i.e., the donor donates it at his rate of pay and the recipient uses it at his rate of pay.

**Use of Donated Sick Leave/Vacation.**

A recipient may use donated sick leave/vacation for:

A. Personal illness, mental condition or injury.
B. Illness, mental condition or injury of the recipient’s immediate family requiring the presence of the recipient.

A recipient may only use donated sick leave/vacation to cover absences caused by the above and in no event shall donated sick leave/vacation be compensatory at time of termination. Obtaining leave under false pretenses may subject the user to disciplinary action up to and including termination.

**Eligible Recipient.**

An employee may receive sick leave/vacation from another employee under the following conditions:

A. The employee has been employed by Cowlitz County for a minimum of 1 consecutive year.
B. The employee has exhausted all of his/her accrued sick leave and vacation.
C. The employee is not receiving or eligible to receive Workers Compensation or other disability income, or any other type of compensation.
D. The employee, the employee’s child (including biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis), the employee’s spouse, or the employee’s parent is suffering from an illness, injury, impairment, or mental or physical condition and such condition has caused or will cause the employee to go on leave without pay or to leave County employment.
E. The employer has received satisfactory evidence from a qualified medical authority that the physical or mental condition exists.

**Status of Recipient of Donated Sick Leave/Vacation.**
The status of a recipient of donated sick leave or vacation shall be the same as if he/she were using his/her own sick leave/vacation.

**Eligible Donor.**

An employee may donate sick leave/vacation (donation form available from the Office of Administrative Services) to an eligible recipient under the following conditions:

A. A donor employee with at least 6 months of consecutive Cowlitz County employment may donate any amount of accrued and unused vacation leave; provided any deferred vacation leave cannot be donated.
B. A donor employee may donate a minimum of one day accrued and unused sick leave up to a maximum of any amount of hours provided the donation does not exceed fifty percent of the donor’s accrued and unused balance.
C. A donor employee may not donate sick leave or vacation hours that the donor would not be able to take due to a separation from County employment.

**Accounting Responsibilities.**

The Auditor’s Office shall be responsible for receiving and matching requests and donations and reducing donor’s sick leave and/or vacation accounts and increasing recipient’s sick leave and/or vacation accounts as authorized. Once the recipient’s accounts have been credited there shall be no returns of sick leave or vacation leave to donors. In the event the donations exceed the requested amount and the Auditor’s Office shall pro rate each donor’s donation to arrive at the amount needed. In pro rating, the amounts shall be rounded to the nearest one half hour. The Auditor’s Office will then adjust the amount on each donor’s form and send it to Human Resources. If such adjustments have been made Human Resources will send a copy of the adjusted form to the donors.

The Auditor’s Office after making the appropriate adjustments to recipients and donors sick leave and/or vacation accounts shall forward the approved requests and donations to the Human Resources Office to be retained in the employee’s personnel files.

*(94-067, 4-11-94; Res. 04-099, 6-1-04)*

**3.29 SICK LEAVE/VACATION TRANSFER PROGRAM FOR NON-BARGAINING UNIT EMPLOYEES**

**Policy.**

All non-bargaining unit employees who are eligible to accrue sick leave or vacation are eligible to participate as a recipient or donor in the sick leave/vacation transfer program subject to the provisions outlined in this policy.

County employees are permitted to donate sick leave or vacation leave to another employee who is, or whose member of an employee’s immediate family is suffering from an illness, injury, impairment, or physical or mental condition and such condition has caused or will cause the receiving employee to go on leave without pay for more than five working days or to leave county employment.

Recipient eligibility requirements as established in this policy shall be applicable only to non-bargaining unit employees.
Definitions.

- **Employee**: means non-bargaining unit employees

- **Immediate Family**: means spouse, parent (biological or an individual who stood in loco parentis to an employee when the employee was a child), grandparent, brother, sister, parent-in-laws, child (including biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis), grandchild, aunt, uncle, niece or nephew, or any other person related by blood or marriage regularly residing in the employee’s household at the time of death.

Procedures.

Recipient Request and Approval.

An employee or an employee’s immediate family member if the employee is physically or mentally incapable may request to receive donated sick leave or vacation.

The receiving employee must submit a Sick Leave/Vacation request form to the employer. If the employer finds that the receiving employee meets the eligibility requirements described in this policy such employer may approve the receiving employee’s request and forward to the Auditor’s office (copy to Human Resources) for implementation.

Donor Request and Approval.

An employee may request to donate sick leave or vacation leave to another county employee who has been authorized to receive such sick leave or vacation. Such request to donate sick leave or vacation shall be made in writing by the donor employee to his/her appointing authority. If the donor employee’s request meets the conditions described in this policy such request may be approved by the donor employee’s appointing authority and forwarded to the Auditor’s office (copy to Human Resources) to be matched with the approved recipient’s request and implemented.

Acknowledgement that Transfer is a Gift.

The donor employee and the receiving employee shall file with the Auditor (copies to Human Resources for permanent record in their personnel file) their personal declaration that such sick leave/vacation transfer is intended to be a gift and has been or will be accomplished for no, or without the exchange of any, compensation or consideration whatsoever.

Request Forms.

The Department of Human Resources shall prescribe forms to be used by county employees for the purpose of requesting to receive or donating sick leave/vacation.

Sick Leave/Vacation – Receipt and Donor Value.

All sick leave/vacation being donated shall be donated on an hourly basis regardless of the donor’s rate of pay and the recipient shall use it on an hourly basis regardless of the recipient’s base rate of pay; i.e., the donor donates it at his rate of pay and the recipient uses it at his rate of pay.
Use of Donated Sick Leave/Vacation.

A recipient may use donated sick leave/vacation for:

- Personal illness, mental condition or injury.
- Illness, mental condition or injury of the recipient’s immediate family requiring the presence of the recipient.

A recipient may only use donated sick leave/vacation to cover absences caused by the above and in no event shall donated sick leave/vacation be compensatory at time of termination. Obtaining leave under false pretenses may subject the user to disciplinary action up to and including termination.

Eligible Recipient.

An employee may receive sick leave/vacation from another employee under the following conditions:

- The employee has been employed by Cowlitz County for a minimum of six months.
- The employee has exhausted all of his/her accrued sick leave and vacation.
- The employee is not receiving or eligible to receive Workers Compensation or other disability income, or any other type of compensation for the days or portions of days for which the employee seeks to use donated sick leave or vacation.
- The employee, the employee’s child (including biological, adopted, or foster child, stepchild, legal ward, or a child of a person standing in loco parentis), the employee’s spouse, or the employee’s parent is suffering from an illness, injury, impairment, or mental or physical condition and such condition has caused or will cause the employee to go on leave without pay or to leave county employment.
- The employer has received satisfactory evidence from a qualified medical authority that the physical or mental condition exists.
- An employee who has established eligibility to receive donated sick leave/vacation (i.e., a condition suffered by employee or employee’s immediate family that has caused or will cause the receiving employee to go on leave without pay for more than five working days) and the employee is thereafter able to work on an intermittent or part-time basis, with the agreement of the employer and any necessary approval from the employee’s medical provider, while continuing to address or deal with the same condition, shall be eligible to receive donated sick leave or vacation for those days or portions of days the employee is unable to work.

Status of Recipient of Donated Sick Leave/Vacation.

The status of a recipient of donated sick leave or vacation shall be the same as if he/she were using his/her own sick leave/vacation.

Eligible Donor.

An employee may donate sick leave/vacation (donation form available from the Office of Administrative Services) to an eligible recipient under the following conditions:

- A donor employee with at least 6 months of consecutive Cowlitz County employment may donate any amount of accrued and unused vacation leave; provided any deferred vacation leave cannot be donated.
- A donor employee may donate a minimum of one day accrued and unused sick leave up to a maximum of any amount of hours provided the donation does not exceed fifty percent of the donor’s accrued and unused balance.
A donor employee may not donate sick leave or vacation hours that the donor would not be able to take due to a separation from county employment.

**Accounting Responsibilities.**

The Auditor’s office shall be responsible for receiving and matching requests and donations and reducing donor’s sick leave and/or vacation accounts and increasing recipient’s sick leave and/or vacation accounts as authorized. Once the recipient’s accounts have been credited there shall be no returns of sick leave or vacation leave to donors. The Auditor’s office shall note the date and time the donor’s forms are received and opened in the Auditor’s office and shall utilize donated hours on a first in – first out basis as needed to satisfy the requested amount.

The Auditor’s office after making the appropriate adjustments to recipients and donors sick leave and/or vacation accounts shall forward the approved requests and donations to the Human Resources office to be retained in the employee’s personnel files.

*(Res. 07-159, 10-30-07)*

### 3.30 Title VI Plan

**Policy.**

Cowlitz County assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Cowlitz County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

**Procedures.**

In the event Cowlitz County distributes federal aid funds to another governmental entity, Cowlitz County will include Title VI language in all written agreements and will monitor for compliance.

The Cowlitz County Public Works Department is responsible for initiating and monitoring Title VI activities, preparing required reports and other Cowlitz County responsibilities as required by 23 CFR 200 and 49 CFR 21. The Cowlitz County Sheriff is responsible for initiating a ‘Limited English Proficiency’ program under Title VI for the Sheriff’s Office and employees.

**Additional County documents:**

- Community Development Block Grant Title VI certifications (multiple years)
- Annual Update and Accomplishment Report & Title VI Agreement (WSDOT) (multiple years)

**Authorities:**

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).
Cowlitz County Title VI - Notice to the Public
Cowlitz County hereby gives public notice that it is the County’s policy to assure full compliance with Title VI of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI and related laws require that no person shall, on the grounds of race, color, sex, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal Aid Highway program or other activity for which Cowlitz County receives Federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with Cowlitz County. Any such complaint must be in writing and filed with the Cowlitz County Public Works Title VI Coordinator within one hundred, eighty (180) days following the date of the alleged discriminatory occurrence. Title VI complaint assistance can be obtained from the Title VI Coordinator at no cost to the complainant by calling 360-577-3030 (TTY/VCO 711 or 800-833-6384) or visiting our Public Works Department at 1600 13th Ave. S., Kelso, WA 98626.

(Res 17-032, 4-11-17)

3.31 WORKPLACE HARASSMENT

Policy.

Cowlitz County will maintain a work environment, free of harassment toward all persons, with regard to age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability, or any other status protected by law.

The Equal Employment Opportunity Commission (EEOC) has adopted official guidelines under Title VII of the Civil Rights Act, and the state of Washington has adopted Chapter 49.60, known as the “law against discrimination,” holding that work-related harassment is a violation of federal and state laws and regulations, and that employers should take all steps necessary to prevent workplace harassment from occurring.

According to federal and state laws and regulations, a County employer can be responsible for the acts of its agents and supervisory employees with respect to preventing workplace harassment, that prevention is the best instrument for eliminating such harassment; and the employer should take precautions necessary to discourage such misbehavior from occurring.

General Terms and Guidelines.

1. Definitions
a) **Harassment Generally:** Verbal or physical conduct that is derogatory or shows hostility towards an individual because of the individual’s race, religion, gender, national origin, age, marital status, disability, sexual orientation, veteran status or status protected by law and:
- creates an intimidating, hostile, abusive, or offensive work environment; or
- unreasonably interferes with an individual’s work performance.

b) **Sexual Harassment:**
Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

i) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; or

ii) Submission to or rejection of such conduct by an individual influences employment decisions affecting such individual; or

iii) Such conduct has the purpose or effect of interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.

Prohibited acts of sexual harassment can take a variety of forms ranging from offensive humor and innuendoes to demands for sexual favors and physical assault. Sexual harassment can include, but is not limited to, the following types of conduct:

i) Sexual innuendoes, teasing and other sexual talk or communications such as jokes or intimate inquiries

ii) Suggestive facial expressions or noises, leering or obscene gestures

iii) Display or transmission of sexually explicit or offensive materials, messages, calendars, posters, pictures, drawings, or cartoons

iv) Unwelcome touching, impeding or blocking movement, or any physical interference with work or movement

2. Guidelines

a) Prohibited workplace harassment is unacceptable in any work-related setting, to include when using County resources such as computers, e-mail, faxes, copiers and telephones.

b) Employees who believe they have been subjected to harassment should report and give notice to any or all of the following: 1) to the alleged harasser clearly requesting that the harassing action stop immediately; 2) to their supervisor or first level of management not directly involved in the alleged harassment, or as necessary, to another member of management or to Human Resources; or 3) to the County Chief of Staff so that the matter can be promptly investigated, addressed and resolved.

c) Employees who observe conduct or behavior that violates this policy are encouraged to immediately report the matter to their supervisor, not directly involved in the alleged violation, to another member of management or to Human Resources.

d) Employers and supervisors may be held legally responsible for acts of unlawful harassment in the workplace if a supervisor knew, or should have known, of the misconduct and failed to report it. Accordingly, it is critical that supervisors/managers immediately report to their manager and to the Human Resources Department any conduct that could reasonably be perceived as a possible violation of this policy.

e) Employees may be subject to disciplinary actions, up to and including termination, for knowingly furnishing false information as determined by the employee’s appointing authority, or for filing a complaint that is not in good faith.

**Department Head and Supervisor Obligations.**

1. Prevention is the recommended approach to eliminate workplace harassment. Department heads and supervisors will immediately inform the employer of any workplace harassment occurrence and shall take all reasonable steps necessary to prevent such harassment from reoccurring.
2. Department heads and supervisors shall not allow conduct that creates a harassing, intimidating, hostile or offensive work environment. Any department head, supervisor or employee who engages in harassing conduct will be subject to disciplinary action up to and including termination. Any department head or supervisor who tolerates harassing conduct will likewise be subject to disciplinary action up to and including termination.

Complaints and Investigations.

County officials, department heads, supervisors and employees shall follow the following complaint and investigation procedures. Employees covered by a collective bargaining agreement (CBA) have the option of either using this policy’s procedures or to follow the procedure provided under their CBA. The two processes may not be used simultaneously or consecutively. If a CBA procedure is used, the County reserves the right to defer to and adopt the results of the grievance procedure in lieu of processing a complaint and investigation under this policy. Employees with discrimination or harassment concerns or complaints not involving workplace harassment as defined in this section are referred to other, relevant portions of the County’s Policies and Procedures.

The Human Resources (HR) Director is responsible for ensuring compliance with this policy and related federal and state requirements and is designated as the Board of County Commissioner’s representative for employment-based discrimination and harassment complaints. If the Human Resources Director determines that the complaint has no basis under this policy, a formal investigation may not proceed.

1. Non-retaliation. Individuals bringing forward complaints or participating in investigations under this policy are assured that any retaliation for doing so is strictly prohibited. Any employee found to have engaged in retaliatory action or behavior in violation of this policy will be subject to discipline, up to and including termination. Retaliation is any adverse change in terms and conditions of employment, including activities which result in a hostile work environment, which occurs as a result of the employee’s complaint. Further, it shall be the responsibility of any employee accused of sexual harassment to fully cooperate with the County and HR in the investigation of complaints.

2. Confidentiality. Complaints and related investigations will be treated with as much confidentiality as possible. However, employees should understand that confidentiality cannot be guaranteed including but not limited to the following reasons: 1) the County may be required by law to conduct investigations of concerns brought to its attention, 2) many records which the County maintains are considered public documents, 3) those involved may have the right under a collective bargaining agreement to union representation, and 4) a fair and objective review process includes the opportunity for the offending party to respond to concerns being investigated.

3. Informal Resolution. In some situations, an employee may want to make an effort to resolve the matter personally by telling the offending party directly that the conduct is inappropriate or offensive. If so, the employee should follow these steps:
   a) Make it clear to the other party that the conduct or statements are not welcome or appreciated and that the employee wants it to stop. An employee’s union/guild may be notified and may be helpful when informally resolving interpersonal matters.
   b) If the situation persists or the employee chooses not to confront the person, the employee should file a formal complaint.

4. Formal Complaints. Complaints may be submitted verbally or in writing. Verbal complaints may be reduced to writing by the employee and of sufficient detail and description to facilitate a full and formal investigation. The written account of the situation should at a minimum include a description of the discrimination or harassment involved, name(s) of the offender or responsible individual(s), witnesses, dates, and any other information relevant to the complaint. The complaint should also specify the remedy sought or proposed. Upon request, an HR representative will assist an employee in writing their formal complaint, and may call upon the
employee to supplement that complaint at a later date with additional detail and description. Records pertaining to the complaint and the investigation shall be maintained in a file separate from the complainant’s personnel file.

(Res. No. 85-088, 5-6-85; Res. 09-099, 6-16-09; Res. No. 18-055, 6-26-18)

3.32 UNPAID HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE

Policy.
An employee is entitled to two (2) unpaid holidays per calendar year upon notification to and approval by their Elected Official or Department Head (or designee) for the stated reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or Religious organization. An exempt employee shall, when possible, submit a written request for an unpaid holiday provided for by this section to the employee’s supervisor a minimum of two weeks prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee’s supervisor. The employee’s supervisor shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of “undue hardship, as defined by WAC 82-56.

Procedures.
The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her supervisor. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless such absence would impose an undue hardship on the County (as defined in WAC 82-56-020 or as amended), or the employee is necessary to maintain public safety.

An employee shall, when possible, submit a written request for an unpaid holiday provided for by this section to the employee's supervisor as far in advance as possible, to the requested day, following the department’s or office’s usual leave request procedures. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's departmental or office supervisor. The supervisor may ask for verification as to a qualifying reason or activity for the holiday, and will make a case-by-case determination based on the specific objective facts and circumstances present at the time of a particular request.

On January 1st of each year, employees are eligible for the two days of unpaid holidays. New employees are eligible for two days upon their hire date. Such unpaid holidays expire on December 31st and do not carry over into the next calendar year.

(Res.14-052, 6-10-14; Res 18-054, 6-26-18)

3.33 VACATION LEAVE DEFERRAL REQUEST

Policy.
The sole intent and purpose of vacation is to allow full-time employees periods of time away from the job with no loss of pay or benefits. Such time away from the job is intended to enhance non-bargaining unit employees’ emotional, mental and physical well-being.
Vacation leave is accumulative to a total of 248 hours for non-bargaining unit employees. Once this limit is reached, no additional leave shall be accumulated unless a deferral is granted.

* Procedures. *

Deferrals may be granted when the taking of vacation at a particular time would cost the County money or operational inconveniences that would not be caused at a later date. The reason for the deferral must be stipulated and the duration of the deferral must be a time certain, up to a maximum of three months from the date requested, after which the deferral is null and void and any amounts not used from the deferral are lost.

The deferral request form must be in signed by the non-bargaining unit employee and authorized by the Elected Official or Department Head. If a Department Head requests a deferral, the request must be approved by the Board of County Commissioners.

The deferral request form must be filed with the Payroll Division of the Auditor's Office; who will verify the application meets the policy requirements, and the Human Resources Department. As stated in the Exempt Employee Policy Guidelines, total vacation leave payoff cannot exceed 248 hours; therefore, no more than 248 hours will be paid upon retirement.
Cowlitz County
Vacation Leave Deferral
Request Form

Note: Refer to the County’s policy and/or your labor contract for details on this program

Employee Name: _____________________________________________

Employee ID #: ________________________  Department: _____________________________

I believe I am eligible to participate in the Vacation Leave Deferral Program, and I would like to request deferral of vacation hours beyond the maximum hours accrued. This request follows the Vacation Leave Deferral policy:

[ ] My vacation leave balance is or will reach the maximum accrual hours allowed under County policy and/or labor contract within the next two months;

[ ] Taking of vacation leave before vacation leave has reached the maximum allowed would cost the county money or operational inconveniences that would not be caused at a later date;

[ ] This vacation leave deferral is only for a maximum of three (3) months. I will be taking vacation leave within the next three (3) months from the date requested, after which the deferral is automatically null and void and any amounts not used from the deferral are lost.

I certify that I have met the eligibility qualifications of the Vacation Leave Deferral Request Policy and that I understand and will follow the conditions stated above.

__________________________  _____________________________
Employee Signature                    Date

The requesting employee’s Elected Official or Department Head must check for program eligibility. If a Department Head requests deferral, the request must be approved by the Board of County Commissioners.

[ ] Checked for program eligibility:

__________________________  _____________________________
Elected Official or Department Head Signature                    Date

Note: Contact Human Resources Dept. if you have questions.

Routing:
The EO/DH sends the signed original to the Auditor’s Office – Payroll Division and sends copies to the Human Resources Department and to the employee. Forms sent to the Auditor’s Office must have been reviewed for eligibility and correctness.

Payroll Notes/Adjustments:

________________________________________________________________________

________________________________________________________________________

(Res. 02-012, 1-8-02; Res. 12-060, 4-24-12; Res. 12-136, 10-9-12)

3.34 Wellness Policy

Policy.
Establish and maintain a workplace that encourages environmental and social support for physical activity, healthy food choices, and stress management for all Cowlitz County employees and elected officials. Cowlitz County is committed to the health and well-being of our employees and our community. We recognize that the workplace is an important setting for health protection, promotion and disease prevention since on average, Americans spend more than one-third of their time at the workplace.

**Procedure.**

**Mission Statement.**

Cowlitz County Healthy Workforce Committee is dedicated to the health and wellness of each county employee and elected official. It is our mission to establish a wellness program and maintain a workplace that encourages environmental and social support for physical activity, healthy food choices, and stress management for all Cowlitz County employees and elected officials.

**Committee.**

The Board has established a Wellness Committee that will promote the improved health and well being of Cowlitz County employees in order to prevent illnesses and injuries, improve morale, reduce absenteeism and enhance productivity and performance.

**Food in the Workplace**

The following policy is designed to make healthy food and beverage choices easier for employees, while also supporting individual employees’ right to choose. In addition, it acknowledges the impact food choices have on our environment.

Cowlitz County will make healthier food and beverage choices equally or more available than less healthy options at county sponsored meetings, trainings and events. Sponsored events are considered to be county sponsored if they are funded by or use the resources of the county. Examples of county resources include facilities, events we coordinate or facilitate or events during working hours that staff are invited to attend.

Healthy options may include:
- Fruit
- Vegetables
- Nuts
- Whole grains
- Water, 100% unsweetened juice, coffee and/or tea
- Dairy, beans and/or unprocessed meat
- Foods that are minimally processed and packaged
- Organic, and locally produced, when possible

By following these guidelines, we can promote better health, be models of healthy behaviors, and help reduce risks for chronic diseases. It is not the intention of these guidelines to dictate what individual staff members eat, drink or bring into the worksite for special occasions. Rather, we want to give employees more choices. This policy ensures healthy options are available and establishes guidelines to assist staff in making healthy food and beverage choices when purchasing these items for department sponsored meetings, trainings and events. It also encourages providing healthy options at any event at the worksite where food will be present, and procuring local, organic food that is minimally packaged and processed when possible.
We have included several resources and guidelines to make implementing this policy easier for county employees. We encourage you to review:

- “Encouraged Practices for Food in the Workplace”
- “Suggestions for Healthier Food Choices”
- “Basics for Safe Food Handling”

(Res. 11-031, 3-29-11; Res. 16-043, 3-22-16)

3.35 WHISTLE BLOWER PROTECTION POLICY

Policy.

RCW 42.41.010 declares that local government employees should be encouraged to disclose, to the extent not expressly prohibited by law, improper governmental actions of local government officials and employees. Local government employees who make good-faith reports to appropriate governmental bodies are to be protected against retaliatory action. Local governments are required to adopt a policy on the appropriate procedures to follow for reporting improper governmental action.

Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this policy.

A. Improper governmental action: means any action by a Cowlitz County officer or employee that is undertaken in the performance of the officer’s or employee’s official duties, whether or not the action is within the scope of that person’s employment and that is in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds. Improper governmental action does not include personnel actions including but not limited to employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of the local government collective bargaining and civil service laws, alleged labor agreement violations, reprimands, or any action that may be taken under RCW 41.14 and 41.56.

B. Retaliatory action: means any adverse change in a Cowlitz County employee’s employment status, or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action taken on account of, or with motivation from the employee’s action protected under Section 3.31.2.

C. Emergency: means a circumstance that if not immediately changed may cause damage to persons or property.

Procedures.

Every Cowlitz County employee has the right to report to the appropriate person or person’s information concerning an alleged improper governmental action. An employee may make such a report to any of the following:
The Human Resources Director
The County Prosecuting Attorney
The State Auditor

for allegations of violations of State statute, or any other, appropriate, outside federal or state agency responsible for enforcing a respective federal or state law and for investigating issues involving potential improper governmental action associated with a respective federal or state law. Employees having questions about an appropriate, outside federal or state agencies are encouraged to contact the Human Resources Director.

If the employee reasonably believes the improper governmental action involves both Human Resources and the Prosecuting Attorney’s Office or that reporting to those entities would be inappropriate, the employee may report the action to the Cowlitz County Sheriff. Except in the case of an emergency, before reporting improper governmental action to an outside federal or state agency, the employee shall submit a written report to one of the Cowlitz County officials listed above. An employee who fails to make a good faith attempt to follow this policy shall not receive the protection of RCW 42.41 or this policy.

An employee making a report of alleged improper governmental action should describe in detail the basis for his or her belief that improper governmental action has taken place or is about to take place. Any Cowlitz County official listed above to whom such a report is made should initiate an appropriate investigation, to be conducted by or under the direction of that official. Alternatively, a Cowlitz County official to whom such a report is made may suggest that the employee make a report with a law enforcement agency or some other appropriate agency. The results of an investigation undertaken by or under the direction of any such Cowlitz County official shall to the extent appropriate be communicated to the employee who filed the report. The identity of a reporting employee shall be kept confidential to the extent possible under law, unless the employee authorized the disclosure of his or her identity in writing.

When the investigation is completed, the entity receiving the report shall advise the reporting employee with an investigation of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

It is unlawful for Cowlitz County or any of its officials or employees to take retaliatory action against a County employee because the employee provided information in good faith, and in accordance with the provisions of RCW 42.41 and this policy, that an improper governmental action occurred; or because the employee cooperated in a lawful investigation related to improper governmental action; or because the employee testified in a proceeding or prosecution arising out of a complaint of improper governmental action.

Human Resources is responsible for implementing these policies and procedures. This includes posting the policy on the County intranet and bulletin boards, making the policy available to any employee upon request, and providing the policy to all newly hired employees. Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility.

**Obtaining Relief from Retaliatory Action.**

A. The employee shall provide a written notice of the charge of retaliatory action to the Board of County Commissioners. The notice must specify the alleged retaliatory action, and specify the relief requested.
B. The charge must be delivered to the Board of County Commissioners no later than 30 days after the occurrence of the alleged retaliatory action. The Board has 30 days to respond to the charge of retaliatory action and request for relief.
C. Upon receipt of the response of the Board of County Commissioners, or after the last day upon which the Board could respond, the employee may request a hearing to establish that a retaliatory action
occurred and to obtain appropriate relief as defined in this section. The request for a hearing shall be delivered to the Board of County Commissioners within 15 days of delivery of the Board’s response, or within 15 days of the last day on which the Board could respond. Within five working days of receipt of the request for hearing, the Board of County Commissioners shall apply to the state office of administrative hearings for an adjudicative proceeding before an administrative law judge. The County will consider any recommendation provided by the administrative law judge concerning retaliation.

(Res. 93-183, 11-1-93; Res. 16-072, 6-14-16)

COWLITZ COUNTY POLICIES

Subject: INFORMATION TECHNOLOGY

Chapter: 4

Sections:

4.1 BACKUP, TAPE AND RECORDS RETENTION

4.2 ELECTRONIC MAIL

4.3 END USER REMOTE ACCESS SECURITY

4.4 INDEXES OF PUBLIC RECORDS

4.5 INTERNET

4.6 SECURITY – ELECTRONIC

4.7 TECHNOLOGY ACQUISITION

4.8 WIRELESS ACCESS POLICY

4.1 BACKUP, TAPE AND RECORDS RETENTION

Policy.
The Board of County Commissioners has determined it is necessary that each department is responsible for maintaining and retaining those records and files as required by law.

Cowlitz County moves information from the primary digital storage area to magnetic tape in order to recover critical County information from an alternate source if the primary system should fail.
Backups for the purpose of disaster recovery differ from other backup processes, such as archival, because there is little reason to maintain a backup long term. Generally, the objective of disaster recovery is to get as close as possible to the state the systems were at when the actual failure or loss of service resulted.

Archival backups are done to maintain the state of information at some specific time for some period into the future. Archival backups generally contain specific information, such as the Assessor roll, which may need to be maintained in the form as it existed at a specific point in time for a time exceeding that of the normal backups. Archival backups are not covered as a part of this backup policy.

**Procedures.**

**Electronic Backup and Tape Retention.**
All computer systems operated by Cowlitz County and identified as a server shall be backed up to alternate magnetic media on a periodic basis. For standard systems, the backup retention schedule shall be as follows:

A. Perform one full or incremental backup on each Monday, Tuesday, Wednesday, and Thursday in the evening on each day Cowlitz County is open for business.
B. Perform a full data backup on each Friday evening.
C. Maintain these computer tapes for a period of five weeks from their creation.
D. Maintain the last good backup tape of each month (or closest valid backup) for a period of four (4) months.
E. Cycle all monthly tapes back into the backup rotation after month four (4).
F. Annual backup of all servers.

In general, workstations shall not be backed up, unless such stations are operated in stand-alone configuration, where critical information is not stored on a computer system identified as a server. In this case, it shall be up to the user of the stand-alone workstation to determine the frequency or necessity of magnetic backups.

**Permanent Records Storage.**
A. To save valuable office space by systematically storing active and semi-active records on computer media and purchasing efficient records equipment.
B. To save money by providing low-cost storage for paper records with a short retention life.
C. To save time in man-hours by developing an orderly computerized system for maintaining, retrieving, storing, and disposing of records, including a psychological savings that comes from using an efficient system.
D. To ensure that departmental permanent records maintained electronically and by hard copy follow the County’s retention guidelines.

**Information Technology Responsibility.**
It shall be the responsibility of Information technology to:

A. Ensure the County has an appropriate document imaging system.
B. Maintain program and system documentation in conjunction with the required retention period. This documentation should include record formats, label descriptions, flow charts, and/or a narrative description in sufficient detail to explain the use of programs that process the identified files.
C. Ensure that all backup archived copies of the retained files are clearly labeled and secured to prevent destruction and maintain confidentiality.
D. Retain electronic records for the same length of time that it retains paper records or, at the very least, for as long as they may be relevant.
E. Ensure that the program and application systems that process the identified files are retained and archived when new versions or replacement systems are implemented. Alternatively, management or the
Information technology Department may elect to convert the archived historical information to the record format supported by the new version of the application software.

F. Demonstrate that the electronic records system is secure from both unauthorized access and data alterations.

(Res. 01-096, 6-4-01 and Res. 02-118, 7-23-02)

4.2 ELECTRONIC MAIL

Policy.
The purpose of this policy is to establish procedures regarding use of the electronic mail (email) and text messages (text) communications on the County computer network and mobile communication devices (cell phones and smartphones). County officials and employees should be mindful that email are generally permanent as they are retained, pursuant to state archiving and public disclosure laws, on the network server and on other backup media. External email messages carry the County’s address as part of the message header. Consequently, messages should be consistent with appropriate business practices as defined in this policy. County officials and employees should be mindful that texts cannot currently be retained in accordance with these state laws, and are prohibited.

Procedures.
Scope of Communications.
The County’s email communications should primarily be used for County business purposes. Occasional or incidental personal use is permitted.

A. Examples of acceptable incidental or personal use of the system include:
   1. Advising others about an employee’s vacation, marriage, birth, etc., or
   2. Brief and infrequent friendly communications between employees

B. Examples of unacceptable use are:
   1. Solicit others for non-County sponsored profit or non-profit oriented sales or ventures, or fund-raisers
   2. Promote religious or political causes
   3. Promote or distribute information about outside organizations
   4. Distribute other non-job-related solicitations, such as, jokes/cartoons, E-cards (Hallmark, Blue Mountain, etc.), streaming video/audio or large non-work related file attachments or Internet downloads

Text messaging communications used for County business purposes, on either private or public computer or mobile communication devices, is prohibited.

Public Records and Retention.
Email communications transmitted over the electronic network constitute public records and, as such, employees should not expect or assume any privacy regarding the content of electronic mail communications. The County reserves the right to access or periodically monitor messages through the security of the Information technology Department. Electronic mail communications are periodically purged from the system, but may be retained on system back-up tapes.

Text communications involving county business, whether on county-owned or employee-owned devices, constitute public records. Until such time as the County possesses the capabilities to synchronize such devices with the County’s electronic network such that such texts can be maintained according to the state records
retention requirements, texting of county business is prohibited. This prohibition does not include receipt of emergency announcements and countywide notifications sent as text messages by the county or another public entity, as the county and public entity will retain the content of the announcement or notification text pursuant to state laws.

**Email Communications.**
The County’s email communications have been implemented to facilitate and improve information flow throughout the organization and to provide an additional venue for communication with other agencies, the public, vendors, others associated with the County and union correspondence, such as labor and management correspondence or employee and labor leadership correspondence. However, email messages are a limited form of communication at best (intent, meaning, sincerity, and receptiveness are not conveyed well). For this reason, email shall not be used to convey messages, which are of a critical, negative or sarcastic tone, nor for any message that may reasonably be expected to be disruptive or offensive to the recipient(s). These messages should be conveyed respectfully, and positively, in person or over the phone.

**External Email.**
External email should be professional and consistent with common standards for official communication. Individual staff may respond to requests for information and informal comments. Any email response, which conveys complex technical information, applies County regulations, presents County policy, or relates to legal or personnel matters should be transmitted as if it were written correspondence and reviewed by a supervisor as appropriate.

**Violations.**
Any violations of the Email or text messaging policy, or abuse of the email system may result in disciplinary action as appropriate for the circumstance, up to and including termination.

**Email and Text Messaging Storage.**
County software (Microsoft Exchange and Barracuda Email Archiver) retains all received and sent messages. Even upon deletion, those same messages are stored in a deleted file area. All of those messages take up space on the servers. Retention of large amounts of messages is unnecessary in most cases. As a result, Outlook email users should regularly clean out their Outlook folders (sent, received, and deleted files) and permanently delete unnecessary messages and/or messages with large attachments. As a rule, an employee should not have more than a total of 2 GB of email space saved at one time. Note that the County is currently evaluating email document management strategies that comply with the State Archives Office document retention schedules. Adoption of these strategies will obviate the need to retain email messages indefinitely, and will aid in mitigating document retention compliance and liability issues.

The County is currently evaluating capture and retention options for text messages pursuant to Office of Secretary of State records management advice and recent court decisions.

*(Res. 03-015, 1-28-03; 15-107, 12-8-15)*

**4.3 END USER REMOTE ACCESS SECURITY POLICY AGREEMENT**

**Policy.**
This policy agreement will help ensure that proper security standards are exercised to ensure system security, data integrity and to prevent unauthorized access to County data are adhered to. The purpose of a policy is to establish procedures to prevent Unauthorized Access to the County Network.

**Procedures.**
This End User Access Security Agreement (“Agreement”) is entered into by and between End User (“User”), and Cowlitz County, (“Agency”) and shall remain in effect until terminated by the requesting User or the Users Department Head of the Agency. This agreement outlines the terms and conditions under which Agency will provide Remote Access Security to User.

The Virtual Private Networking (“VPN”) Service provides a secure means for User to access Agency data and/or networks via the public Internet. Data passing between User and Agency is encrypted while passing over the Internet.

**Definitions.**

“Confidential Information” means information that may be used to distinguish, identify, or locate individual recipients of Agency’s or the State of Washington’s Services. Confidential Information may include, but is not limited to, addresses, Social Security numbers, email addresses, telephone numbers, financial profiles, credit card information, passwords, personal identification numbers, or lists of contacts.

“Proprietary Information” shall mean information that is of a sensitive and proprietary nature to Agency and its operations. Proprietary information may include, but is note limited to, passwords, Personal Identification Numbers (PIN), access codes, network security information, information relating to Agency’s business affairs, employees, clients, finances, technology, software, source documents, data, or other information which User knows or has reason to know is of a sensitive or proprietary nature.

“VPN Service” shall mean the Virtual Private Network Service, administered and managed by the Department of Information Technology. This VPN Service is a secured, remote access service provided to User.

**Term.**

This Agreement shall stay in affect until the User’s access to the VPN Service is terminated. Should the User come in contact with Confidential or Proprietary Information, the term of this Agreement shall extend until two (2) years after the VPN Service is terminated.

**Agency Requirements.**

A. Subject to payment of applicable VPN Service fees, Agency will comply with State Information Technology Policies and Standards to provide the VPN Service to User. VPN Service will be provided pursuant to the terms and subject to the conditions contained in this Agreement.

B. Agency may, in its sole discretion, elect to discontinue the VPN Service at any time.

C. Agency acknowledges and understands the provision of VPN Service is dependent on third-party providers. Agency shall not be held liable for actions or inactions of such third-party providers.

**User Requirements.**

A. Software
User agrees to comply with the terms and conditions of all end user license agreements accompanying any software, distributed in connection with the VPN Service.

Internet Access
User is required to maintain an account with an Internet Service Provider (ISP). The ISP connection will enable the User to connect to the VPN Service.

B. Equipment

User understands that the VPN Services requires that the Users Department is responsible for providing a County issued Laptop, Notebook or Tablet computer. The User must agree to bring this device into the County network to Information technology can apply Security patch and Anti-Virus/Spyware file definition updates, monthly at a minimum.

Prohibited Users.
User agrees to refrain from the following prohibited uses:

A. Use of the VPN Service for any unlawful purpose.
B. Transmission of any content that is obscene pornographic, libelous, invasive or privacy rights, or advocates violence, bigotry, or bias based on race, color, religion, ancestry, national origin, gender orientation, or physical or mental disability.
C. Accessing any data and/or networks to which user does not have prior authorization to access.
D. Altering, tampering, or otherwise modifying the VPN Service, or the Software or Agency equipment used to provide the VPN Service.
E. Providing access to the VPN Service for others not affiliated with the Agency
F. Use of the VPN Service for means other than performing a purpose reasonably related to Agency’s business
G. Impersonate any person or entity, including, but not limited to, an Agency or Cowlitz County official, falsely state or otherwise misrepresent your affiliation with an Agency or Cowlitz County.
H. Modify, publish, transmit, transfer or sell, reproduce, create derivative works from, distribute, perform, link, display or in any way exploit any content from any Agency database.
I. Use or attempted use of the VPN service after termination of this Agreement.
J. Upload, post, email, otherwise transmit, or post links to any material that contains software viruses, worms, Trojan horses, time bombs, trap doors or any other computer code, files or programs or repetitive requests for information designed to interrupt, destroy or limit the functionality of any Agency computer software or hardware, telecommunications equipment, or Agency data or to diminish the quality of, interfere with the performance of, or impair the functionality of the VPN Service.
K. Use of the VPN Service to connect a Non-County Local Area Network (LAN) or other Non-County network to Agency’s network.

Treatment of Confidential and Proprietary Information.

A. User acknowledges that some of the material and information which may come into its possession or knowledge in connection with User’s use of the VPN Service, may be Confidential Information or Proprietary Information. User agrees to hold all such Confidential Information or Proprietary Information in strictest confidence and not to make any use of such Confidential Information or Proprietary Information or subcontractors requiring such Confidential Information or Proprietary Information for the purposes of carrying out the Agency-related business purpose, and not to release or disclose it to any other party. User agrees to release such Confidential Information or material only to employees or subcontractors who have signed a written non-disclosure agreement, expressly prohibiting disclosure. User agrees to implement physical, electronic, and managerial safeguards to prevent unauthorized access to Confidential Information or Proprietary Information. Immediately upon termination of this Agreement, User
shall certify to Purchaser the destruction or return of all Confidential Information or Proprietary Information to Agency.

B. This Section does not impose any obligation on the User, if the Confidential Information or Proprietary Information is:
   1. Publicly known at the time of disclosure;
   2. already known to the receiving party at the time;
   3. furnished by Agency or Purchaser to others without restrictions on its use or disclosure;
   4. independently developed by the receiving party without use of the confidential information

C. Except for its own internal use in carrying out a legitimate Agency-related business purpose. User agrees not to collect, store, sell or distribute any Confidential Information or Proprietary Information collected or derived from its use of the VPN service.

D. Violation of this section by User may result in immediate termination of this Agreement, monetary damages, or statutory penalties.

**Indemnification.**
User agrees to promptly defend and indemnify, and to hold harmless from, against and in respect of, and pay or reimburse for, any and all claims, demands, liabilities, losses, damages, costs and expenses, including reasonable attorney’s fees, of the Agency, its employees, and other Users, arising from, relating to or in connection with an alleged or actual breach by User of User’s obligations under this Agreement. User further agrees to cooperate fully with Agency and legal counsel in resolving any claim or dispute.

**Blocking of VPN Service.**
User acknowledges that Agency or its third-party providers shall have the right to block User’s access to the VPN Service, in whole or in part, at any time, for any reason.

In witness whereof, the Parties have caused this Agreement to be executed as of the date first above written.

End User: Cowlitz County

Signature: ___________________  Signature: ___________________
Title: _______________________  Title: _______________________
Date: _______________________  Date: _______________________

(Res. 06-084, 7-18-06)

### 4.4 INDEXES OF PUBLIC RECORDS

**Policy.**
Revised Code of Washington (RCW) 42.56.070 provides, in part, that each local agency shall maintain and make available for public inspection and copying a current index providing identifying information as to final opinions; statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the agency; administrative staff manuals and instructions to staff that affect a member of the public; planning policies and goals, and interim and final planning decisions; factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, or surveys, whether conducted by public employees or others; and correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.
RCW 42.56.070 further provides that a local agency need not maintain such an index, if to do so would be unduly burdensome. The Board of Cowlitz County Commissioners finds that it would be unduly burdensome upon Cowlitz County and would interfere with agency operations to create and maintain an index as required by RCW 42.56.070.

**Procedures.**

Cowlitz County constitutes a local agency comprised of multiple departments, the offices of independently elected officials, and various boards, all of which review, adopt, create and/or receive hundreds, if not thousands, of memos, studies, resolutions, correspondence, and other material annually which might required to be included in the index; which departments, offices and divisions frequently maintain separate record-keeping systems physically situated in discrete buildings or locations throughout the County.

Cowlitz County offices, departments and employees shall continue to provide courteous, efficient, and helpful assistance to members of the public requesting access to public records and information and shall make available for public inspection and copying all indexes maintained for agency use.

(Res. 07-168, 11-13-07)

### 4.5 INTERNET

**Policy.**

Establish procedures regarding the appropriate use of the Internet, Network and Desktop Computers. The County encourages effective and appropriate use of the Internet for County employees to provide information to the public, other County officials, and other agencies to gather information and for information exchange.

**Definitions.**

The following definitions apply in the context of the Internet:

A. **Download:** means transferring files (software, data, text, graphics) from the Internet to the County network or desktop computers.

B. **Upload:** means transferring files (software, data, text, graphics) from the County network or desktop computer to the Internet.

C. **Firewall:** means the hardware and software that regulates the connection between the County’s network and the Internet, allowing network users access to the Internet while restricting access from outside users.

D. **Intranet:** means the internal County website and network which operates for use by County officials and staff.

E. **Internet:** means the worldwide system of computer networks – a network of networks in which users at any one computer can, if they have permission, get information from any other computers (and sometimes talk directly to users at other computers). For purpose of this policy, Internet includes the County’s Intranet.

**Procedures.**

**Intended Use.**

The Internet is intended to be a tool for government use. Limited use for personal purposes is allowed during off-work hours and during breaks provided it is approved by the Elected Official or Department Head. The Internet and Intranet access shall be consistent with the following:

- A. Any form of commercial use of the County’s Internet site for other than County purposes shall be prohibited.
B. Any use that violates copyright laws is prohibited.
C. The purchase or sale of items other than official County business through advertising on the Internet site is prohibited.
D. The use of the Internet to harass employees, vendors, customers, and others is prohibited.
E. The use of aliases while using the Internet shall be prohibited. Anonymous messages and sending messages with other person’s name shall be prohibited. The misrepresentation of an employee’s job title, job description, or position is prohibited.
F. Uploading of software, data, and graphics without appropriate authorization is prohibited.
G. Downloading of files shall be consistent with County practices for virus protection. Files on Internet sites, which are pornographic or adult entertainment related are prohibited.
H. The Information technology staff may limit the use of the Internet, including graphics, data files, and streaming media, in order to regulate data traffic levels.

Rights.
An employee’s rights while accessing the Internet by use of County property do not include the right to privacy. The County retains the express right to monitor, in any way, the activities of the employee while accessing the Internet. The access to the Internet from County computers is routed through the Internet server, which tracks all web sites visited. Upon request from the Human Resources Director, Elected Official and/or Department Head, the Information technology Director may from time to time print list(s) of web sites visited by employees to ensure proper Internet use. In the event excessive and/or inappropriate use of the Internet is detected, the Information technology Department shall provide such list(s) to the Elected Official Department Head and/or Human Resources Director.

Violations.
Violation of County policy and procedure regarding Internet use may result in disciplinary action as appropriate for the circumstances, up to and including revocation of some or all Internet privileges, and termination for serious or repeated violations.

Appropriate Software.
Computers shall be installed with approved software that is used for County business purposes. The following list of software is approved and may be used. The Central Service Director prior to use must approve any additional software. Do not download software, including shareware, off the Internet without prior approval from the Information technology Director. This includes but is not limited to the downloading and use of screensavers, graphics programs, animations, and electronic greeting cards. The following is a list of authorized software:

A. All Software Approved and Installed by Information technology
B. MS Windows NT 4.0 or Windows 2000
C. MS Office (Word, Excel, Power Point, Access, Outlook, etc.)
D. MS Project
E. MS Front Page
F. All PeopleSoft System Software and related programs
G. All Approved and Authorized Department Software
H. Symantec Norton Anti Virus Scanning Software

Chat Program and Other Internet Service Providers.
County computers shall not be used to run AOL, Netcom, CompuServe, ICQ, or other similar programs that are used for chatting, on-line conferencing, direct conversation, or similar activities. The only exception to this rule is law enforcement staff who may use these programs for investigation purposes. Any of these programs that are on your computer should be removed using the “Add/Remove Programs” which is located in the Control Panel of Windows.
Responsibility.
Employees shall be responsible for compliance with this policy and Internet utilization under their password protected County log on. As such, employees should make appropriate efforts to maintain password security. Employees shall be responsible for the amount and appropriateness of personal Internet usage.

(Res. 03-014, 1-28-03)

4.6 SECURITY - ELECTRONIC

Policy.
The purpose of this Information Systems and Technology Security Policy is to establish standards to maintain system security, data integrity and privacy by preventing unauthorized access to data and by preventing misuse of, damage to, or loss of data.

Procedures.
Security Concerns.
The County’s dependence on local area networks (LANs), wide area networks (WANs) and the Internet for conducting vital public business has highlighted the following security concerns:

A. Information Integrity – Unauthorized deletion, modification or disclosure of electronic information.
B. Physical Security – Limiting access to servers, network equipment and workstations.
C. Network access points – Limiting access to Cowlitz County’s network only through entry points approved by Information technology with security controls in place.
D. Misuse – The use of information or systems for other unauthorized purposes.
E. Information Browsing – Unauthorized access to sensitive information by intruders or legitimate users.
F. Hacking and Penetration – Attacks by unauthorized persons or systems that may result in denial of service, damage to systems, loss of productivity or significant increases in incident handling costs.
G. Computer Viruses and Worms – Attacks using viral code that reproduces itself by modifying other programs, spreading across multiple programs, data files or devices on a system or through multiple systems in a network, that may result in the destruction of data or the degradation of system performance.
H. Fraud – Attempts to masquerade as a legitimate user to steal services or information, or to initiate transactions that result in loss or falsification of data.
I. Component Failure – Failure due to design flaws or hardware/software faults that can lead to denial of service or security compromises through the malfunction of a system component.

Shared and Trusted Environment.
A. Because information technology security planning is primarily a risk management issue, this policy and its associated standards and guidelines focus on the creation of a shared and trusted environment, with particular attention to:
   1. System wide approaches to end-user authentication.
   2. Consistent and adequate network, server and data management recognizing the interdependent relationship of County offices.
   3. Appropriate uses of secure network connections.
4. Closing unauthorized pathways into the network and into data exempted from public disclosure.

B. Information Security should be viewed from a Countywide approach. In order to succeed, the County offices and departments should adhere to the following principles:
   1. Require adherence to common security architecture and its related procedures.
   2. Recognize an interdependent relationship among departments, such that strengthening security for one strengthens all and conversely, weakening one weakens all.
   3. Assume mutual distrust until proven friendly, including relationships within government, with trading partners and with anonymous users.

C. In response to security concerns, departments must take the necessary steps to:
   1. Ensure secure interactions between and among governmental agencies and County departments take place within a shared and trusted environment.
   2. Ensure secure interactions between and among business partners, external parties, state agencies and County departments utilize a common authentication process for logging in to systems, security architecture and points of entry.
   3. Prevent misuse of, damage to, or loss of Information Systems and Technology (IST) hardware and software assets.
   4. Ensure accountability for protection of IST assets.
   5. Prevent unauthorized use or reproduction of data.

Security Definition.
For the purposes of this policy, security is defined as the ability to protect the integrity, availability, and confidentiality of information held by Cowlitz County and to protect it’s information systems from unauthorized use or modification and from accidental or intentional damage or destruction. It includes the security of information systems and technology facilities and off-site data storage; computing, telecommunications, and applications related services purchased from other government agencies or commercial concerns; and Internet-related applications and connectivity.

Applicability/Enforcement.
This policy applies to all County offices, departments, officials, employees and all system users. Every system user at Cowlitz County – no matter what their status (employee, contractor, consultant, temporary, etc.) – shall comply with the information security policies found in this policy and the standards and guidelines developed by the Information technology Department and adopted by the Board of County Commissioners. Employees who violate this and other information technology policy statements may be subject to disciplinary action up to and including termination. This policy applies to all computer and network systems owned by and/or administered by Cowlitz County. Similarly, this policy applies to all platforms (operating systems), all computer sizes (personal computers through Servers), and all application systems (whether developed in-house or purchased from third party vendors). The policy covers only information handled via computers and/or networks. Cowlitz County reserves the right to revoke the system privileges of any user at any time. Conduct that interferes with the normal and proper operation of Cowlitz County information systems, which adversely affects the ability of others to use these information systems, or which is harmful, offensive, or inappropriate will not be permitted.

Security Policies and Responsibilities.
A. All Elected Offices and Departments will:
   1. Implement compliance checking to ensure that organizational units are operating in a manner consistent with the Information technology Information Systems and Technology (IST) Security Policy, Standards and Guidelines and developed security procedures of Cowlitz County.
   2. Request, as soon as possible, any system user that leaves Cowlitz County to be removed from all known systems. This includes but is not limited to permanent employees, temporary and project employees, interns, volunteers and contractors.
3. Periodically check system user lists to assure accuracy for current employee access.
4. Request access from Information technology for employees only for systems needed for specific job tasks. Request from Information technology to have employee’s access removed from systems that are no longer needed for job tasks.
5. Develop, implement, maintain and test security processes, procedures and practices to protect and safeguard against security breaches.
6. Inform staff to follow security procedures and standards, contained herein and may be viewed on the County Intranet at [http://intranet/commissioner](http://intranet/commissioner)
7. Ensure appropriate security measures are included when purchasing or developing transactional Internet-based applications, including but not limited to electronic commerce (e-commerce).
8. Oversee compliance with adopted security standards and procedures.
9. Implement and agree upon security guidelines as developed by the Information technology Department.

B. Information technology staff will:
1. Develop and establish organization-wide information security standards, guidelines and procedures.
2. Develop security procedures for newly implemented technology.
3. Review all IST security policies, standards and guidelines at least annually and make appropriate updates after significant change in business, computing or computing environment.
4. Communicate security policies, standards and guidelines to County offices and departments.
5. Ensure and oversee compliance with adopted security standards and procedures for Information Systems and Technology personnel. This task will require testing network or system security, including use of industry cracking tools or methods.
6. Investigate system intrusions and other information security incidents.
7. Follow the current information technology security standards and guidelines.
8. Implement information technology security standards and guidelines within the parameters of each system. If a situation arises that is not included in the current security standards and guidelines, a request to Information technology should be made to augment or modify the standards and guidelines.
9. Inform system users of security requirements for each specific system.

C. System Users will be assigned a unique user login name (User-ID) and password to access the County’s network. Multiple User-Ids and passwords may be required to access additional systems related to specific job tasks. This policy applies to permanent, temporary, project, volunteer, contract or intern staff that needs access to systems. Users of any system at Cowlitz County will:
1. Maintain security of assigned login names and passwords for various systems. If access to a system is no longer needed, system users need to request from their supervisor to be removed.
2. Be held responsible for any activity transacted under the individual’s User-ID. Take precautions to protect passwords from unauthorized individuals.
3. Ensure against unauthorized access when leaving a workstation unattended by logging off systems or using screen saver passwords.
4. Follow security standards and guidelines for maintaining and changing passwords.
5. Report any security compromise or suspected security compromise to a supervisor, Department Head or Elected Official immediately.
6. All reported security compromises that are brought to the attention of a supervisor, Department Head or Elected Official must be reported to Information technology immediately.
7. Report any crime or suspected criminal activity to the Sheriff’s office immediately.
8. Be prohibited from using unapproved or unauthorized hardware or software designed to compromise or crack (hack) security, passwords or encrypted data.
9. Contact Information technology Department if you have security concerns or issues.
10. Keep assigned computers and files free from viruses; make sure diskettes, especially from
outside sources, are virus free.
11. Will not take steps to circumvent or avoid system security.
12. Be familiar with County information technology policies and standards. These are located on
the Intranet at: http://intranet/commissioner
13. Sign a statement of receipt of this policy.

(Res. 03-013, 1-28-03)

4.7 TECHNOLOGY ACQUISITION

Policy.
The purpose is to ensure that County owned technology purchases are consistent with standards set forth by
Information technology. All departmental electronic computing systems must be reviewed and approved by
Information Technology.

Definitions.
A. **Download.** Transferring files (software, data, text, graphics) from the Internet to the County
network or desktop computers.
B. **Electronic Computing Systems.** All information technology (e.g., hardware and software) owned
by the County and used to conduct official business.
C. **Extranet.** Includes Internet and Intranet.
D. **Network Enabled Computers.** All computers that connect to or have the ability to connect to the
County’s Wide Area Network (WAN), via wired or wireless networking technologies.
E. **Peripherals.** Technology related Hardware, such as Printers, Monitors, Personal Digital Assistants
(PDA), Tablet Computers, or Desktop/Laptop Computers.
F. **Upload.** Transferring files (software, data, text, graphics) from the County network or desktop
computer to the Internet.
G. **Users.** Includes, but not limited to, county employees, volunteers and consultants who are
authorized by the County to access the County’s electronic computing system.

Procedures.
This policy applies to all Departments and Users of Cowlitz County’s electronic computing systems.

Acquisition.
Acquisition of departmental electronic computing systems, whether acquired by grant, donation or direct
purchase, must be reviewed and approved by Information technology prior to installation and/or
implementation. Information technology staff will NOT install or support any device that has not received prior
approval by the Director of Information technology.

Installation.
Information technology will set up and configure County computers for specific job requirements. The users of
the network are not to download software onto the computer configuration. If the new software would enhance
the employee’s duties, the employee must contact their Supervisor, who in turn contacts Information technology
for implementation.

Personal (non-county owned electronic computing systems) software and/or technology related hardware, such
as but not limited to Printers, Monitors, Desktop/Laptop Computers, and PDA’s, owned by County staff,
visiting contractors, vendors, and/or outside agencies, shall not be installed or connected to the County network
infrastructure at any time without prior approval from the Director of Information technology.
Enforcement.
Elected officials, department heads and their designees are responsible for the enforcement of the Cowlitz County Technology Acquisition Policy.

(Res. 05-031, 3-15-05)

4.8 WIRELESS ACCESS POLICY

Policy.
Cowlitz County has a wireless network and provides wireless access points to this network throughout its various campuses for the benefit of County employees and authorized users. The County employee wireless Service Set Identification (SSID) is known as CowNet. Only County employees will be able to access CowNet. Other SSID’s for authorized users are identified in a subsection of this policy. The wireless access points and wireless network are provided by the Cowlitz County Information Technology (IT) Department. This wireless access policy will be binding on anyone who accesses the County wireless network. This wireless access policy is also meant to adhere to the current County Internet Network and Computer Policy adopted by the Board of County Commissioners (BOCC) on January 28, 2003, and identified as Resolution 03-014, and is incorporated herein by reference. Wireless access to CowNet and to the other SSID’s that are provided as part of the County’s wireless network require proximity to the wireless access points available at the various County campuses and signal strength may vary from point to point, and from location to location.

Definitions.
The terms used in this policy shall have the meanings defined below:

County Employee: An individual employed by Cowlitz County who has an authorized employee login and password provided by the Cowlitz County IT Department.

Authorized User: An individual or entity that has a current MOU with Cowlitz County defining their relationship with the County and the terms of their use of the County wireless network, or a bona-fide designee of said individual or entity.

Procedures.
Login and Password. CowNet will allow County employees to access the internet as well as the County production network by using an SSID password, and their authorized County Windows login credentials. Note that only County employees will have access to CowNet. Access to the other SSID’s set up around the county at the various campuses is restricted to authorized users that have a valid SSID password and who acknowledge compliance with this policy. Authorized users other than county employees will only be able to access the internet from these locations. The definition of “County Employees” and “Authorized Users” is identified in a subsection of this policy. Distribution of passwords for SSID’s other than CowNet is also addressed in a subsection of this policy. Passwords will be changed monthly.

(Res. 12-097, 7-31-12)
COWLITZ COUNTY POLICIES

Subject: FINANCIAL

Chapter: 5

Sections:

5.1 CASH HANDLING POLICY & PROCEDURES
5.2 CONTRACTING AND PURCHASING
5.3 COPYING CHARGES
5.4 CREDIT CARD
5.5.1 CREDIT/PROCUREMENT CARDS (P CARDS)
5.6 CUMULATIVE RESERVE FUND
5.7 DUI TASK FORCE WAIVER OF JAIL FEES
5.8 FINANCIAL MANAGEMENT
5.9 GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB)
5.10 GRANT APPLICATIONS
5.11 INVESTMENT
(Space held for future policy)
5.12 SAVINGS INCENTIVE PROGRAM
5.13 SMALL WORKS ROSTER PROCESS TO AWARD PUBLIC

5.1 CASH HANDLING POLICY AND PROCEDURES

- AUTHORITY

RCW 36.29.010 describes the following general duties of the County Treasurer which pertain to cash handling:

A. Shall receive all money due the county and disburse it on warrants issued and attested by the County Auditor.
B. Shall issue a receipt in duplicate for all money received other than taxes; the treasurer shall deliver by
email, mail or paper copy to the person making the payment the original receipt and the duplicate shall be retained by the treasurer.
C. Shall maintain financial records reflecting receipts and disbursement by fund in accordance with generally accepted accounting principles.

- **PURPOSE**

Many of the cash handling duties and responsibilities assigned to the County Treasurer by law entail action by other County officers, employees, and agents. In order to assure that all County employees responsible for handling cash are aware of their duties, the following policy and procedures will provide guidelines for all cash handlers in Cowlitz County.

For purposes of this policy, “cash” refers to all forms of payment, including currency, checks, and bank transactions.

- **CASH HANDLER RESPONSIBILITY AND LIABILITY**

A. All County cash handlers shall comply with the Cash Handling Policies and Procedures. Cash handlers who fail to comply with the Cash Handling Policies and Procedures may be subject to disciplinary action.
B. All cash handlers who obtain custody of County money are personally responsible for that money until such time as the money is deposited with one of the County Treasurer’s authorized agents or banks, and may be held liable for any loss, theft, or statutory exception.
C. All cash handlers who are employed by Cowlitz County are to be bonded through the County employee bond.
D. All transfers of custody of County money shall be documented on a Treasurer’s Miscellaneous Receipt. The receipt shall acknowledge the exchange of custody for County money by the signature of the person transferring custody.
E. A department cashier who issues a written receipt accepting custody of County money is liable for the timely deposit of that money. The liability for timely deposit starts with the original receipt of County money by a County officer, employee, or agent and ends when the money is deposited with the County Treasurer or bank. All money received must be deposited within 24 hours unless authorization to waive 24-hour deposit requirement has been approved by the Treasurer (see Appendix A). Under no circumstances shall funds be held for more than one week.

- **CASH HANDLER TRAINING**

A. All County employees involved with the handling, receipting, reconciling, or depositing of money shall read and understand the Cash Handling Policy and Procedures. It shall be the responsibility of the Department Head, Elected Official, or designee of each department to ensure each cash handler’s compliance.
B. Any employee determined to have cash handling duties or responsibility shall read the Cash Handling Policy and Procedures within 30 days of hire or assignment of duties.
C. For special events Cowlitz County may contract temporary cash handlers. Cowlitz County may
assign the Treasurer’s lead cashier to train the temporary employee. If the employment period is anticipated to be 30 days or longer, the contracted employee must read and understand the Policy.

- **CASH HANDLER COMPLIANCE**

  A. Department Heads and Elected Officials shall allow the County Treasurer, County Auditor, or authorized deputy to periodically inspect and report on the department’s cash handling procedures.

  B. Department Heads and Elected Officials are to designate one or more departmental cashier to handle transmittal of funds and deposits to the County Treasurer’s Office.

- **CASH DRAWERS**

  A. All funds must be placed in a secure drawer or cash register. The drawer must be locked at all times that the cash handler is not in the receipting area.

  B. To the extent possible, cash handlers should work out of individual cash drawers. Segregating cash activities can help in tracking down reconciliation errors.

  C. Each cash handler shall set up his or her cash drawer in a consistent manner with smallest denominations on the right and next larger denominations to the left.

  D. Cash handlers shall complete a transaction in its entirety before proceeding to another transaction or offering assistance to another customer.

  E. Large sums of money should be banded according to standard banking procedures (see Appendix C).

- **OPENING ACTIVITY**

  Upon opening a cash drawer for the day, the cash handler shall verify and record the amount of beginning cash.

- **CLOSING ACTIVITY**

  Persons who collect County money from the public shall balance their cash drawers at the end of their work shift. Preparing a deposit shall consist of counting collected moneys, filling out a cash count document as stipulated by the employee’s department, prepare a deposit slip, Treasurer’s Miscellaneous Receipt Deposit, and/or cashiering report. All counting and/or balancing should occur out of public view or in a location away from the collection area, unless the office is closed and secure.

  At the end of a shift the cash handler must account for all increases and decreases of cash in his or her cash drawer. This process is referred to as balancing: the reconciliation of all County funds received and disbursed during the day. Balancing involves counting of currency, coin, and checks; subtracting the beginning cash amount; determining the dollar total received from the transaction record; and comparing the total cash on hand with the total transactions. These two dollar amounts should ‘balance,’ i.e., be the same. Each cash handler may have his or her own method for balancing a cash drawer. However, there are several steps that balancing must include.

  A. Remove all currency, coin, and checks from the drawer or cashbox. Count your currency and coin
and list on a Daily Cash Report (see example in Appendix D).

B. List all checks on either a calculator tape, report or deposit slip and transfer the total amount to the Daily Cash Report.

C. Verify that all checks have been restrictively endorsed as described in Receipt of Payments, Section XI (B) (k).

D. Cash handlers should then complete the deposit slip or Treasurer’s Miscellaneous Receipt.

E. The cash drawer should be replenished to the authorized beginning cash amount.

F. Cash handlers shall then insert the completed deposit slip with cash, checks, and deposit slip or Treasurer’s Miscellaneous Receipt, into a deposit bag or envelope and store it in a secure place until it can be deposited to the Treasurer’s office, armor service or Bank. If not deliverable to the Treasurer’s Office until the next day, it must be placed in a secure location or vault overnight.

G. After depositing the money with the bank, the cash handler shall deliver one copy of the Treasurer’s Miscellaneous Receipt and deposit slip to the Treasurer and maintain one copy of each in the department. If the money is deposited with the Treasurer, the cash handler shall maintain one copy of the Treasurer’s Receipt in the home department.

- **CHECKLIST FOR RECONCILING DIFFERENCES**

This checklist is recommended for all departments unless other equivalent procedure exists. Other departments may use their own guidelines for determining differences.

A. Have another person recount all currency and coin, including strapped or bundled currency and checks.

B. Rerun totals on all receipts.

C. Recheck EFT deposits.

D. Scan cash report for the amount of difference.

E. Check for transposed numbers.

F. Compare checks, cash and ACH’s to the receipts, receipt listing, or cash out reports.

G. Break down the deposit.

H. Do not throw out trash until balanced. Place trash in vault overnight if necessary.

- **CASH OVER AND SHORT POLICY**

All moneys received are to be deposited intact with the County Treasurer. If, upon balancing daily receipts, it is discovered that the money to be deposited does not equal the total of the receipts, a cash over/short situation exists. A cash handler has a shortage when not enough money is collected. A cash handler has an overage when too much money is collected and the excess is not immediately returned to the customer. If, after an appropriate search and recalculation, the over/short situation still exists, take the following steps:

A. Complete the Treasurer’s Miscellaneous Receipt to the Treasurer as documented by the receipts;

B. If the money to be deposited exceeds the receipt total, record the overage as a positive amount to the Over/Short revenue code.

C. If the money to be deposited is less than the receipt total, record the shortage as a negative amount to the Over/Short revenue code.

D. Overages and shortages in excess of $10.00 must be reported to the Department Head.
or Elected Official. A Department Head or Elected Official may decide to be notified of an amount less than $10.00. Under no circumstances shall an employee take or supplement money to be deposited in order to “force” the deposit to balance with the receipts; and
E. Under no circumstances shall a County office or department maintain a petty cash fund for over/short purpose.

- RECEIPT OF PAYMENTS

All moneys (checks or cash) must be receipted immediately upon acceptance.

A. Payments by mail
   a. Two employees shall open mail whenever possible and segregate remittance from other mail. Checks must be endorsed immediately upon receipt.
   b. Prepare all payments for immediate deposit with the County Treasurer or bank. Be sure checks are signed.
   c. Put all unprocessed mail in a secure location, such as a vault or locked cabinet or drawer overnight.

B. Acceptance of coins.
   a. Because the United States Department of Treasury has determined that although coins are legal tender under the Coinage Act of 1965, no Federal statute mandates acceptance of coins for payment, and because no Washington state law mandates such acceptance for payment, the County has adopted a coin acceptance policy on payments as a means to promote office efficiencies and the timely provision of services to its residents.
   b. Acceptance of coins for payments of fines, debts, taxes and other public obligations may be refused under the following circumstances:
      • When the coins are bent, broken, damaged or delivered in unsanitary conditions.
      • When the coins are non-U.S. coins.
      • When coins appear to exceed $20 dollars in amount.
   c. Coin must be delivered in rolled sleeves with a receipt designating the amount being delivered if the number of coins exceeds standard banking procedure (see Appendix C.) For example: 51 dimes would require a roll of 50 plus one loose dime.
d. The payor shall be required to print the name and identification (i.e., case number, address, etc.) on each roll.

e. The payor will be responsible for all identified shortages upon a coinage count and payment validation by the bank.

C. Acceptance of checks

When accepting checks over the counter or by mail, the cash handler should:

a. Check the written amount and the numerical amount. They must be the same. A bank will return checks with incorrect amounts. If the written amount is correct you can circle the amount and the bank will accept the written amount.

b. Check for signature if accepting a check in person. If checks received in the mail have no signature, try to contact the sender to come and sign the check. Checks may be processed with no signature if under $1,000.

c. Watch for special wording on the check that may cause it to be void, e.g. “not good for over $1,000.00,” “Void after 30 days,” or “Two signatures required.” Any special instructions take precedence over state law.

d. Do not accept post-dated checks.

e. Accept checks for the exact amount owed. No cash back is permitted.

f. Do not accept checks written more than 180 days (6 months) prior to remittance. Banks may not honor a stale-dated check.

g. Checks drawn on foreign banks should not be accepted unless “Payable in US Funds” is written on the face of the check.

h. Do not accept two-party checks. All checks must be made payable to a County department, special purpose district, or Cowlitz County.

i. No checks may be cashed from a cash drawer, change fund, or petty cash fund.

j. Employees should never process their own business or that of immediate family or close friends.

k. A restrictive endorsement should immediately be placed on the back of all checks (see Appendix E). When depositing funds with the Cowlitz County Treasurer, the following example should be followed:

Cowlitz County Treasurer
For Deposit Only
Name of Department, Office, or District
Treasurer’s Account #

Or, when depositing directly into a bank account other than that maintained by the Cowlitz County Treasurer:

Your Department or Office Name For Deposit Only
Your Account Number
Accounts maintained by County departments and special purpose districts which are not County Treasurer accounts, must be approved by the Treasurer and, for County departments, the County Legislative Authority:

i. Checks should always be placed in a secure location out of the reach of the public or customers; and

m. Utilize BARS Manual guidelines for cash receipting.

- ACCOUNTING FOR PHYSICAL CONTROL OVER CASH RECEIPT FORMS

Accounting control and physical control over cash receipts should be established at the point where funds first become accessible to county personnel.

A. Initial control of over-the-counter receipts should be established through the use of cash registers, pre-numbered multi-copy cash forms, or automated receipting software.

B. The departmental cashier or accounting clerk will account for all pre-numbered multi-copy cash receipt forms that are printed for that department. Voided receipts shall not be destroyed, but kept on file in the department or office in accordance with the state-recommended retention period of six years.

C. Preparing Receipts. The following information should be entered on all receipts:

   a. Amount;
   b. Date;
   c. Name of individual, company, or department;
   d. Breakdown of type of moneys received i.e. cash, check, ACH, etc.; and

   • ID of cashier receiving the moneys.

- DEPOSIT OF FUNDS

A. Deposit of Funds with the County Treasurer

By RCW, receipts must be deposited in the bank or with the County Treasurer within 24 hours. Funds collected on the weekend or a holiday may be deposited in the night deposit at the bank where the account is held after making arrangements with the County Treasurer. The only exceptions must be by written agreement with the County Treasurer. The Treasurer has the discretion to grant an exception when daily transfers are not administratively practical or feasible (RCW 43.09.240).

B. Treasurer’s Miscellaneous Receipt

In order to complete the deposit of County funds, cash handlers and/or department employees must complete a Treasurer’s Miscellaneous Receipt (Appendix F). A Treasurer’s Receipt must be submitted for all amounts collected and deposited by the cash handler. To ensure that the moneys are recorded for the correct fund, it should indicate the department’s fund number and the source of the collection. To complete the receipt correctly, it must include:

   a. The fund, department, account and BARS code;
b. Dollar amount;
c. Preparers Name, signature, and extension; and
d. Department / Office where funds were originally collected.

C. Deposits to Accounts other than Treasurer Accounts

The circumstances in which funds of the County are deposited directly into an account other than an account held by the Cowlitz County Treasurer should be minimal and limited only to situations, which fall into the following categories:

a. Off-site receipting takes place at a distance away from the County courthouse where it is not feasible to drive to the Treasurer’s Office daily to make deposits. The bank designated by contract with the Cowlitz County Treasurer should be used, unless there is no branch in the community to which deposits are made;
b. Trust and/or Restitution Funds; or
c. Established imprest funds, in which checking accounts are maintained at a constant level (revolving funds, drug funds, etc.)

D. Automated Clearing House (ACH) or Electronic Fund Transfer (EFT) Deposits

If expecting a deposit by ACH, cash handlers should turn in a Treasurer’s Miscellaneous Receipt to the Treasurer’s Office before the money arrives along with a copy of the remittance advice, so the Treasurer knows what to expect and can tie the deposit to the transaction.

- **BANK RETURNED NON SUFFICIENT FUNDS (NSF) CHECKS**

This policy applies to all checks which are made payable to the County Treasurer, department, or office and deposited into the Treasurer’s General Depository account, and later returned by the bank. Checks may be returned due to insufficient funds, closed accounts, invalid signatures, stop payment, or any other condition making the check invalid.

A. The Bank will debit to the account any NSF checks and deliver the checks to the Treasurer Office.
B. Action should be taken by the department involved to stop service, license, permit, or other compensable action, until the check is cleared. No new goods or services should be provided until payment is received for the NSF check. The department/office should adequately document the action taken in their files and records.
C. The County will accept only certified funds as payment for a bank returned check.
D. A processing fee will be charged on all NSF checks set by County resolution. The fee is transmitted to the Treasurer automatically by Treasurers Miscellaneous Receipt.
E. Fees charged by the bank for returned checks will be expensed by the Treasurer to the department/office which deposited the check.

- **PETTY CASH**

For the purpose of this manual, Petty Cash includes imprest accounts, which have been established by the Board of County Commissioners, such as revolving funds. If petty cash is
disbursed, it may be restored to its original amount, by a warrant drawn and charged to the applicable operating fund. The amount of the warrant should equal the aggregate of the disbursements.

A. The Board of County Commissioners must authorize each petty cash account in a specific amount by resolution; likewise subsequent increases or decreases in the imprest amount.

B. The Department Head or Elected Official shall name one Custodian for each petty cash account. The Custodian may do invoice processing, check signing, general accounting and cash receipting in that account.

C. The Department Head, Elected Official, or designee shall assure that the amount in the petty cash is periodically counted and reconciled by someone other than the Custodian at least yearly, at year-end, and whenever the custodian is changed.

D. The Custodian shall assure the petty cash is kept in a safe, locked place.

E. The imprest amount shall be funded by the issuance of a Cowlitz County Treasurer’s check.

F. The County Auditor shall include the authorized amount of all such petty cash in the county’s balance sheet.

G. If petty cash is disbursed, it should be replenished monthly. The replenishment should be subject to the same review and approval as processed invoices. Replenishment shall be requested by a completed Petty Cash Reimbursement Claim Form, with original receipts attached. Receipts should show for each disbursement:
   a. Date;
   b. Amount;
   c. Recipient; and
   d. Purpose.

Receipts must be signed by the person receiving the money, stamps, etc. Receipts should be perforated or cancelled by some other means to prevent reuse. At the time of replenishment, the Custodian should ensure that the balance remaining in Petty Cash, together with the amount of the replenishment, equals the authorized imprest amount. A recommended format for balancing Petty Cash can be obtained from the County Auditor’s Office.

H. The fund may only be used for business activities only and as stated in resolution.

I. Petty Cash should always be replenished at the end of the fiscal year so that expenses will be reflected in the proper accounting period.

J. When an individual’s appointment as Custodian is terminated, the fund must be balanced and replenished by the Department Head, Elected Official, or designee.

- RECONCILIATION OF BANK ACCOUNTS

All County bank accounts must be balanced (reconciled) to the bank statement monthly. Accounts shall be reconciled by a person not having the responsibility for signing the checks.

- REPORTING LOSSES
In the event of a suspected loss of public funds, it is essential that correct procedures be followed in order to minimize the loss, assist investigations, prevent improper settlements, expedite bond claims, and protect employees from false accusations.

A. Any person who discovers a loss or theft of County money shall immediately notify their Department Supervisor.

B. The Department Head or Elected Official should immediately report the suspected loss to the County Auditor and Treasurer any time the loss is over $50.00.

C. The County Auditor should immediately report the suspected loss to the State Auditor’s Regional Audit Manager, if theft or fraud is suspected.

D. A report shall also be made by the Auditor to the Prosecuting Attorney or appropriate law enforcement.

E. DO NOT attempt to correct the loss. Report it as previously stated.

F. DO NOT destroy any pertinent records. All original records should be secured in a safe place, such as the vault in the Auditor’s Office or in the case of a loss in the Auditor’s Office, then in the Treasurer’s vault, until the State Auditor’s Office completes the investigation.

- **COWLITZ COUNTY TREASURER - CHANGE ORDER PROCEDURES**

  - The Cowlitz County Treasurer’s Office will process change order requests twice a month on the 2nd and 4th Wednesday of each month.

  - Bring the change order request form, Appendix I, with the cash to cover the change order to the Cowlitz County Treasurers Office on the requested dates by 9:00 a.m. The Cowlitz County Treasurer’s Office will call in the request to the Treasurer’s Bank and send the funds in a locked bag with the Armored Carrier Service. The Armored Carrier Service will deliver the locked bag to the Treasurer’s Bank to receive the change order and will return the locked bag to the Cowlitz County Treasurer the same day with the change order request.

  - The Cowlitz County Treasurer’s office will notify the department once the funds have been returned for pick up

- **NON-COUNTY MONEYS**

  A. Guaranty Deposits: Depositor-owned money held in trust by the County to guarantee payment. The money is refundable if not needed.

    a. The departmental cashier shall exchange an official County receipt for the guaranty deposit. The cashier shall immediately deliver the deposit to the County Treasurer.

    b. The departments instruct the County Treasurer to disburse the deposit by completing a memo or departmental form signed by the Department Head, Elected Official, or designee, and presenting it to the County Treasurer.

    c. Deposits in the form of small-denomination checks (under $1,000) held as a security deposit for short-term events, such as weekend events at parks or the
fairground may be held in a secure location and returned after the event, without being deposited into the Treasurer’s Account.

B. Donations: A sum of money given to the County, usually for a specific purpose.
   a. County officers, employees, or agents who obtain a donation of money to the County are responsible for the receiving, safekeeping, depositing, and accounting associated with that donation.
   b. If requested, the donor can obtain a letter from the County Auditor verifying the tax-deductibility of the donation. The department should convey that request to the Auditor.

C. Found Property: Non-County money found by a County officer, employee, or agent while performing County duties.
   a. Any County officer, employee, or agent who finds non-County money while performing County duties shall immediately turn the money and a report over to Cowlitz County Administrative Services, in accordance with policy.

- COUNTERFEIT AND ALTERED MONEY

It is important for Cash Handlers to examine all currency received to determine its legitimacy at the time that it is first presented to County personnel. If funds being accepted by a cash handler are suspected of being counterfeit or altered, the following procedure is to be observed:

- Notwithstanding the following guidelines, never do anything that puts yourself at risk:
  b. DO NOT return the currency to the passer;
  c. DELAY the passer, if possible;
  d. TELEPHONE local law enforcement (depending on location of Department or Office):
     i. Sheriff’s Office 360-577-3092,
     ii. Kelso Police Department 360-423-1270, or
     iii. Longview Police Department 360-442-5800
  e. Note the passer’s description, the description of any companion, and if possible, the license number of any vehicle used;
  f. Handle the bill as little as possible in order to preserve any fingerprints, and place it in a protective cover;
  g. Surrender the bill only to law enforcement authorities;
  h. Notify the Department Head or Elected Official and Risk Management Director; and
  i. Counterfeit money received by the bank will be recorded as a loss to Cowlitz County.
  j. If you have a camera, contact IT and get a copy of the recorded incident.

- SAFEGUARDING FUNDS IN AN EMERGENCY

In the event that an emergency occurs and/or evacuation of the department or work site is imminent, after determining the safety of all persons in the immediate work area, all cash must be secured in a locked location. Responsibility for the safeguarding of funds lies with the Department Head, Elected Official, or their designee.

A. FIRE – in the event of a fire, secure all money by locking the cash drawer, and then vacate
the building as soon as possible. If there is adequate time – personal judgment is critical here – secure the cash drawer in a safe or vault prior to vacating the premises.

B. POWER OUTAGE – in the event there is a power outage and the office or department handles cash, the Department Head, Elected Official, or designee may temporarily close the office.

- ROBBERY

Robbery is the most threatening condition you might experience. You must be informed on how to counteract robbery as well as know the procedures to follow during and after a robbery. The average robbery takes 90 seconds from start to finish, so be prepared to react quickly.

A. Procedures to follow during a robbery. These procedures should be familiar to all County cash handlers long before they are needed. Department Heads, Elected Officials, or designees are responsible for making sure their employees are well acquainted with them.

   a. **Always assume the robber has a weapon even if you do not see one.**
   b. Be polite and accommodating. A nervous person is committing the robbery. Do not upset or antagonize the robber. The calmer you are, the calmer the robber will be.
   c. Keep talking to the robber. Explain your every movement such as, “I’m taking the key out of the drawer to unlock…” Avoid making any quick movements that might alarm the robber.
   d. **DO EXACTLY AS THE ROBBER ASKS.**
   e. Attempt no heroics. You may put your life and the lives of others in jeopardy if you try to be a hero.
   f. Observe the robber, but do not stare. Try to remember the distinguishing features of the robber. Try to remember the language (specific words) used, or any accent or any specific pronunciations or phonations. You will be asked to describe the robber at a later time.
   g. Try to notice everything the robber touches.
   h. Listen to the voice, inflections, names, slang, grammar, and so on that the robber uses.
   i. Notice any other people around who may be witnessing the robbery.
   j. Do not leave the premises or call 911 until it is safe to do so.
   k. If you have a panic button, activate it.

B. Procedures to follow after a robbery. Once the robber has left the building:

   a. Close your cash register or drawer, lock the entrance door and notify your immediate supervisor about the robbery;
   b. Call 911 and stay on the phone until law enforcement arrives;
   c. Provide 911 with the following information
      i. Your address
      ii. Who you are
      iii. What happened
      iv. Where you are located
   d. Protect the area where the robber may have left fingerprints until law enforcement arrives;
   e. Speak to no one other than law enforcement until you have completed a
Robbery Description Report (Appendix H);
f. You may be asked to provide the names and addresses of those who may have witnessed the robbery; and
g. No one except authorities and your department or office officials should be allowed in the facility after the robbery until authorized by law enforcement.

- GLOSSARY

Altered Currency Currency that has been changed or tampered with in order to attain a greater amount for the currency than its face value. See also “Raised Bill.”

Authorized Agent A person or entity authorized by the County Treasurer to receive County monies. Includes authorized banks and special purpose districts within the County.

Bank Check Check drawn by a bank on itself and signed by an Authorized Agent. Also called Treasurer’s Check, Official Check, or Cashier’s Check.

Bank Money Order Check drawn by a bank on itself. The amount is encoded by the customer’s bank, and the customer completes the rest of the check. There is always a maximum limit to the check amount.

Beginning Cash Cash in cash handlers’ drawer at the start of the day or shift.

Cancel A Cancel occurs after the collection transaction is completed. A collection transaction is completed when the collected cash is secured, the transaction is recorded, and a receipt has been issued. A Cancel reverses a previously completed transaction and requires a refund to return collected money to the original payee.

Cash Drawer Drawer used to store currency, coin, and checks during cash handlers’ shift when completing transactions. This drawer should be locked when the cash handler is away for any reason.

Change Fund Small cash fund from which change can be made.

Check Draft or order on a bank to be drawn upon a deposit of funds for the payment of a certain sum of money to a person named or to a bearer and payable on demand.

Collusion A secret agreement between two or more people to break a law.

Counterfeit Currency or coins that have been fraudulently manufactured. Creating counterfeit moneys is a felony. Makers are subject to fines and imprisonment.

Custodian Designated employee responsible for the integrity of specific
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deposit</td>
<td>To leave money with a bank or the Treasurer’s Office for credit to a bank account or fund.</td>
</tr>
<tr>
<td>Deposit Slip</td>
<td>Slip on which a depositor lists cash and items deposited.</td>
</tr>
<tr>
<td>Embezzlement</td>
<td>A fraud committed when an employee steals or assists another to steal. Fraudulent misappropriation of money or property entrusted to one’s care.</td>
</tr>
<tr>
<td>Ending Cash</td>
<td>Cash in a cash handler’s drawer at the end of the day or shift.</td>
</tr>
<tr>
<td>Endorsement</td>
<td>Signature or stamp placed on the back of a negotiable instrument according to law which transfers the instrument to another party.</td>
</tr>
<tr>
<td>EFT</td>
<td>An EFT (Electronic Funds Transfer) is the deposit to or disbursement from a bank account by means of wire or other electronic communications. RCW 39.58.750 governs the circumstances under which electronic funds transfers may be used.</td>
</tr>
<tr>
<td>Forgery</td>
<td>The alteration of a document or instrument with fraudulent intent.</td>
</tr>
<tr>
<td>Fraud</td>
<td>An attempt to obtain funds in other than appropriate and legal means.</td>
</tr>
<tr>
<td>Guaranty Deposit</td>
<td>Money deposited with the County Treasurer’s Office and held in trust for a specified period of time. This money is refundable if not needed.</td>
</tr>
<tr>
<td>Hold</td>
<td>The restriction of payment of part or all of the funds in an account.</td>
</tr>
<tr>
<td>Identification</td>
<td>Information piece that identifies the holder is truly who he or she claims to be and who is detailed on the piece of information.</td>
</tr>
<tr>
<td>Imprest Account</td>
<td>A bank or cash account which is established for a specific purpose and always maintained at the same level. As funds are spent out of the account for the allowed purpose, the account is replenished back to its original balance.</td>
</tr>
<tr>
<td>Loss</td>
<td>A cash handler obtains physical custody of money and then, due to negligence, theft or other reason cannot deposit that money with the County Treasurer.</td>
</tr>
<tr>
<td>MICR</td>
<td>Magnetic Ink Character Recognition. Magnetic codes on the bottom of the check that indicate bank account number, check</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>NSF</td>
<td>Non-Sufficient Funds. Checks returned by the bank due to any condition making sufficient funds unavailable.</td>
</tr>
<tr>
<td>Overage</td>
<td>Amount by which cash or its equivalent exceeds the proper balance.</td>
</tr>
<tr>
<td>Over/Short Account</td>
<td>Specific account that departments can use to document when a deposit is over or short.</td>
</tr>
<tr>
<td>Payee</td>
<td>Party to whom the check is payable.</td>
</tr>
<tr>
<td>Payer</td>
<td>Party signing the check.</td>
</tr>
<tr>
<td>Petty Cash</td>
<td>A revolving fund for very limited purposes. It provides a given amount of cash on hand for small expenditures and is reimbursed by voucher.</td>
</tr>
<tr>
<td>Post-dated Check</td>
<td>A check dated in the future, which would not be payable until the date written. These are not accepted by cash handlers.</td>
</tr>
<tr>
<td>Raised Bill</td>
<td>A simple form of counterfeit in which corner numbers from a larger denomination bill are glued onto one or more corners of a smaller denomination bill in order to pass it off as a larger denomination.</td>
</tr>
<tr>
<td>Refund</td>
<td>A refund is given after the original collection transaction has been completed. A refund is based on a notification from the original department handling the transaction and is processed by the Auditor’s Office. It returns the amount of the transaction back to the payee. After the money has gone to the bank, no refunds are issued by the originating office or department.</td>
</tr>
<tr>
<td>Shortage</td>
<td>An unintentional collection error made by the cash handler such as a change making error or failure to obtain custody of funds.</td>
</tr>
<tr>
<td>Stop Payment</td>
<td>Notification that a restriction has been placed on one’s ability to cash a particular check. If a check has been lost or stolen, or if payment no longer should be made, a “stop payment” order is initiated by the customer.</td>
</tr>
<tr>
<td>Transmittal Form</td>
<td>A standardized County document that records revenue for a specific department and transmits the funds to the County Treasurer.</td>
</tr>
<tr>
<td>Void</td>
<td>A void occurs during a collection transaction prior to the cash collection drawer being closed and a receipt having been issued. A void does not require a refund since the transaction is not complete.</td>
</tr>
</tbody>
</table>
Appendix A

Authorization to Waive 24-Hour Deposit Requirement per RCW 43.09.240

Department / Office / District: ________________________________

Reason for waiver: __________________________________________

*Daily Average Total Moneys Received: __________________________
(*Departments / Offices / Districts with seasonal activity use Daily Average During peak season.)

Method used to secure moneys held until deposited in Treasurer’s Office or Treasurer’s bank account:

__________________________________________________________

Deposit Frequency Requested (not to exceed one week from date of receipt):

__________________________________________________________

Certification:

I hereby certify that prior to deposit with the County Treasurer, or Treasurer’s bank account, all money received will be held with proper safekeeping and proper theft protection to reduce the risk of loss of funds in accordance with RCW 43.09.240.

Authorized Department / Office / District __________________________ Date __________________________

(This Section for Treasurer’s Office Use)

APPROVED □ □ ___________________________ Kathy Hanks, Cowlitz County Treasurer Date __________________________

DENIED □ □ ___________________________ __________________________
In the Matter of Adopting a  
Cash Handling Policy, and Rescinding  
Resolution No.17-007

Special Conditions: ________________________________________________________________

__________________________________________________________

Reason if not approved: ___________________________________________________________________________________

Appendix B  
When Money is Damaged or Wears Out

Even though United States currency is strong and durable, it does wear out with constant handling.

![Damaged Dollar Bill]

All currency in circulation is routinely deposited to Federal Reserve Banks by commercial banks. Worn notes are systematically destroyed by Federal Reserve Banks during ordinary currency processing. The destroyed notes are replaced by new currency provided by the Bureau of Engraving and Printing. The note most frequently replaced is the $1 denomination. There are over four billion $1 bills in circulation, and the life expectancy of each is approximately 18 months. Since larger denominations are handled less, they generally last longer.

When a note is partially destroyed, the Treasury Department will replace it if clearly more than half of the original remains. Fragments of mutilated currency which are not clearly more than one half of the original whole note may be exchanged only if the Director of the Bureau of Engraving and Printing is satisfied by the evidence presented that the missing portions have been totally destroyed.

Damaged or mutilated notes should be taken to a bank for redemption. When partially destroyed currency is of questionable value, the fragments should be sent by registered mail to:
Appendix C

Currency Strapping

Currency is strapped with color-coded paper straps or banded with rubber bands to help cash handlers.

Each denomination should be strapped with a color-coded or value-imprinted band. Strapped currency is packaged as follows:

<table>
<thead>
<tr>
<th>DENOMINATIO</th>
<th>No. of Bills</th>
<th>Band Value</th>
<th>No. of Bills</th>
<th>Strap Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1</td>
<td>25</td>
<td>$25</td>
<td>100</td>
<td>$100</td>
</tr>
<tr>
<td>$2</td>
<td>25</td>
<td>$50</td>
<td>100</td>
<td>$200</td>
</tr>
<tr>
<td>$5</td>
<td>20</td>
<td>$100</td>
<td>100</td>
<td>$500</td>
</tr>
<tr>
<td>$10</td>
<td>20</td>
<td>$200</td>
<td>100</td>
<td>$1,000</td>
</tr>
<tr>
<td>$20</td>
<td>25</td>
<td>$500</td>
<td>100</td>
<td>$2,000</td>
</tr>
<tr>
<td>$50</td>
<td>20</td>
<td>$1,000</td>
<td>100</td>
<td>$5,000</td>
</tr>
<tr>
<td>$100</td>
<td>10</td>
<td>$1,000</td>
<td>100</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

Coin is wrapped in the following amounts:

<table>
<thead>
<tr>
<th>DENOMINATION</th>
<th>No. of Coins</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0.01</td>
<td>50</td>
<td>$0.50</td>
</tr>
<tr>
<td>$0.05</td>
<td>20</td>
<td>$2.00</td>
</tr>
<tr>
<td>$0.10</td>
<td>50</td>
<td>$5.00</td>
</tr>
<tr>
<td>$0.25</td>
<td>40</td>
<td>$10.00</td>
</tr>
<tr>
<td>$0.50</td>
<td>20</td>
<td>$10.00</td>
</tr>
</tbody>
</table>
Appendix D  
Daily Cash Report Example

**CASHIER BALANCE SHEET**

<table>
<thead>
<tr>
<th>NAME</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Doe</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DATE</th>
<th>6/1/2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Report Total</td>
<td>$9,123.87</td>
</tr>
<tr>
<td>COUNTED TOTAL</td>
<td>$10,364.08</td>
</tr>
<tr>
<td>OVER / SHORT</td>
<td>$(1,240.21)</td>
</tr>
</tbody>
</table>

**ROLLED COINS**

<table>
<thead>
<tr>
<th>COIN</th>
<th>ROLL COUNT</th>
<th>Coin COUNT</th>
<th>ROLL VALUE</th>
<th>Coin VALUE</th>
<th>VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOLLAR COINS</td>
<td>0</td>
<td>0</td>
<td>$25.00</td>
<td>$1.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>HALF DOLLARS</td>
<td>0</td>
<td>0</td>
<td>$10.00</td>
<td>$0.50</td>
<td>$0.00</td>
</tr>
<tr>
<td>QUARTERS</td>
<td>2</td>
<td>42</td>
<td>$10.00</td>
<td>$0.25</td>
<td>$30.50</td>
</tr>
<tr>
<td>DIMES</td>
<td>3</td>
<td>33</td>
<td>$6.00</td>
<td>$0.10</td>
<td>$18.30</td>
</tr>
<tr>
<td>NICKELS</td>
<td>1</td>
<td>22</td>
<td>$2.00</td>
<td>$0.05</td>
<td>$3.10</td>
</tr>
<tr>
<td>PENNIES</td>
<td>1</td>
<td>11</td>
<td>$0.50</td>
<td>$0.01</td>
<td>$0.61</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>7</td>
<td>108</td>
<td></td>
<td></td>
<td>$52.51</td>
</tr>
</tbody>
</table>

**STRAPPED BILLS**

<table>
<thead>
<tr>
<th>BILL</th>
<th>BUNDLE COUNT</th>
<th>BILL COUNT</th>
<th>BUNDLE VALUE</th>
<th>BILL VALUE</th>
<th>VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>HUNDREDS</td>
<td>1</td>
<td>2</td>
<td>$1,000.00</td>
<td>$100.00</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>FIFTIES</td>
<td>2</td>
<td>3</td>
<td>$1,000.00</td>
<td>$50.00</td>
<td>$2,150.00</td>
</tr>
<tr>
<td>TWENTIES</td>
<td>3</td>
<td>4</td>
<td>$1,000.00</td>
<td>$20.00</td>
<td>$3,080.00</td>
</tr>
<tr>
<td>TENS</td>
<td>4</td>
<td>5</td>
<td>$250.00</td>
<td>$10.00</td>
<td>$1,050.00</td>
</tr>
<tr>
<td>FIVES</td>
<td>5</td>
<td>6</td>
<td>$250.00</td>
<td>$5.00</td>
<td>$1,280.00</td>
</tr>
<tr>
<td>DOLLARS</td>
<td>6</td>
<td>7</td>
<td>$50.00</td>
<td>$1.00</td>
<td>$307.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>21</td>
<td>27</td>
<td></td>
<td></td>
<td>$9,067.00</td>
</tr>
</tbody>
</table>

**MISC**

<table>
<thead>
<tr>
<th>AMOUNT</th>
<th>VALUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>WC</td>
<td>$0.00</td>
</tr>
<tr>
<td>CREDIT CARDS</td>
<td>$457.23</td>
</tr>
<tr>
<td>CHECKS</td>
<td>$785.99</td>
</tr>
<tr>
<td>COUPONS</td>
<td>$0.00</td>
</tr>
<tr>
<td>ODD CHANGE OR BILLS</td>
<td>$1.35</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$1,244.57</td>
</tr>
</tbody>
</table>

**TOTAL**  
$1,244.57
Appendix E
Check Endorsements

All checks should be endorsed immediately upon receipt either with a stamp or manually. The endorsement language can vary between departments, but must include “For Deposit Only, Cowlitz County.” In accordance with Federal law, the endorsement must be stamped in the first 1.5 inches on the back of the check on the trailing edges. The remainder of the back of the check must be left blank (any identification notifications, such as Driver License number, must be placed on the front of the check). It is important to endorse checks to the County as soon as possible, to reduce the possibility of the check being deposited into the account of another party. An endorsement that identifies the receiving department makes research on returned checks considerably easier.
Appendix F
Treasurer’s Miscellaneous Receipt

COWLITZ COUNTY TREASURER’S MISCELLANEOUS RECEIPT

<table>
<thead>
<tr>
<th>AGENCY NAME:</th>
<th>REV. SOURCE NAME</th>
<th>FND</th>
<th>ORG</th>
<th>PRG</th>
<th>ACCOUNT CLASS</th>
<th>MR CODE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

TOTAL: 0.00

Funds deposited to Bank: __________________________ Bank Name
Cash Deposited at Treas. Office: __________________
Checks Deposited at Treas. Office: __________________
TOTAL: $0.00

SIGNATURE PERSON MAKING DEPOSIT: __________________
Appendix G
Resolution No. 03-044

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF COWLITZ COUNTY, WA.

RESOLUTION NO. 03-044

In the Matter of Rescinding Resolution No. 92-155 and Re-establishing a Fee for Checks Returned as Non-Negotiable (NSF)

WHEREAS, On October 5, 1992 by Resolution No. 92-155, the Board of County Commissioners authorized county offices to charge $15.00 to reprocess checks returned as "non-negotiable" and,

WHEREAS, the Board has been advised that $15.00 is no longer sufficient to cover the costs of re-processing NSF checks; and

WHEREAS, the Board has been further advised that the sum of $25.00 is a reasonable fee;

NOW THEREFORE, IT IS HEREBY RESOLVED that Resolution 92-155 dated October 5, 1992 is hereby rescinded.

IT IS HEREBY FURTHER RESOLVED that Cowlitz County offices and departments are authorized to make a charge of $25.00 whenever it is necessary to reprocess a check. Each county office will receive a copy of this policy and will be asked to post a notice to this effect.

EFFECTIVE this 1st day of April, 2003.

BOARD OF COUNTY COMMISSIONERS OF COWLITZ COUNTY, WASHINGTON

/ S /
George Raiter, Chairman

/ S /
J. Bill Lehning, Commissioner

/ S /
Jeff M. Rasmussen, Commissioner

ATTEST:

/ S /
Vickie M. Musgrove
Clerk of the Board
Robbery Description Form

**Suspect Description Form**

(First, Notify Police. Then fill in the blanks.)

- **Age**: 
- **Race**: 
- **Sex**: 
- **Left/Right Handed**: 
- **Height**: 
- **Weight**: 
- **Hair**: 
- **Eyes**: 
- **Hat (color/size)**: 
- **Coat**: 
- **Tie**: 
- **Shirt**: 
- **Pants**: 
- **Shoes**: 
- **Marks/SCARS**: 
- **Weapon**: 
- **Vehicle**:
  - Make: 
  - Model: 
  - Color: 
  - License Number: 
  - Damage/Type: 
  - Bumper/Striker: 
  - Wheel Cover: 

**Did the robber have an accent?**

**What did the robber say?**

**Only those specific facial details you definitely remember:**

- Chin/cheeks
- Width of mouth
- Shape of hair
- Color of hair
- Shape of eyes
- Hair style
- Hair length
- Sideburns
- Mustache or beard
- Shape of nose
- Shape of ears
- Chin
- Forehead
- Shape of chin
- Forehead
- Shape of nose
- Forehead
- Shape of ear
- Forehead
- Shape of nose
- Forehead
- Shape of ear
- Forehead
- Shape of nose
- Forehead
- Shape of ear
- Forehead
- Shape of nose
- Forehead

**Direction of Travel:**

**Weapon**
Appendix I
Change Order Form

<table>
<thead>
<tr>
<th>Date</th>
<th>Department</th>
<th>Requester's Ext.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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(Res 18-051, 6-26-18)

5.2 CONTRACTING

5.2.1 Policy.

In order to expedite the purchase of goods and services, the Board of County Commissioners delegates to Department Heads limited authority to sign contracts that
obligate the expenditure of County funds. Such authority is limited as described in this policy. Nothing herein will prohibit further delegation of contracting authority applicable to specific situations by action of the Board of Commissioners taken prior to the execution of an individual contract.

This policy is outlined to ensure that a contract includes appropriate contract language so that the terms of the contract are enforceable and legally sound.

When a project or purchase of services, materials or supplies includes payment from federal funds, additional requirements are applicable. Prior to signing a contract with a subrecipient or vendor, County officials are responsible to ensure that subrecipients or vendors are eligible to receive federal funds.

Contract administration is the process by which the County, acting through one or more of its officials or staff, assures performance of contractual obligations. This encompasses all activity by the County and the contractor from the time the contract is awarded until the time the contract work has been completed and accepted, payment is made, all disputes resolved, and the contract has been formally closed out.

In compliance with RCW 40.14.010 and 40.14.070, the original contract/agreement, and all documents leading up to it, must be retained for a minimum of six years after the termination of the contract unless otherwise required by law or the contract.

5.2.1.1 Applicability.

All employees and officials of Cowlitz County shall comply with this policy pursuant to Cowlitz County Code 2.32 et. seq unless otherwise governed by state statute.

Departments may develop supplemental procedures.

5.2.1.2 Revocation of Delegated Authority.

The Board may revoke authority granted to County officials under this policy at any time for non-compliance with the County’s policies and procedures or as deemed necessary and appropriate by the Board.

5.2.1.3 Definitions.

A. **Board:** shall mean Board of Cowlitz County Commissioners.

B. **Contract:** is defined as any agreement (other than a purchase order) between two or more parties stipulating obligations of one to another. It is a mutually binding legal relationship obligating the seller to furnish the product, materials, or services and the buyer to pay for them.

C. **Contract Elements:** are essential points that must be contained in a contract in order for it to be enforceable. They include, among other things, an offer and
acceptance of the offer, consideration, legal subject matter, competent parties, and essential terms and conditions.

D. **Contracting Officer:** shall mean a County official or his/her designee responsible for the administration of contracts and management of contract activities within the County official’s office. This refers to a function rather than a job title or position.

E. **County Official:** as used in this policy means department head or elected official.

F. **Debarred List:** means those individuals and/or firms excluded from providing goods and/or services for federal award programs listed on the GSA Office of Acquisition list currently located at the following website: [http://epls.arnet.gov/](http://epls.arnet.gov/)

G. **Debarred Vendor:** means a firm and/or an individual debarred and/or a contractor excluded from providing goods and/or services for federal award programs and are listed in the GSA Office of Acquisition Policy.

H. **Federal Funds:** means those federal grants, awards, or funds provided to County agencies and/or subcontractors via federal direct or indirect awards.

### 5.2.2 Procedures.

#### 5.2.2.1 Contracting Authority – Contracts Requiring Board Approval and Award/Procedure.

Board approval and award of contracts and amendments may be obtained at any public meeting of the Board of Commissioners. Procedures for submission of agenda items are contained in County's Board of Commissioners Meeting Procedures.

Board approval and award is required for the following contracts:

A. All multi-year expenditure contracts where the total contractual obligation exceeds budgetary authority unless the following non-appropriation clause is included in the contract.

Non-Appropriation. The County warrants that it has funds available to pay the total payments until the end of the current fiscal period. The Contract administrator [Name/Position] shall use his/her best efforts to obtain funds to pay the total payments in each subsequent fiscal period through the end of the initial term of this Agreement. If the appropriation request to the Board of Commissioners or other funding authority (“Governing Body”) for funds to pay the total payments is denied, this Agreement may be terminated on the last day of the fiscal period for which funds have been appropriated, upon (i) submission of documentation reasonably satisfactory to the Contractor evidencing the Governing Body’s denial of an appropriation sufficient to continue this Agreement for the next succeeding fiscal period, and (ii) satisfaction of all charges and obligations under this Agreement.
incurred through the end of the fiscal period for which funds have been appropriated, [including the return of equipment at the County’s expense (include this language if leasing equipment)].

B. All contracts where total contract obligation, including change orders, equals or exceeds $10,000 per year.

C. All union labor agreements.

D. All real property transactions (space lease, property acquisitions and/or disposals).

E. All intergovernmental agreements authorized by RCW 39.34.080.

F. All contracts awarding grant funds to the County except as specified in the County’s Competitive Grant Application Process Policy.

G. Any other contract or agreement that by statute must be approved by the governing body of the County.

H. Any other contract not specifically authorized by the Board for other approval.

5.2.2.2 Contracts That May be Awarded by a County Official.

The following contracts may be approved and signed by the appropriate County official:

A. Contracts that do not meet the criteria requiring Board approval and that are equal or less than $10,000 per year (including sales tax, shipping and installation), provided that sufficient funds are allocated in the currently approved budget to cover costs.

B. Subsequent changes or amendments to a contract originally approved by a County official not to exceed five per cent (5%) of the original contract amount so long as there are sufficient funds allocated in the currently approved budget to cover costs. The Board must sign change orders or amendments exceeding this amount.

Once the contract has been executed, the approving county official must then place the signed contract on the “Consent” agenda for the next available County Commissioners public meeting.

5.2.2.3 Contract Amendments.

A. Amendments to contracts (such as change orders, addendum) will be in writing and signed by both parties or their successors. Amendments should not alter the nature of the project or change its scope beyond what a reasonable bidder would consider a modification, as opposed to a different project. Specific cases should be reviewed with the Prosecuting Attorney to determine whether the proposed changes require an amendment or a new contract. Expired contracts may not be amended unless approved in advance by the Board.
B. Amendment Approval Process

1. Contracts approved by the County official may be amended by the County official, except that, subsequent changes or amendments to a contract originally approved by a County official that cause total compensation to exceed five per cent (5%) of the original contract amount or exceed the currently approved budget require Board approval.

2. Contracts originally approved by the Board of Commissioners must be amended by the Board, provided that, at the time of initial contract approval, the Board may authorize approval of amendments by the County official up to five per cent (5%) of the original contract amount, provided further that the total of all change orders does not exceed $25,000. The Board must sign change orders or amendments exceeding this amount.

5.2.2.4 Emergency Public Works Contracting Process:

An emergency for the purpose of this procedure is defined as an unforeseen circumstance(s), beyond the control of Cowlitz County, that either: (a) presents a real, immediate threat to the proper performance of essential government functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken. See RCW 39.04.280(3).

The “Responsible Official” is hereby authorized by the Board of County Commissioners to make a determination and declaration of emergency.

County roads and Public Works Department facilities and purchase, the Director of Public Works is the Responsible Official;

County parks and recreational facilities, and all other County buildings and facilities, the Facilities Director is the Responsible Official;

All other contracts and purchases, the Chief of Staff is the Responsible Official.

Upon a countywide, state or national emergency declaration and disaster, and in the event of an emergency requiring immediate replacement or repair of equipment or buildings, or any other emergency contracting matter involving “public works” as defined under RCW 39.04.010, or any other emergency contacting matter or purchase allowed under RCW 36.32.270 or 36.32.240, the following procedures shall be followed for emergency purchases made pursuant to RCW 39.04.280(c)(e):

Responsible Official will immediately advise the Chairman of the Board or their designated responsible official of the need for any emergency to repair a County road or facility or any emergency contracting or purchase.

The Responsible Official shall document, by declaration, compliance with legal requirements related to public notice, and applicable County Code, policies and
procedures. The Responsible Official requesting an emergency declaration and emergency contracting or purchasing authority shall complete and sign the required form(s) for submission to the Board of Commissioners.

If a contract is awarded or a purchase made without competitive bidding, due to an emergency, a written finding of the existence of the emergency and notification must be presented at a public meeting of the Board of Commissioners (Board) no later than two weeks following contracting or purchase. RCW 39.04.280(2)(b).

At the time the emergency contract or purchase is submitted for presentation on the Board’s public meeting agenda, it will be accompanied by information describing the nature of the emergency, the actual costs of the repair, contracting or purchase, and the date of completion of or the receipt of services or purchases.

A copy of the emergency declaration and Board notification shall be maintained in the public files of the Responsible Official and Clerk of the Board.

Note: Exceptions to this process are provided for emergency contracting and purchasing under RCW 38.52.

5.2.2.5 Written Contracts – When Required.

A written contract may be initiated by the County or by the other party to the agreement. It must be signed by at least one authorized representative from each party.

A. A written contract is always required for:

1. Space lease agreements
2. Intergovernmental agreements
3. Grants
4. Union labor agreements
5. Real property transactions (acquisitions and disposals)
6. Contracts required by law to be in writing
7. Other contracts or agreements as deemed necessary by the Board or County official.

B. In addition to the above, a written contract is required for the following types of contracts if the service, purchase, or sale is more than $2,500 per vendor per year:
1. Personal/professional services/contracts for services. (Departments should first determine if the relationship is an independent contractor or an employee. Contact Human Resources for guidance on the differences).

2. Maintenance agreements, licensing agreements, etc. (For example, computer hardware and software, etc.).

3. Lease agreements (equipment, etc.).

4. Construction projects / "public works" contracts.

5. Agreements for rental of equipment.

C. In addition to the above, a written contract is required for purchase of goods when the purchase of a similar item from a single vendor exceeds or is expected to exceed $50,000 in a calendar year.

5.2.2.6 Timing of Contract Execution.

Contracts should be completely executed prior to the start of any activity covered under the contract. Retroactive contracting is discouraged. An explanation must be included in the executive summary submitted to the Board during the approval process if approval of a retroactive contract is requested.

5.2.2.7 Other Considerations on Contracts for Goods or Services.

Prior to entering a contract for the acquisition of goods or services, a County official should:

A. Ensure that the purchase of goods or services is in accordance with the County purchasing policy and with any applicable laws, County ordinances, resolutions or grant requirements.

B. Determine that funding is available in the currently approved budget.

C. If a contract is for multiple years, consider the impact on future budgets and include a non-appropriation clause.

D. County officials shall seek the review by the Prosecuting Attorney's Office for approval as to form of the contract documents that are not on the standardized County form.

E. County officials shall seek the review by the Risk Management Office for approval of insurance provisions and contracts involving unusual or risky activities.

F. County officials shall consult with Information Technology (IT) Department prior to purchase of technology related items.
G. County officials shall consult with the Facilities Maintenance Department prior to entering into contracts for construction, repair or modification of buildings or building systems.

H. An original contract and any approved amendments signed by a County official pursuant to authority granted under this policy will be submitted to the Clerk of the Board within ten (10) days of entering into the contract or amendment. The Clerk of the Board will place the contract documents on the consent agenda.

5.2.2.8 Contractual Language.

The purpose of this section is to ensure that a contract includes appropriate contract language so that the terms of the contract are enforceable and legally sound. It will also serve to highlight the difference between "form" and "substance."

5.2.2.9 Contract Elements.

The contract elements listed below are the minimum County requirements, which must be included in a contract, signed by the County.

A. Contract title
B. Name and address of both parties
C. County's authorized representative
D. Contractor's legal entity type
E. Purpose, scope of the contract, or scope of work
F. Term or duration of the contract
G. Compensation and payment terms
H. Provisions for modifications and changes
I. Provisions for contract termination
J. Provisions for remedies if there is a violation or breach of contract terms
K. Clause describing dispute resolution (not mandatory; use only if deemed appropriate)
L. Non-discrimination language
M. Insurance, liability, indemnification language
N. Public Disclosure

5.2.2.10 Standard Form Contracts Encouraged.

When a County official initiates the contract, it is recommended that a Standard Form Contract be used whenever available. Samples of Standard Form Contracts may be available from the Chief Civil Deputy in the Prosecuting Attorney’s Office or from the Office of Financial Management.

5.2.2.11 Vendor Contracts.

A vendor/contractor may provide the County with a written pre-printed standard contract. Vendor contracts should be reviewed by the Prosecuting Attorney’s Office and the Purchasing Department.
5.2.2.12 Grants.

Contract language setting out the terms and conditions required by a federal or state grant will be included in the contract documents.

5.2.2.13 Industry Terms.

County officials should use contract language, which conforms to industry standards as relates to the project or services described in the contract unless such language significantly compromises the interests of the County.

5.2.2.14 Federal Funds – Subrecipients and Vendors.

When a project or purchase of services, materials or supplies includes payment from federal funds, additional requirements are applicable. Both subrecipients and vendors must comply with all current Federal requirements including the Uniform Administrative Requirements, Cost principles, and Audit Requirements for Financial Awards (the “Super Circular,” or “UAR”) and the County’s policies and procedures to implement the UAR.

5.2.2.15 Subrecipients and Vendors.

County officials must not make awards or payments to any party who is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs. Prior to signing a contract with a subrecipient or vendor, County officials are responsible to ensure that subrecipients or vendors are eligible to receive federal funds. The excluded parties list may be accessed at the following website: http://epls.arnet.gov/

5.2.2.16 Contract Requirements for Subrecipients.

When the County is the recipient of federal or state grant funds, contracts with a vendor for services, goods, materials or equipment and uses the federal or state funds to pay for such services, goods, materials or equipment, the vendor may become a secondary recipient of grant funds. The secondary recipient of the federal funds should be referred to in the contract as a "subrecipient" once it is determined that they are a subrecipient, not a vendor. A subrecipient who distributes federal funds, may be subject to the Single Audit Act.

5.2.2.17 Single Audit Requirements.

Single Audit requirements should be defined for subrecipients and contracts with a subrecipient should include the following elements:

A. A requirement that the subrecipient comply with the Single Audit Act of 1984 as modified in 1996, or hereinafter modified.

B. A requirement that the subrecipient permit independent auditors access to its financial records if requested by the County or state or federal auditors.
C. A requirement that the subrecipient maintain accounting records that will enable identification of all federal funds received and expended by catalog of federal domestic assistance number (CFDA#).

D. A requirement that if a Single Audit is required, a copy of the audit report is submitted to the County, within the time limit set forth in the Single Audit Act.

E. A requirement that if a Single Audit is not required, the County is allowed to perform a fiscal review of the subrecipient’s financial records.

F. A requirement that if a subrecipient is debarred or suspended from participation in federal programs during the contract period, the subrecipient will notify the County and acknowledgment that the contract will be voided.

G. A requirement that the subrecipient check the “List of Parties Excluded from Federal Procurement and Non-procurement Programs”, prior to awarding sub-grants or contracts.

5.2.2.18 Contract Administration.

Contract administration is the process by which the County, acting through one or more of its officials or staff, assures performance of contractual obligations. This encompasses all activity by the County and the contractor from the time the contract is awarded until the time the contract work has been completed and accepted, payment is made, all disputes resolved, and the contract has been formally closed out.

5.2.2.19 Contract Administration Responsibilities.

Contract administration may include, but is not limited to, the following functions:

A. Ensuring required insurance is obtained, documented, and maintained prior to commencement of work
B. Making payments to contractors according to the terms of the contract.
C. Providing interpretations of terms and conditions of the contract to the contractor.
D. Giving technical direction and assistance to contractors.
E. Inspecting and accepting work performed by contractors.
F. Modifying contracts within the scope of authority.
G. Reviewing certain proposed subcontracts if contract terms require such reviews.
H. Terminating contracts for cause, convenience or default.
I. Maintaining a contract file.
J. Closing out the contract when it is completed.

5.2.2.20 Responsibility for Administration of Contracts.

The County official initiating the contract is responsible for the administration of the contract. The County official initiating a contract will assign a contract officer to each contract. The contract officer will be responsible for coordinating the applicable contract management activities listed above for the assigned contract(s).
5.2.2.21 Index and Tracking of Contracts Required.

The County official or contract officer are responsible to establish and maintain a file containing all documentation regarding each contract or grant pertaining to his/her department, whether approved by the Board or the County official.

An original contract and any approved amendments signed by a County official pursuant to authority granted under this policy will be submitted to the Clerk of the Board within ten (10) days of entering into the contract or amendment. The Clerk of the Board will place the contract documents on the consent agenda.

5.2.2.22 Contract Retention, Official File, Public Disclosure.

In compliance with RCW 40.14.010 and 40.14.070, the original contract/agreement, and all documents leading up to it, must be retained for a minimum of six years after the termination of the contract unless otherwise required by law or the contract. Documents associated with a contract include, but are not limited to: vendor list printout, written/telephone quotation forms, bid specifications, bid quotations, Request for Proposals (RFP's), contract proposals, activity reports, requests for reimbursement, and any other documents made or received by the County in connection with the contract or agreement.

The official contract file, including either an original signed contract or a copy of the signed contract and all documents associated with the contract will be maintained by the Clerk of the Board. The initiating department may retain a duplicate file. Any destruction of the departmental records will be in accordance with approved retention schedules in the appropriate department. Requests for public disclosure of contracts and related documents will be handled pursuant to state law and County policy.

An original contract and any approved amendments will be retained by the Clerk of the Board for those contracts approved under this policy, by the Board. The Board’s record may or may not include supporting documents such as vendor list printouts, written/telephone quotation forms, bid specifications, bid quotations, Request for Proposals (RFP's), contract proposals, activity reports, and requests for reimbursement.

If, due to the dollar amount, the purchasing transaction does not require a written contract in accordance with the Contracting Policy, all documents leading up to the purchase/expenditure may be attached to the original payment voucher. The original payment voucher is retained by the Auditor’s office.

(Res. 04-058, 3-30-04 and Res. 02-002, 1-2-02; Res 18-026, 4-24-18)

5.3 COPYING CHARGES

5.3.1 Policy.
Each department shall charge no more than fifteen cents per page for copied documents plus postage, unless otherwise stated in the RCW’s for specific departments to charge different rates.

5.3.2 Procedures.

If a department desires to charge more than fifteen cents per page for copies, the elected official/department head must submit a written statement to the Board of County Commissioners documenting the actual cost per page. These costs are limited to paper, equipment charges, and actual staff time involved in copying only (not in locating or compiling the records).

Postage costs can be charged when mailing is requested.

A cost of five cents per page for copied documents will be charged County employees for personal copies.

(Res. 04-105, 6-1-04)

5.4 CREDIT CARD

5.4.1 Policy.

The Board of Cowlitz County Commissioners recognizes the need for having financial flexibility. The use of credit cards is a customary and economical business practice to improve cash management, reduce costs and increase efficiency. Commercial credit cards are designed to provide a convenient and efficient method for procurement of low value goods and services for official County use and for travel related expenses. The commercial charge card is a mechanism that aligns the financial liability to the County and not to the employee.

Commercial credit cards may be issued to eligible employees, upon written request to the Board of County Commissioners.

Personal charges with the commercial charge card outside of County policy are grounds for disciplinary action up to and including suspension or termination.

The following are the primary purposes for credit cards:

A. To provide the County with a mechanism to pay expenses incident to travel: training, tuition or registration when the time necessary to process an emergency Purchase Order (PO) will not meet the time frame of the vendor to allow the County to receive a discount; making reservations when the vendor will not accept a (PO) over the phone or fax or the time necessary to process an emergency PO will not meet the time frame of the vendor; and for general costs associated with travel.
B. To provide a convenient and efficient method for procurement of low value goods and services.

General policies which govern the credit card program include:

A. Credit cards may be issued to elected officials, department heads and regular full-time County employees only.
B. All purchases must be made in compliance with all applicable procurement statutes, laws, regulations, policies, rules, guidelines and County ordinances and resolutions.
C. Original itemized receipts are required for all purchases.

5.4.2 Procedures.

5.4.2.1 Overview of the Program.

Account options are as follows:

A. Individual Account  Card imprinted with employee’s name; may be used only by that individual.

B. Department Account  Card imprinted with department name; may be used by any full-time department employee who is authorized as a Credit Card User

C. Business Travel Account  Account established in a department’s name but a physical card will not be issued. Any full-time department employee who is authorized as a Credit Card User by the elected official or department head may use the account only for travel reservations.

D. Other Credit Cards  A card or device issued under an arrangement pursuant to which the issuer gives to a card holder the privilege of obtaining credit from the issuer.

To obtain a credit card, the Elected Official or Department Head must submit the following completed documents to the Office of Financial Management:

A. Signed authorization from the Board of Cowlitz County Commissioners
B. Cowlitz County Credit Card Application with signature of Elected Official or Department Head
C. Cowlitz County Credit Card User Acknowledgement signed by individual

Upon notification that the card is available, the cardholder must pick up the card from the Office of Financial Management and sign the Acknowledgement of Receipt section of the Credit Card User Acknowledgement. The cardholder will receive a copy of the County’s “Cardholder Instructions” detailing procedures for the proper use of the credit car,
procedures for submitting payments instructions to the Auditor’s Office and procedures in the event the card is lost or stolen.

5.4.2.2 Management of the Credit Card Program.

A. Board of County Commissioners
   1. Establish credit card limits and approve credit card requests from Elected Officials/Department Heads.

B. Office of Financial Management
   1. Retain signed Credit Card Applications and related forms.
   2. Monitor card activity and review management reports provided by the financial institution.
   3. Perform audits for compliance with policies and procedures.
   4. Provide periodic reports to the Board, Elected Officials and Department Heads.

C. Elected Official/Department Head
   1. Request accounts for individual employees or for department.
   2. Ensure proper card usage and compliance with County policies. Establish additional controls and restrictions when deemed appropriate to their departments.
   3. Ensure monthly statements are reconciled in a timely manner and payments are remitted to the financial institution within the contractual obligation period.
   4. Obtain and destroy cards from terminated employees or employees transferring to another department. Notify Office of Financial Management to close account for such employee.
   5. Submit Credit Card Maintenance Form to Office of Financial Management for changes to employee name, billing address, credit line, or account closure.

5.4.2.3 Restrictions on Use of Credit Card.

A. Credit cards are to be used to purchase low cost items for official County business only.
B. A single purchase transaction may not be broken down into series of smaller purchases to circumvent transaction dollar limits stipulated by Cowlitz County Code or policies.
C. The maximum dollar limit per transaction is $2,500.00. The credit limit per account is $5,000.00. Elected officials/department heads may request lower transaction or account credit limits. Based upon demonstrated need, the Board of County Commissioners may authorize higher credit limits.
D. An Elected Official/Department Head may specify additional restrictions.
E. Credit cards may NOT be used for any of the following:
   1. Cash advances of any type
   2. Purchase of goods or services for personal use
   3. Personal or professional services
4. Extra hire services or temporary hire services
5. Cellular phones, tele-communications equipment, services and charges unless approved by Information technology.
6. Computer related equipment/hardware/software unless approved by Information technology.
7. Repairs for County vehicles unless an emergency occurs while traveling out of the County, contact Motor Pool/ER&R for prior authorization.
8. Purchase of goods or services on existing County contracts from other than the awarded vendors.
9. Work considered to be a Public Work (prevailing wages issue).
10. Capital items (greater than $5,000)
11. All other purchases prohibited by law or by County policy or guidelines.

5.4.2.4 Responsibilities of Credit Card Users - Credit Card User

Acknowledgement.

The Credit Card User must sign a Cowlitz County Credit Card User Acknowledgement which specifies transaction limits and responsibility for use of and/or loss of the card. Cardholders must abide by the terms of the Cardholder agreement. The terms of the acknowledgement authorizes a payroll deduction from the Credit Card User for inappropriate, unauthorized, or unsubstantiated purchases with the card, subject to restrictions of State law.

5.4.2.5 Procurement Rules.

The Credit Card User must have a working knowledge of all applicable procurement policies, rules, and guidelines, and be responsible for adherence to these controls and procedures. All purchases must be made following applicable Cowlitz County Code, resolutions or ordinances and State laws.

Subject to the forgoing, Credit Card Users shall:

A. Seek the best price available and utilize discounts available at the time of purchase.
B. Resolve discrepancies with the supplier or financial institution.
C. The Credit Card User must obtain a supplier sales receipt for each transaction that clearly describes the items purchased, price, and any applicable shipping charges and sales tax. Maintain original itemized receipts, sales slips, supplier invoices, packing slips, and other related documentation. Obtain the necessary approvals and submit a voucher to the Auditor’s Office within ten business days of receipt of the statement. Any elected official or employee using a card for travel and travel related expenses must submit a fully itemized travel expense report with the payment voucher.
D. The Credit Card User is personally responsible for payment of unauthorized purchases or purchases not supported by receipts.
E. Safeguard cards from theft, loss, and misuse.
F. Contact the financial institution and telephone the Office of Financial Management immediately if the physical card or “ghost” card number is lost or stolen. Pursuant to law, failure to notify the financial institution of any card loss or
theft within two business days after learning of the loss or theft may lead to liability to the card holder for any unauthorized transactions that occur after the loss or theft.

G. Maintain strict security of card numbers. Card numbers shall only be disclosed when necessary to make an authorized purchase.

H. Immediately discontinue using the card if any disallowed charges are outstanding.

5.4.2.6 Disputes.

In the event the Credit Card User does not recognize a charge that has been posted to the billing statement, or the charge is disputed with the supplier and cannot be resolved, the Credit Card User must contact the financial institution’s customer service center immediately.

The Credit Card User will be responsible for documenting the dispute according to the financial institution’s instructions. The Credit Card User may forfeit certain protections by failing to notify the financial institution of the error within the required time limits.

5.4.2.7 Credit Card User Responsibility.

Credit cards must be returned to the elected official or department head upon request or when the cardholder terminates County employment or transfers to another department within the County. The Elected Official/Department Head will then forward the card to the Office of Financial Management. In the event of an Elected Official/Department Head terminates County Employment, the credit card will be returned directly to the Office of Financial Management.

The Card must be surrendered if used in a manner that is inconsistent with County policy, if the reconciled statements and receipts are not sent to Accounts Payable in a timely manner, or if finance charges are incurred as a result of Credit Card User negligence.

The Credit Card User is personally responsible for payment of unauthorized purchases and/or purchases not supported by itemized receipts. Misuse or abuse of County credit cards may result in a revocation of the card and may subject the user to disciplinary action up to and including termination.

5.4.2.8 Internet Purchasing.

A credit card number should not be entered in a website to purchase items that is not using a method for encrypting the purchasing information. This can only be verified when transacting business on a secured server using Secured Socket Layering (SSL). On the bottom line (status bar) of the browser, the padlock should be “locked”. If the padlock is not “locked”, the transaction information is not secure.

Credit Card User must print a legible, itemized receipt at point of purchase from internet site.
5.4.2.9 Misuse of the Credit Card.

If for any reason disallowed charges are not repaid by the cardholder before the card billing is due and payable, the County shall retain a prior lien against and a right to withhold any and all funds payable to the employee up to an amount of the disallowed charges, late fees and interest at the same rate as charged by the credit card contractor. Consequences for misuse of the Credit Card can include permanent revocation of Credit Card privileges, assignment of wages for repayment of discrepancies, notification to the County Auditor and Office of Financial Management to investigate the matter further, and/or disciplinary action, up to and including termination. The Office of Financial Management Director or the County Auditor shall report any known misuse of a credit card to the Board.

5.4.2.10 Card Cancellation.

A Credit Card may be canceled for any of the following reasons:

A. The card is lost or stolen;
B. The employee transfers to another department;
C. The employee retires, resigns, or is otherwise terminated from County employment;
D. The authorizing Elected Official/Department Head requests cancellation for any reason;
E. The Board of County Commissioners requests cancellation.

It is the responsibility of the Elected Official/Department Head to advise the Office of Financial Management of the termination or transfer of any cardholder. The Office of Financial Management will then cancel the cardholder’s Credit Card and/or user privileges.

(Res. 93-132, 8-30-93; Res. 98-121, 8-3-98; Res. 04-088, 5-11-04)

5.5 CREDIT/PROCUREMENT CARDS (PCARDS)

5.5.1 Policy.

The Board of Cowlitz County Commissioners recognizes that the use of credit cards is a customary and economical business practice used to improve cash management, reduce costs and increase efficiency. Purchasing cards are designed to provide an alternative, convenient and efficient method for procurement of goods and services for official county use. They are not intended to be used to avoid or bypass purchasing policies. Rather they are to be used within the same statutes, rules, policies and procedures as purchases by any other means of payment. Cowlitz County's Credit/Procurement Card (Purchasing Card) program is established as authorized by RCW 43.09.2855.

This program is designed to assist in the management and payment of business-related purchases and travel expenses by eliminating unnecessary paperwork and payment processing steps and reducing acquisition costs and time. This program is an enhancement to the purchasing process and a delegation of purchasing authority. The Purchasing Card is designed with built-in spending controls to prevent inappropriate purchases. The use of a
Purchasing Card is a privilege that has been granted to officials and employees. Certain responsibilities are associated with this privilege.

Therefore, the Cowlitz County Board of Commissioners approves the following Cowlitz County Credit/Procurement Policy and hereby delegates and authorizes County officials and employees authority to use Travel Cards, Purchasing Cards (PCards), Fleet Cards and the Corporate Cards described in this policy.

5.5.2. APPLICABILITY
This policy applies to all County officials and employees unless otherwise exempted by statute or rule. This policy is not intended to abridge the customary functions of management, including but not limited to: directing the activities of the department; determining the methods of operation. **PROVIDED HOWEVER,** that the Cowlitz County Board of Commissioners shall retain the authority to determine all items with budgetary impact.

5.5.3 BACKGROUND
The Purchasing Card program is a commercial card account and has a number of unique controls that do not exist in a traditional credit card environment. These controls ensure that Purchasing Cards are used only for specific purchases and within specific monthly dollar limits.

The OFM Director or designee shall be responsible for implementing, monitoring, and administering this policy and ensuring that employees who have access to the Purchasing Card follow all Federal and State laws and Cowlitz County ordinances, resolutions, rules and policies relating to the purchasing function. Each County Official is responsible for management of the Purchasing Card accounts in their department and may establish additional controls and restrictions as deemed appropriate within their department. In addition, verification of the charges on each invoice by each Cardholder and by the authorized County Official or their designee is required before the invoice is submitted for payment.

5.5.4. DEFINITIONS
“Approving Official” means the official or employee assigned to monitor, review and approve Purchasing Card transactions to ensure compliance with these policies and procedures.

"Billing Period" means the monthly cycle during which transactions are posted. This cycle might not coincide with an actual calendar month.

"Cardholder" means an employee who is issued an Individual Purchasing Card.

"Card User" means an employee who has been authorized to use a Group Card.

"Central Bill" means the County's consolidated statement that lists all cardholder transactions.

"County Official" means an Elected Official or Department Head or Manager.
"County's Purchasing Policies" means the most current resolutions or policies and procedures regarding purchasing commodities, services and/or travel.

"Credit Limit" means the maximum amount of all transactions that can be charged to a card within a billing cycle.

"Procurement Card (Purchasing Card)" means a VISA credit card issued by U.S. Bank. There are two types of Purchasing Cards:

"Individual Purchasing Card" means a Purchasing Card issued to an individual employee or Elected Official;

"Group Card" means a Purchasing Card issued to a department and generally does not have an individual name on the card.

"Disputed Item" means a transaction appearing on the Purchasing Card statement that the Cardholder or Purchasing Card Custodian determines to be inappropriate.

"Purchasing Card Administrator" means the OFM Director, or designee, who administer(s) the Purchasing Card program and serves as the liaison between the Cowlitz County Cardholders and U.S. Bank. Refer to section 3 of the NASPO Participating Addendum to the Commercial Card Solution (Washington State Contract #00612) for contact information. "Purchasing Card Custodian" means a Cowlitz County employee who is responsible for maintaining and securing a Group Card account.

"Purchasing Card Statement" means the individual Cardholder's monthly statement that lists all transactions made during the Billing Period.

"Reconciliation" means the process of verifying, approving and settling transactions.

"Transaction" means a purchase or charge to an account.

"Transaction Limit" means a:

"Single Transaction Limit" - the maximum amount of a single transaction;

"Monthly Transaction Limit" - the maximum amount of all transactions during the billing period.

"Voucher Processing Officer" means a Cowlitz County employee who coordinates statements for a workgroup, division, or department and originates a voucher that is submitted to accounts payable pursuant to the procedures established by the Cowlitz County Auditor.

5.5.5 GENERAL PROVISIONS
1. **County Use Only/Authorized Purchases**

*All purchases* made with credit cards must be made in compliance with the Cowlitz County Purchasing Guidelines, Cowlitz County Code, and applicable state statutes and federal laws.

The purchasing card is to be used for *business related purchases only*. The following uses are prohibited:

- Items for personal use
- Materials or services from any member of the Card User’s immediate family
- Cash advances
- Alcoholic beverages
- Purchases in excess of the limits authorized by the card
- Gifts/donations
- Personal or professional services
- Manpower (labor) of any type
- Purchases restricted by policy guidelines
- Purchases that violate established County standards or contractual agreements such as Computer Hardware and/or Software (unless approved by Department of Information Technology)
- Splitting purchases to circumvent the daily or monthly purchase limits, or to avoid competitive bidding limits or purchasing authority limits
- Purchases between County departments, unless prior written approval is received from the Purchasing Card Administrator
- Prepayments unless otherwise authorized by statute or contract

2. **Issuance of Cards**

County Officials may choose whether to issue Purchasing Cards to individuals and/or a department card. It is recommended that County Officials utilize individually assigned Purchasing Cards rather than department cards in order to ensure better accountability of card users and full fraud protection from the issuing bank. County Officials should establish a system for responsibility, control and distribution of Purchasing Cards within their departments.

Only full-time regular employees of the County and Elected Officials may be issued an Individual Purchasing Card. Individual Purchasing Cards may only be used by the person to whom the card is issued. It is not permitted to allow anyone other than the Cardholder to use a card to make purchases. Failure to comply with this restriction will result in immediate revocation of the Cardholder's Purchasing Card, or other discipline, as appropriate, up to and including termination.

A Group Card may be used by employees authorized by the County Official in the designated department.

3. **Roles and Responsibilities:**

**Those who are issued Purchasing Cards:**

- Are required to have a working knowledge of all applicable policies, rules and guidelines governing use of purchasing cards and credit cards, and are responsible
for adherence to these controls and procedures. All purchases must be made following applicable Cowlitz County Purchasing Guidelines, Cowlitz County Code, Washington State and federal laws and these Purchasing Card Policies.

- Are expected to seek the best price available and request available discounts at the time of purchase.
- Must maintain original receipts, sales slips, supplier invoices, packing slips and other related documentation sufficient to show details of the transaction. A sales draft (credit card receipt) is not sufficient. A cash register slip or other document which itemizes the transaction must be submitted with the reconciled invoice at the end of the billing cycle.
- Must maintain a purchasing transaction log for reconciliation purposes.
- Shall resolve discrepancies with the supplier or financial institution.
- Must print and reconcile the purchasing card statement, and promptly forward to the person designated within their department to approve transactions (Approving Official).
- Must safeguard cards from theft, loss, and misuse.
- For Internet purchasing, the card user will only enter the purchasing card number in a secure web browser that supports encrypted transactions. Card users can check for this by looking at the bottom of the screen on the status bar for a picture of a padlock. A locked padlock indicates the transaction site is secure.
- Will notify the financial institution and the Purchasing Card Administrator immediately if the card is lost or stolen or if fraudulent transactions occur.
- Shall maintain strict security of card numbers.
- All transactions are available for review on-line using web-based software supplied by the banking institution. The card holder will regularly review transaction details and obtain supervisor approval.
- Prior to the payment due date, the card holder will print the card statement, verify the transactions are accurate and attach all receipts and required documentation to the statement. The card holder will submit the statement, receipts and supporting documentation to an appropriate Approving Official or Accounts Payable Officer for processing no later than five (5) business days prior to the payment due date.

Purchasing Cards must be returned to the Elected Official or Department Head upon request or when the cardholder terminates County employment, separates from service, or transfers to another department within the County. The Elected Official/Department Head will then destroy the card and notify the Office of Financial Management. In the event an Elected Official/Department Head leaves County Employment, the credit card will be returned to the Office of Financial Management for destruction.

The Card must be surrendered by the cardholder to the employee’s Elected Official or Department Head if used in a manner that is inconsistent with County policy, if the reconciled statements and receipts are not sent to Approving Official or Accounts Payable in a timely manner, or if finance charges are incurred as a result of Credit Card User negligence.
The Credit Card User is personally responsible for payment of unauthorized purchases and/or purchases not supported by itemized receipts. Misuse or abuse of County Purchasing Card may result in a revocation of the card and may subject the cardholder to disciplinary action up to and including termination.

**Approving Officials** are assigned to monitor, review and approve Purchasing Card transactions and to ensure compliance with policies, procedures and to:

- Comply with all federal, state and county purchasing statutes, rules, policies and procedures.
- Ensure timely reconciliation of card statements, including ensuring that supporting documentation is attached and timely submission of approved card statements to fiscal staff for payment.
- Monitor card activity for unusual patterns of use or unacceptable transactions and take appropriate disciplinary measures with card users who misuse their Purchasing Cards.

4. **Purchasing Card Purchases Subject to Purchasing Laws and Policies**
The Purchasing Card does not supersede requirements to comply with existing federal and state laws or County regulations, ordinances, resolutions or policies and procedures regarding purchasing commodities, services and/or travel. The Purchasing Card is designed to be an enhancement to the purchasing and payment process.

5. **Transaction Limits**
The County Official or their designee requesting the Purchasing Card will determine the single transaction limit and monthly transaction limit at the time of application. Cardholders and Card Users shall not exceed these limits without prior written approval from the County Official.
The County has an aggregate county-wide credit limit, which cannot be exceeded. If monthly transactions exceed the established departmental limits, the Purchasing Card Administrator should be contacted to ensure adequate county-wide credit is available in order to avoid transactions being declined for other Cardholders.

Purchasing Card users are specifically prohibited from splitting transactions into multiple charges to circumvent transaction limits or bid limits.

The monthly transaction limit is a function of the billing cycle of the issuer and is not necessarily the same as a calendar month. If a Purchasing Card has reached its billing cycle transaction limit, new credit will become available only in the next succeeding normal processing cycle after the current invoice is received, reconciled, approved, audited, and paid.

6. **Loss or Theft of Purchasing Card**
Cardholders, Card Users, and Purchasing Card Custodians are responsible for card security and are required to report loss or theft of the Purchasing Card immediately to their County Official, U.S. Bank Customer service at 1-800-344-5696, and the County's Purchasing Card Administrator.
Current Contacts for U.S. Bank:
24-hour Customer Service (Lost or Stolen Card/Disputed Billings): 1-800-344-5696
Customer Service (Lost or Stolen Card): 1-800-344-5696
(Disputed Billings): Address provided on the Statement
Access Online Cardholder Support: 1-877-887-9260

7. **Appearance of Purchasing Card**
All Purchasing Cards issued for the County will have "Cowlitz County" embossed on the face and will reflect the Cardholder's name or the group (department) name.

8. **Obtaining A Purchasing Card**
To obtain a Purchasing Card, a County Official or designee will complete a Purchasing Card Application form. The application will then be submitted to the Purchasing Card Administrator. Cardholders and Card Users are required to sign a Purchasing Card Agreement in the format provided by the Purchasing Card Administrator. Agreements are maintained by the County Official or designee.

9. **Inappropriate Use**
a. **Reporting Fraudulent Transactions**
Any unusual activity or charge from an unknown source that occurs on a Purchasing Card must be reported immediately by the authorized user to their County Official, U.S. Bank Customer service at 1800-344-5696, and the County's Purchasing Card Administrator. Cardholders or Card Users shall be personally responsible for any unauthorized expenditures and will be required to repay expenditures that are considered in violation of this policy. Cardholders or Card Users who violate this restriction will have their card privileges revoked and may be subject to disciplinary action, up to and including termination. The Purchasing Card Administrator reserves the right to cancel any Purchasing Card at any time for violation of this policy.

b. **Card Use Violations**
Regardless of what is determined to be a material level for reconciliation and audit purposes, all violations of Purchasing Card/account use (Purchasing Card/account used for fraudulent use, personal purpose, or other violation) shall be immediately reported to the responsible County Official, the Chief Accountant (Auditor's Office), the Cardholder's or Card User's supervisor, and the Purchasing Card Administrator.

Discipline for improper use of Purchasing Cards or violations of County policies or procedures will be the responsibility of the responsible County Official. A violation may be cause for corrective action and/or discipline, depending on the severity of the violation, which could include termination of employment and/or criminal prosecution.

Immediately following an investigation that results in a determination that charges were fraudulent and/or that misuse of the Purchasing Card/account has occurred, the offender will be required to reimburse the County for inappropriate or fraudulent charges including interest. Said reimbursement may, at the sole discretion of the responsible County Official (a) be made by direct repayment; (b) be withheld from the next succeeding employee
paycheck; or (c) be repaid pursuant to a repayment plan (e.g., deduction of equal amounts from employee's paychecks). Direct repayments shall be submitted to the Treasurer's Office.

By signing the Purchasing Card Agreement form, an individual Cardholder or Card User agrees to these conditions.

10. Returns and Exchanges
The Cardholder, Purchasing Manager or Purchasing Card Administrator is responsible for contacting the vendor when goods, equipment, or services purchased with the Purchasing Card are not acceptable (incorrect, damaged, defective, or otherwise not acceptable) and for arranging a return for credit or exchange. If items are returned for credit, the Cardholder, Purchasing Manager or Purchasing Card Administrator is responsible for obtaining a credit receipt from the vendor and retaining that receipt as supporting documentation. If items need to be exchanged, the Cardholder, Purchasing Manager or Purchasing Card Administrator is responsible for returning the items to the vendor and obtaining a replacement as soon as possible.

11. Dispute Process
During investigation of the dispute, Cardholder(s) will cooperate fully with U.S. Bank and the Purchasing Card Administrator.

In the event the card user does not recognize a charge that has been posted to the billing statement, or the charge is disputed with the supplier and cannot be resolved, the card user should contact the banking institution. The card user will be responsible for documenting the dispute according to the financial institution’s instructions within sixty (60) days of the first statement on which it appears. Subsequently, the banking institution will note the disputed items on the following month’s statement for reconciliation purposes. The disputed item will be reflected in the outstanding balance of the statement, but will not be part of the total amount due. When the dispute is resolved, banking institution will add an adjustment line to the statement.

12. Receipts/Payment Process
Purchasing Card purchases have the same documentation and voucher requirements as any other County purchase. The Cardholder or Card User making a purchase must retain the original receipt for the transaction. Receipts must be submitted within three (3) business days after purchase is made or conclusion of travel to the Voucher Processing Officer in the Cardholder's or Card User's department. The Voucher Processing Officer is required to submit all receipts to accounts payable for auditing purposes, pursuant to the procedures established by the Cowlitz County Auditor's Office.

Except as otherwise provided in County Policy Cardholders and Card Users are responsible for submitting all receipts. If a Cardholder or Card User has lost or misplaced a receipt, he/she is responsible for obtaining a copy of the receipt from the merchant. With the exception of expenses outlined in the Travel Policy, in lieu of an actual receipt, a signed affidavit stating the nature of the purchase, items purchased, and the reason a receipt is not available will be accepted.
The Cardholder or Card User will be responsible for reimbursement to the County for all transactions that do not have proper documentation. If the receipt is located after the County has made payment, the Cardholder or Card User may submit an expense reimbursement claim.

In cases where receipts are not available for services that are directly billed to the Purchasing Card (e.g. monthly subscription charges, courier services, and the like), other documentation acceptable to the Cowlitz County Auditor must be provided.

Accounts payable staff in the Auditor’s Office will review all instances of lost receipts. Repeat occurrences may result in suspension of Purchasing Card privileges.

Failure by an employee to submit proper documentation of purchases in a timely manner that results in interest and/or finance charges is a violation of this policy. Interest and/or finance charges may be assessed against the employee as part of a disciplinary action.

From time-to-time, other procedures may be established by the Cowlitz County Treasurer, Cowlitz County Auditor or Office of Administrative Services to facilitate the processes associated with this policy, which procedures are incorporated herein by reference.

13. Purchasing Card Account Maintenance
Changes to a Cardholder's name, address or Department/Division, should be immediately reported in writing to the Purchasing Card Administrator.

14. Termination of Employment or Separation From Service
The Cardholder must surrender the Purchasing Card to the County Official at the time of their termination or separation of service. The employee's County Official will report the termination or separation of service to the Purchasing Card Administrator.

15. Credit/Procurement Card Cancellation/Revocation
County Officials will immediately notify the Purchasing Card Administrator when a Purchasing Card is to be canceled or revoked. A Credit Card may be canceled for any of the following reasons:
   a. The card is lost or stolen;
   b. The employee transfers to another department;
   c. The employee retires, resigns, or is otherwise separated from County employment;
   d. The authorizing Elected Official/Department Head requests cancellation for any reason;
   e. The Board of County Commissioners or the Purchasing Card Administrator requests cancellation.

It is the responsibility of the Elected Official/Department Head to advise the Purchasing Card Administrator of the termination, transfer or separation from service of any cardholder so that the cardholder’s Credit Card and/or user privileges may be cancelled.

(Res. 15-024, 2-24-15)
5.6 CUMULATIVE RESERVE FUND

5.6.1 Policy.

Pursuant to RCW 36.33.020, the Board of County Commissioners established a Cumulative Reserve Fund for emergencies, purchase of supplies, materials or equipment; construction, alteration, repair or improvement of any public work or public building; for property acquisition; cash flow for state and federal grants or for principal and/or interest payments on bonds.

5.6.2 Procedures.

Proposed expenditures will be included in the County’s bi-annual budget.

Expenditures for any County emergency, which could not reasonably have been foreseen at the time of making the budget which requires the expenditure of monies not provided for in the budget shall not be construed to exclude the process for emergency appropriations as set forth in RCW 36.40.140, 36.40.150, 36.40.170 and 36.40.180.

The moneys in said fund may be allowed to accumulate from year to year until the Board of County Commissioners shall determine to expend the moneys in the fund for the purpose or purposes specified.

A public hearing shall be held prior to any expenditure or transfer from said fund, as required by law.

(Res. 82-216A, 8-9-82; Res. 04-163, 8-17-04)

5.6 DUI TASK FORCE WAIVER OF JAIL FEES

5.7.1 Policy.

The booking and housing costs of arrestees are waived for cities whose municipal police officers are participants in the DUI Task Force during specific traffic emphasis.

5.7.2 Procedures.

The waiver of housing costs includes any subsequent conviction and sentencing based upon the original arrest; however, the waiver does not apply if the subject of the stop is subsequently arrested on an outstanding warrant of arrest. The agency responsible for the issuance of the warrant will bear appropriate jail costs.

(Memo, 12-16-98; Res. 04-106, 6-1-04)
5.8 FINANCIAL MANAGEMENT

5.8.1 Policy.

The financial health and welfare of Cowlitz County is highly dependent upon establishing and maintaining sound, financial-planning objectives and strategies of implementation. These financial management policies assist the decision-making process of the Board and the County administration while operating independently of changing service and financial circumstances and conditions. These policies also provide guidelines for evaluating both current activities and proposals for future programs and direct the County's financial resources toward meeting the goals and programs of the strategic plan. The implementation of wise fiscal policies enables County officials to protect the public interest and ensure public trust and confidence.

5.8.1.1 Financial Philosophies.

The fiscal policy of Cowlitz County is to establish a sufficient financial base and provide the resources necessary to support and sustain an adequate and responsible level of County-wide services to ensure public safety, enhance the physical infrastructure and environment of the County, and improve and sustain quality of life and community.

Cowlitz County's financial policies shall address the following fiscal goals:

A. Ensure the County maintains a financial base sufficient to provide a consistent level of County services
B. Maintain sound financial practices that meet all applicable standards and direct the County's financial resources toward meeting the goals of the County's strategic plan
C. Keep the County in a fiscally sound position in both the long and short term
D. Maintain sufficient financial liquidity to meet normal operating and contingent obligations
E. Maintain and preserve existing infrastructure and capital assets
F. Guide the Board in management and policy decisions that have significant financial impact
G. Provide a mechanism to regularly review programs and operational methods to improve productivity and eliminate duplication of functions
H. Promote cooperation and coordination with other governmental entities and the private sector in financing and delivery of services
I. Ensure the County is able to withstand local and regional economic variations and adjust to changes in the service requirements of the community
J. Set forth operating principles that minimize the cost of government and financial risks
K. Promote sound financial management by providing accurate and timely information on the County’s financial condition
L. Provide a framework for the wise and prudent use of debt financing, and maintain a good credit rating in the financial community while assuring taxpayers
that County government is financially well managed and operated in a sound fiscal condition
M. Ensure the legal use of financial resources through effective systems of internal controls
N. Operate utilities in a responsive and fiscally sound manner
O. Expect service users to pay their fair share of program costs

As a cornerstone of Cowlitz County’s financial management policy, the “fiscal integrity” of the County will be of the highest priority. The County will strive to:

A. Maintain the fiscal integrity of its operating, debt service, and capital improvement budgets, which provide services and maintain certain public facilities, streets and utilities. It is the County’s intent to maximize the level of public goods and services while minimizing the level of debt.
B. Restrict the expenditure of ongoing operating programs by not exceeding the amount of ongoing revenue to finance those costs. The ongoing revenue will be identified along with new program costs. Any available carryover balance may be used to offset one-time or non-recurring costs.
C. Cash balances in excess of the amount required to maintain strategic reserves may be used to fund one-time or non-recurring costs

5.8.2 Procedures.

5.8.2.1 Budget Process.

The budget process is designed to meet the operations and service needs of the County by integrating the planning and implementation of County programs and objectives with the allocation of funds sufficient to support such services and programs. The framework of the County budget was developed with the following basic purposes:

A. Establish a Plan of Policy and Operation that allocates resources of the County to achieve specific County goals and objectives and guides the County’s activities.
B. Facilitate the Evaluation of County Programs by providing a means to measurably examine the financial activities of the County departments over time.
C. Provide Management Information as a comprehensive recording of information relative to both the character and scope of County activity.
D. Establish Financial Control by controlling the allocation of revenue to various activities through prioritization of programs/projects and allowing policy officials to ensure legality, accuracy and conformity to legislative and administrative objectives.

The Revised Code of Washington, RCW 36.40.250, allows counties to adopt an ordinance or resolution providing for biennial budgets with a mid-biennium review and modification for the second year of the biennium. In May, 2001, the Cowlitz County Board of County Commissioners approved the implementation of a “biennial” budget process in an effort to improve the method of budgeting, comprehensive planning, and financial management of the County. Cowlitz County’s biennial budget shall be prepared according to the following schedule during the odd year preceding the biennial budget period:
A. Prior to May 1, the Board of Commissioners shall conduct a goal-setting retreat with the County’s Elected Officials and Department Heads.

B. In June, the Board of County Commissioners, County Auditor, and Director of Office of Financial Management meet to discuss budget schedule, process, Board budget guidelines, and budget preparation tasks.

C. In July, the Director of Office of Financial Management prepares the budget preparation package and meets with Department Heads to distribute budget packets and discuss budget preparation.

D. On or before the third Monday of August, Elected Officials and Department Heads submit to the Office of Financial Management the budget estimate requests and forms.

E. Beginning in early September through October, Elected Officials and Department Heads meet with the County Commissioners and Director of Office of Financial Management to review budget requests.

F. On or before November 15, the Board sets the County’s tax levies.

G. On or before the first Tuesday in December, the Director of Office of Financial Management submits a recommended balanced County Budget to the Board.

H. On or before the second Monday of December, the final public hearing on the proposed budget is commenced.

I. On or before December 31, the Board adopts the final budget ordinance.

J. On January 31, the Final Budget Document is published and copies of final budgets will be sent to the State Auditor’s Office and Municipal Research Service Center.

The main feature in the development of a budget format is to make the budget document readable and understandable to the general public and County officials. The budget must be developed in a format that will also provide sufficient detail in financial, program and policy information to guide the departments in program performance, and assist the Board of County Commissioners and administrative/finance staff in program evaluation and monitoring.

A. The budget should be a performance, financing and spending plan agreed to by the Director of Office of Financial Management, Elected Officials and Department Heads and approved by the Board. It should contain information and data regarding expected revenues and expenditures.

B. The County shall prepare and refine written policies and goals on a biannual basis to guide the preparation of performance, financing and spending plans for the County budget. Adopted budgets will comply with the adopted budget policies and Board’s priorities.

C. As a comprehensive business plan, the budget should contain the following critical elements as recommended by the Government Finance Officers Association (GFOA): public policies, financial plan and operations guide to act as a financial communications device.

D. The County's budget presentation should display the County's service delivery and performance plan in a Board/constituent-friendly format. The County, therefore,
will use a department budgeting format to convey the policies and purposes of County operations.

E. Decision-making for capital improvements will be coordinated with the operating budget to make effective use of the County's limited resources for operating and maintaining facilities and capital projects.

F. Under the Board and Director of Office of Financial Management direction, Elected Officials and Department Heads will formulate budget programs in line with the Board’s priority direction by implementing such programs once they are approved.

The Board adopts the budget by resolution or ordinance at the fund and department level. Elected Officials and Department Heads have management control over budgeted line items; however, the departments: 1) may not purchase capital equipment items in excess of $5,000 unless such items have been approved in the department’s budget, or subsequently approved by the Board and 2) must obtain approval from Information technology of all computer and information system equipment/software purchases. Any revisions that alter the total expenditures of a department or affect the number of authorized employee positions, salary ranges, hours, or other conditions of employment must be approved by the Board. If a budget amendment is deemed necessary due to extraordinary department expenses or additional revenue such as state/federal grants, such amendment will generally occur only one time during the year at year-end with the adoption of a supplemental budget resolution.

5.8.2.2 Basis of Accounting and Budgeting.

The basis of accounting used determines when revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements. All governmental funds are accounted for using the modified accrual basis of accounting. Revenue is recognized when it becomes measurable and available. Expenditures are generally recognized under the modified accrual basis of accounting when the related fund liability is incurred. All Proprietary Funds are accounted for using the accrual basis of accounting. Under this basis of accounting, the revenues are recognized when earned and expenses are recognized when incurred.

5.8.2.3 Budgets and Budgetary Accounting.

A. Cowlitz County’s accounting and budgeting systems are organized and operated on a fund basis. Funds are accounting entities used to record revenues and expenditures. Each fund is balanced, meaning total revenues equal total expenditures. The budgeted funds are grouped into categories: General Fund, Special Revenue, Debt Service, Capital Projects, Enterprise, Internal Service, and Fiduciary/Trust.

B. Legal budgetary control is established at the fund level (i.e., expenditures for a fund may not exceed that fund’s total appropriation amount). The Director of Office of Financial Management may authorize transfers of appropriation within a fund, but the Board must approve by resolution any increase in total fund appropriations. Any unexpended appropriation balances lapse at the end of the budget period.
5.8.2.4 Accounting, Financial Reporting, Forecasting, Information System Integrity, and Auditing Policies.

Cowlitz County will establish and maintain the highest standard of accounting practices. Accounting and budgetary systems will, at all times, conform to Generally Accepted Accounting Principles, the State of Washington Budgeting Accounting Reporting System (B.A.R.S.) and local regulations.

5.8.2.5 Accounting System.

A. A comprehensive accounting system will be maintained to provide all financial information necessary to effectively operate the County.
B. The County will meet the financial reporting standards set by the Governmental Accounting Standards Board.

5.8.2.6 Financial Reporting.

A. Full disclosure will be provided in all County financial reports and bond representations.
B. The County’s budget documents shall be presented in a format that provides for logical comparison with prior budget period actuals wherever possible.
C. Reports outlining the status of revenues and expenditures shall be done monthly in a format prepared by the Director of Office of Financial Management that will be distributed to the Board, Elected Officials, Department Heads, and any interested party.
D. The budget will be produced so that it can be directly compared to the actual results of the fiscal year and presented in a timely quarterly report.
E. All budget amendments - both revenues and expenditures - will be noted in the quarterly report.

5.8.2.7 Information Systems Integrity.

A. Provide the technology tools and information systems to support an uninterrupted level of information systems service to sustain the successful implementation and maintenance of a sound, reliable and efficient financial management system
B. Ensure reliability and stability in the use of financial software, information systems networks and support services in order to secure trust and confidence in the County’s financial management system
C. Seek compatibility of financial software products, applications and support services with the financial management team and users in an effort to adhere to the County’s fiscal goals and maintain fiscal integrity
D. Fully integrate systems software to provide all financial information in a format consistent with County policy to Elected Officials and Department Heads so they may ensure that government programs achieve desired goals by improving data
reporting, creating more efficient workflows, and enhancing speed and effectiveness in policy and management decision-making
E. Provide a comprehensive and dependable communications system through a sound networking infrastructure between interconnected devices
F. Protect County departments against unauthorized access through information systems security and controls while allowing staff the ability to access information directly from the system
G. Increase ability to attain results from the information system which are required through the appropriate application of the County’s policies resulting in increased effectiveness of technology expenditures

5.8.2.8 Forecasting.

A. Each year, the County will update expenditure and revenue forecasts for the operating funds on a two-year budget cycle and for the capital improvement project for the next six years. Projections will include estimated operating costs for future capital improvements that are included in the capital budget.
B. These estimates will be presented to Elected Officials and Department Heads in a form that will facilitate budget decisions and strategic planning, based on a multi-year strategic planning perspective.

5.8.2.9 Accounting Policies.

A. The State Auditor’s Office performs an annual audit that includes the issuance of a financial opinion. A Comprehensive Annual Financial Report shall be prepared in accordance with generally accepted accounting principles and shall be distributed to the Board, Elected Officials, Director of Office of Financial Management, Department Heads, any interested party, and to the Government Finance Officers Association for certification.
B. The annual financial report will be prepared on a timely basis and in a comprehensive and cooperative fashion to meet or exceed the State Auditor’s Office standards and expectations.

5.8.2.10 Operating Budget Policies.

The County Budget is the central financial planning document that encompasses all operating revenue and expenditure decisions. It establishes the level of services to be provided by each department within the restrictions of anticipated County revenues.

A. The County will maintain a budgetary control system to ensure compliance with the budget. The County will prepare monthly status reports and quarterly financial reports comparing actual revenues and expenditure to budgeted amounts.
B. The Board will establish County service levels and priorities for the ensuing two-year prior during the development of the budget. The Director of Office of Financial Management will then incorporate the Board’s objectives and priorities in the County’s budget proposal.
C. The County will provide for adequate maintenance and appropriate replacement of capital facilities and equipment. The County will provide for maintenance schedules to ensure that facilities and equipment are maintained so as to maximize useful life span.

D. The County will pay for all current expenditures with current revenues. The County will strive to not balance the general fund budget through the use of transfers from other ad valorem (based on value) funds, appropriations from fund balances, or growth revenue such as service expansion fees.

E. No operating deficits in any fund balance shall be incurred at year-end with the exception of carryover expenditures. Any deficiencies must be remedied in the following year.

F. The County will project capital outlay expenditures for a six-year period. Projections will include estimated operating costs of future capital improvements included in the capital improvement budget, which will be reviewed on a biannual basis.

G. The administrative transfer fee from non-general funds to the general fund is a payment for various services provided by the general fund. The amount of each year’s transfer fees will be based on estimated, reasonable general fund costs incurred by the non-general funds.

H. The County will strive to pay competitive salaries and benefits and provide a quality-working environment in order to attract and retain quality, experienced and dedicated employees.

I. The County will prepare a concise summary and guide to the key issues and aspects of the operating and capital components of the budget to provide education and involvement of the public. The summary should be publicly available for both the proposed budget and the adopted budget.

J. An appropriate balance will always be maintained between resources allocated for direct services to the public and resources allocated for the costs of administration.

5.8.2.11 Revenue and Expenditure Policies.

Cowlitz County will seek to maintain the highest level of affordable and reliable services while maintaining fiscal responsibility based on the constraints of the County’s revenue resources and direction provided under the County’s expenditure policies.

5.8.2.12 Revenue Policies.

A. Revenue forecasts will assess the full spectrum of resources that can be allocated for public services. The revenue system will be diversified as protection from short-run fluctuations in any one revenue source. Should economic downturn develop which could result in (potential) revenue shortfalls or fewer available resources, the County will immediately make adjustments in anticipated expenditures to compensate.

B. Revenue estimates shall generally not assume any growth rate in excess of inflation for taxes, such as property tax, sales tax, fuel taxes; projections provided by the state may also be considered. Real growth that occurs will be recognized through
budgetary adjustments only after it takes place. This practice imposes short-term constraint on the level of public goods or services. In the event, however, those revenues are less than expected, it minimizes the likelihood of severe cutback actions, which may be profoundly disruptive to the goal of providing a consistent level of quality services.

C. The Board of County Commissioners shall authorize the investment of County funds under RCW 36.29.020 and Cowlitz County Treasurer’s Investment Policy as adopted by the Finance Committee. Investment income earned through the County’s pool of invested funds shall be budgeted based upon the anticipated participation of each fund.

D. The County will establish and maintain Special Revenue Funds to account for proceeds from specific sources to finance designated activities that are required by statute, ordinance, resolution, or executive order.

E. Revenues of a limited or indefinite term should be used for capital projects or one-time operating expenditures to ensure that no ongoing service program is lost when such revenues are reduced or discontinued.

F. Grant applications to fund new service programs with State or Federal funds will be reviewed by the County, as they become available, with due consideration being given to whether locally generated revenues will be required to support these programs when outside funding is no longer available.

G. State and Federal funds may be utilized, but only when the County can be assured that the total costs and requirements of accepting funds are known and judged not to adversely impact the County’s General Fund. Future impacts on the budget will be considered in all grant requests.

H. The County will annually review all fees for licenses, permits, fines and other miscellaneous charges as part of the budget process. User charges and fees will be established at a level related to the full cost of providing the service, unless otherwise provided by statute or regulation. The full cost of providing a service should be calculated in order to provide a basis for setting the charge or fee. Full cost incorporates direct and indirect costs, including operations and maintenance, overhead, and charges for the use of capital facilities. Other factors for fee or charge adjustments may also include the impact of inflation, other cost increases, the adequacy of the coverage of costs, current competitive rates, and contractual or statutory restrictions.

I. The County will follow a vigorous policy of collecting all County revenues.

J. Deficit financing and borrowing will not be used to support on-going County services and operations. Expenses will be reduced to conform to the long-term revenue forecast. Interfund loans are permissible to cover temporary gaps in cash flow, but only when supported by a well-documented repayment schedule of short duration based on an interest rate at least equivalent to the rate paid by the Washington State Local Government Investment Pool.

K. Current revenues will be sufficient to support current expenditures.

L. The County will maintain revenue and expenditure categories according to State Statute and County administrative regulations.

5.8.2.13 Expenditure Policies.
A. High priority will be given to expenditures that will reduce future operating costs, such as increased utilization of technology and equipment and prudent business methods.

B. If expenditure reductions are necessary, complete elimination of a specific, non-mandatory service is preferable to lowering the quality of existing programs.

C. An appropriate balance will be maintained between budget funds provided for direct public services and funds provided for sound administration and legal compliance.

D. Before the County undertakes any agreement that would create significant, fixed ongoing expenses, the cost implications of such agreement will be fully determined for current and future years with the aid of strategic financial planning models.

E. All externally mandated services for which full or partial funding is available will be fully costed out to allow for reimbursement of expenses. The estimated direct costs of service will be budgeted and charged to the fund performing the service. Interfund service fees charged to recover these direct costs will be recognized as revenue to the providing fund.

F. The budget shall balance recurring operating expenses to recurring operating revenue.

G. Expenditures should be controlled and must stay within the amount of appropriated funds.

H. The County will attempt to maintain its present service level for essential services within existing revenues. There will be no new services without an appropriate trade-off of services and financial impact.

I. Should General Fund revenue projections fall short of projected expenditures, the Director of Office of Financial Management shall convey service alternatives to the Board to match the projected revenues.

J. The County will attempt to fund human service programs and organizations, which meet significant community needs or problems.

K. Organizations that are not part of the County, but which receive funding from the County, shall not have their appropriation carried forward from budget-cycle to budget-cycle unless authorized and directed by the Board. Annual review and reauthorization of funding is required.

5.8.2.14 Capital Improvement Policies.

Cowlitz County shall establish as a primary fiscal responsibility the preservation, maintenance and future improvement of the County’s capital facilities, equipment and assets. Proper planning and implementation of sound capital policies and programs will assist the County in avoiding fiscal emergencies and unplanned capital costs in the future.

A. A comprehensive multi-year (minimum six-year) plan for County capital improvements will be prepared and updated biennially. A biennial Capital Improvement Budget will be developed and adopted by the Board as part of the County budget.

B. The Board will review the Capital Improvement Budget on a biannual basis and establish criteria against which capital proposals should be measured. Included among the factors which will be considered for priority-ranking are the following:
1. Projects which have a positive impact on the operating budget (reduced expenditures, increased revenues)
2. Projects which are programmed in the Six-Year Capital Improvement Plan
3. Projects which can be completed or significantly advanced during the Six-Year Capital Improvement Plan
4. Projects which can be realistically accomplished during the year they are scheduled
5. Projects which implement previous Board-adopted reports and strategies.

C. With the exception of public works capital projects (roads and utilities), the County’s Capital Improvement Plan shall be prepared through use of a CIP Advisory Committee for ongoing capital improvements, updated on a biannual basis, and implemented in accordance with the plan.

D. Capital project proposals should include cost estimates that are as complete, reliable, and attainable as possible. Project cost estimates for the Capital Budget should be based upon a thorough analysis of the project and are expected to be as reliable as the level of detail known about the project. Project cost estimates for the Six-Year Capital Improvement Plan will vary in reliability depending on whether they are to be undertaken in the first, third, or sixth year of the Plan.

E. Financial analysis of funding sources will be conducted for all proposed capital improvement projects, in addition to listing the total project costs.

F. The County will project its equipment (i.e., vehicle replacement and maintenance needs for the next several years) and will update these projections biannually. From this projection, a maintenance and replacement schedule will be developed and followed. The intent of the maintenance program shall be to maintain all assets at an adequate level in order to protect the County’s capital investment and to minimize the impact of significant fluctuations in future maintenance and replacement costs.

G. Although the County will generally finance projects on a “pay-as-you-go” basis, the Board may conclude that the most equitable way of funding a project that benefits the entire community will be debt financing (pay-as-you-use) in order to provide capital improvements or services in a timely manner.

H. New private community development (including residential, commercial and industrial projects) shall pay for its fair share of the capital improvements that are necessary to serve the development in the form of system development charges, impact fees, mitigation fees, or benefit districts.

I. Funding of repair and replacement schedule projects will be the funding priority before discretionary capital projects.

J. All revenues collected from the Real Estate Excise tax shall be deposited into the General Government Capital Improvement Fund and shall be used in accordance with state law and the adopted County capital facilities plan.

K. Capital improvement projects that do not follow the principles and concepts of an adopted County capital improvement plan, or which duplicate other public and/or private services, will not be considered.
L. All proposals for the expenditure of capital funds shall be formulated and presented to the Board within the framework of a general capital budget and, except in exceptional circumstances, no consideration will be given to the commitment of any capital funds, including reserve funds, in isolation from a general review of all capital budget requirements.
M. Project proposals should indicate the project's impact on the operating budget, including, but not limited to, long-term maintenance costs necessary to support the improvement.
N. The Annual Capital Budget shall include only those projects which can reasonably be accomplished in the time frame indicated. Each budgeted capital project should include a projected schedule.
O. Capital projects, which are not encumbered or completed during the fiscal year, will be re-budgeted or carried over to the next fiscal year except as reported to and subsequently approved by the Board. All re-budgeted capital projects should be so noted in the Adopted Capital Budget. Similarly, multi-year projects with unencumbered or unexpended funds will be carried over to the subsequent year(s).
P. Capital projects will not be budgeted unless there are reasonable expectations that revenues will be available to pay for them.
Q. Projects that involve intergovernmental cooperation in planning and funding should be established by an agreement that sets forth the basic responsibilities of the parties involved.
R. A comprehensive inventory of all capital assets shall be conducted and maintained to include estimates of actual value, replacement cost and remaining useful life.
S. All projects included in the Capital Improvement Plan shall not be inconsistent with the County's Comprehensive Plan. The goals and policies for services, facilities, and transportation should be followed in the development of the Capital Improvement Plan. The Comprehensive Plan service level goals should be included in the Capital Improvement Plan.
T. Capital projects shall be financed to the greatest extent possible through user fees and benefit districts when direct benefit to users results from construction of the project.
U. The County will manage County-owned property proactively and strategically to promote the public interest and, whenever possible, to enhance the County’s overall financial resources.
V. The County will promote accountability to the public in its management of County-owned property and will be consistent and predictable to enhance the private sector’s confidence in the County as a reliable partner in development.

**5.8.2.15 Reserve and Fund Policies.**

Sufficient fund balances and reserve levels are a critical component of the County’s financial management policies and a key factor in the measurement of the County’s financial strategies for external financing. Cowlitz County will establish reserve funds to pay for needs caused by unforeseen events. Reserves may also be used to recover from catastrophic events, whether natural or man-made. Operational reserves provide additional funds for unexpected service needs. Liquidity reserves are limited funds used to smooth
fluctuations in revenues caused by changes in economic conditions or uneven flow of revenues.

A. Maintenance of an adequate fund balance for each fund to ensure sufficient resources for cash flow and to mitigate revenue shortages or emergencies shall be a priority. Prudent use of reserve funds enables the County to defray future costs, take advantage of matching grant funds and provides the County with the ability to exercise flexible financial planning in developing future capital projects.

B. The minimum fund balance will be attained and maintained through prudent management of expenditures, revenue management and/or contributions from the General Fund.

C. The County will maintain reserves required by law, ordinance, resolution and/or bond covenants to ensure service levels, stability and protect against economic downturns and emergencies. The County will maintain reserves in the General Fund in an amount not to exceed the amount established by current ordinance or resolution. The County shall strive to maintain a General Fund balance of no less than 8.3% of projected revenues in order to provide sufficient cash flow.

D. Replacement reserves based on historical value will be established for equipment, vehicles, and computers. An amount equal to the depreciation will be included in the service charges paid by County departments to the various Internal Service funds (Equipment Rental and Revolving, Motor Pool and Information technology). The furnishings reserve may be used for building rehabilitation and will be replenished until cost is fully recovered. This will permit the accumulation of cash to cost-effectively replace these assets and smooth out future budgetary impacts. The County will also maintain a fixed asset system that will identify all County assets and their condition.

E. The County will strive to have sufficient premiums paid annually by the insured County departments to cover the cost of insurance and all of the actuarial estimated current claims, eliminate any prior claims payment deficiencies as scheduled by the actuarial, and build up the County’s reserve accounts to the actuarial recommended levels.

F. Premiums paid into other self-insurance funds must remain with the fund until the fund is dissolved. Premium payment schedules shall be updated and rates revised as necessary at least biennially.

G. The County shall strive to have funds set aside in a designated reserve fund to provide financial support to cover unforeseen or catastrophic events and emergencies.

5.8.2.16 Internal Service Fund Policies.

A. The County shall fund certain asset replacement reserves through depreciation charges paid to Special Revenue, Capital or Internal Service Funds.

B. Vehicle replacement, Information technology, General Government Facilities, Benefits Administration, Unemployment Compensation, Worker’s Compensation and Risk Management funds may be considered part of the County’s Fiscal Reserves. Restriction to fund reserves will be judged as to their adequacy in terms of projected needs:
1. The County will maintain an Equipment Rental and Revolving fund and Motor Pool fund and will transfer appropriate funds annually to provide for the maintenance and timely replacement of equipment. The reserve portion will be maintained in an amount adequate to finance the replacement of equipment. The replacement of equipment will be based upon either an adopted equipment replacement schedule or on an as-needed basis.

2. The County will maintain a Information technology fund and will appropriate funds to it annually for the facilitation of data processing, computer hardware and software needs and replacement or upgrading of obsolete or deficient items.

3. The County will maintain a CIP/General Government Facilities fund and will appropriate funds to it annually for the maintenance and repairs of existing County facilities and reserves for proposed structural improvements, replacements or building acquisitions as approved by the Board based on a recommended plan from the CIP Advisory Committee.

4. The County will strive to maintain a Benefits Administration fund and will appropriate funds to it on a biannual basis to provide for the payment and administration of benefits of eligible retired County employees and adequate amount of reserves for cash flow purposes.

5. The County will maintain a Risk Management fund for the purpose of centralizing, funding and tracking all insurance premiums, deductible payments, adequate reserves for projected claims loss on an annual basis, and other costs relating to risk management.

5.8.2.17 Utility Fund Policies.

A. The County shall strive to establish and maintain separate utility funds and budgets for each of its utility operations and capital improvements in order to provide for long-term solvency of each County operated utility.
B. Utility rate studies shall be conducted at least every four years to update assumptions and ensure the long-term solvency and viability of the County's utilities.
C. Utility rates shall be reviewed annually and necessary adjustments made to reflect inflation, construction needs, maintain bond covenants, and avoid major periodic increases.
D. Fund balances shall be maintained at levels established through rate studies.
E. Excess fund balances shall be used to off-set rate increases where possible with any remaining balances being used for approved capital purposes.
F. Depreciation reserve funding shall be considered and funded as approved by the Board.

5.8.2.18 Investment Policies and Cash Management.
Careful financial control of the County’s operations is an important part of the County’s overall fiscal management practices. Achieving adequate cash management and investment control requires sound financial planning to ensure that sufficient revenues are available to meet the current expenditures of any operating period.

A. The County shall manage and invest its residual cash through the County Treasurer on a continuous basis in accordance with the County’s investment policies and within the guidelines established by the Washington State Statutes, RCW 36.29.020, based upon the following order of priorities: 1) safety, 2) liquidity, and 3) yield.

B. The County shall maintain a cash management program, which includes collection of accounts receivable, disbursement of funds, and prudent investment of its available cash.

C. As permitted by law and County ordinances and to maximize the effective investment of cash, all liquid funds needed for general obligations may be pooled into one account for investment purposes. The income derived from this account will be distributed to the various funds based on their average balances on a periodic basis. Proceeds of the bond issues shall not be pooled with other assets of the County but shall be invested as provided by applicable bond ordinances.

D. The OFM Director shall coordinate with the County Treasurer to periodically furnish (i.e. through monthly reporting) the Director of Office of Financial Management and the Board with a report that should include the amount of interest earned to date on all funds. An annual report will be provided which will summarize investment activity for the year and will give the rate of return for the year.

E. State and local laws require an annual audit of the financial records of the County. That audit will include a review of all investment activity for the year to review compliance with these investment procedures.

F. Sufficient cash shall be maintained to provide adequate funds for current operating expenditures.

G. The County Treasurer will select its official banking institution through a formal bidding process in order to provide the County with the most comprehensive, flexible and cost-effective banking services available. The Finance Committee, in a regularly scheduled meeting, shall formally accept the banking services agreement.

5.8.2.19 Debt Management Policies.

The success of the County funding capital projects and improvements is highly dependent upon sound financial planning objectives and strategy of implementation. The issuance of debt by the County and the amount of debt is an important factor in measuring the County’s financial performance and condition. A debt policy can assist the Board and staff to integrate the issuance of debt with other long-term planning, financial and management objectives. The policy also requires an evaluation of the impact of each debt issue on the
County's overall financial position, in addition to providing guidance to the Board and staff to not exceed acceptable levels of indebtedness.

A. The County will not use long-term debt to finance current operations. Long-term borrowing will be confined to capital improvements or similar projects with an extended life when it is not practicable to be financed from current revenues.

B. Debt payments shall not extend beyond the estimated useful life of the project being financed. The County will keep the average maturity of general obligation bonds at or below twenty years, unless special circumstances arise warranting the need.

C. The County will maintain good communications with bond rating agencies concerning its financial condition, and will take all appropriate and responsible measures to sustain a quality bond ratings with continuous financial management efforts to enhance the County’s bond ratings.

D. The County will not utilize lease purchases, except for computers, copiers, mailroom equipment, telephones and similar technology related equipment unless specifically approved by the Board. If the Board approves lease purchasing, the useful life of the item must be equal to or greater than the length of the lease. It is not desirable to have a lease purchase longer than five years.

E. The County will determine the most practical and cost-effective ways of securing interim funding for County capital projects.

F. The County may issue interfund loans rather than outside debt instruments to meet short-term cash flow needs. Interfund loans will be permitted only if an analysis of the affected fund indicates excess funds are available and the use of these funds will not impact the fund's current operations. All short-term borrowing will be subject to Board approval by ordinance or resolution and will bear interest at least equivalent to prevailing rates set through the Washington State Local Government Investment Pool.

G. Whenever possible, the County shall identify alternative sources of funding and shall examine the availability of those sources in order to minimize the level of debt. The County shall examine and pursue all applicable state and federal grant and low-interest loan programs for funding capital improvement projects before initiating any debt financing of such projects.

H. Where possible, the County will use special assessment revenue, or other self-supporting bonds instead of general obligation bonds.

I. Long-term Borrowing:
   1. General obligation bonds, or G.O. Bonds, are secured by the full faith and credit of the County. General obligation bonds issued by the County are secured by a pledge of the County's ad valorem taxing power. There are two basic types of general obligation bonds:
       a. Limited tax general obligation bonds, also called LTGO bonds or Board-issued bonds, may be issued by a vote of the Board. General fund revenues are pledged to pay the debt service on Board-issued bonds because the voters have not approved a tax increase to pay for the principal and interest.
b. Unlimited tax general obligation bonds, also called UTGO bonds or voted debt, must be approved by 60 percent of the voters, with a voter turnout that is at least 40 percent of those voting in the most recent general election. Voters are not only voting for the approval to issue bonds, but they are also voting for an excess levy, which raises their property taxes to fund debt service payments.

2. Certificates of Participation are used to acquire real or personal property with tax-exempt financing using a lease-purchase agreement. The County would make annual installment payments to a third party investor over time, acquiring the property at the end of the lease period for a nominal payment.

3. Revenue bonds are issued to finance facilities that have a definable user or revenue base, usually a County enterprise that is self-supporting. These debt instruments are secured by a specific source of funds, either from the operations of the project being financed or from a dedicated revenue stream, rather than the general taxing powers of the County. Generally, no election is required prior to the issuance or validation of revenue bonds.

4. Special assessment bonds, road improvement districts (RIDs), utility improvement districts (ULIDs) or local improvement districts (LIDs) are obligations payable from special assessment revenue. These bonds are issued to finance improvements that benefit a specific area. Because the benefit is largely enjoyed by a limited segment of the community, a special assessment to pay debt service is levied only on properties or households benefiting from the project. Property owners may petition the County to form a ULID/LID/RID, or the Board may adopt a resolution of intent to form a ULID/LID/RID. A ULID/LID/RID initiated by Board Resolution may be blocked if the property owners who would be paying at least 60 percent of the costs protest. LIDs/RIDs are commonly used for projects such as street improvements, street lights, sidewalks, and water and sewer systems.

5. Long-term general obligation debt will be incurred when necessary to acquire land or fixed assets, based upon the ability of the County to pay. This debt shall be limited to those capital improvements that cannot be financed from existing revenues and when there is an existing or near-term need for the project. The project should also be integrated with the County's long-term financial plan and Capital Improvement Plan.

6. Before securing municipal financing for public works capital projects, the County shall investigate the availability and eligibility of funds from the State Public Works Trust Fund Loan program. The County shall also pursue the availability of funds from the State Local Option Capital Asset Lending program for the acquisition of any major equipment or real estate.

J. Short-term Borrowing:
1. Notes, such as bond anticipation notes (BANs) or tax anticipation notes (TANs), is a written short-term promise of the County to repay a specified principal amount on a certain date, together with interest at a stated rate, or according to a formula for determining that rate, payable from a defined source of anticipated revenue such as bonds, anticipated taxes, or some other anticipated revenue source expected to be received at a future date.

2. Lines of credit are another short-term borrowing option that provides an alternative to anticipation notes. A bank and the County agree on the maximum amount that will be available under the line of credit. The County provides a note to the bank that is backed by the full faith and credit of the County.

3. Short-term lines of credit, tax or Revenue Anticipation Notes may be used only when the County's ability to implement approved programs and projects is seriously hampered by temporary cash flow shortages. In general, these Notes will be avoided. No other form of debt will be used to finance ongoing operational costs.

K. A significantly larger portion of the citizens should benefit from projects financed by general obligation bonds.

1. General Obligation Bond (Voted):
   a. Every project proposed for financing through general obligation debt should be accompanied by a full analysis of the future operating and maintenance costs associated with the project.
   b. Before general obligation bond propositions are placed before the voters, the capital project under consideration should be included as part of the Capital Improvement Program.
   c. Bonds cannot be issued for a longer maturity schedule than a conservative estimate of the useful life of the asset to be financed.

2. Limited Tax General Obligation Bond (Non-Voted):
   a. As a precondition to the issuance of limited tax general obligation bonds, all alternative methods of financing should have been exhausted.

3. Limited tax general obligation bonds should only be issued under certain conditions:
   a. a project in progress requires monies not available from alternative sources, and/or
   b. matching fund monies are available which may be lost if not applied for in a timely manner; or catastrophic conditions.
L. The County will use refunding bonds where appropriate when restructuring its current outstanding debt and/or improving restrictive bond conditions.

M. The County shall establish a close financial teamwork environment between the Board, Director of Office of Financial Management, Auditor, Treasurer, Legal Counsel, legally certified and credible bond counsel and managing underwriter in order to effectively plan and fund the County’s capital improvement projects. The Board shall select the most qualified managing underwriter and bond counsel through a competitive selection process conducted by the Director of Office of Financial Management with consultation of the Auditor, Treasurer and Legal Counsel. This service shall be regularly monitored by the Director of Office of Financial Management to ensure quality debt funding services.

N. The Director of the Office of Financial Management, in collaboration with the Auditor and Treasurer, shall prepare a standard process for planning and establishing debt financing for capital projects which clearly defines: a.) the timing for debt financing, b.) the role of the various participants in the financing process and c.) the steps of the process, which need to be completed in order to achieve successful project funding.

O. The Director of the Office of Financial Management shall negotiate the most competitive pricing possible on debt issues and broker commissions in order to ensure a favorable value to the County’s citizens.

P. The Office of Financial Management shall provide special services to assist the County departments improve the planning and understanding of the financing of County capital improvement projects and the financial impact to the citizens.

Q. Board approval is required prior to the issuance of debt. In addition, an analytical review shall be conducted prior to the issuance of debt to determine if there are reasonable alternatives and to reduce the cost of borrowing.

R. Unless otherwise justified, the County will use bond proceeds within the established time frame pursuant to the bond ordinance, resolution, contract or other documents to avoid arbitrage rebates. If arbitrage occurs, the County will pay the amount of arbitrage liability to the federal government as required by IRS regulation. The County will maintain a record and reporting system to meet the arbitrage rebate compliance requirement of the IRS regulations. For bond proceeds not used within the established time frame, the Treasurer shall calculate rebate payments and the County shall remit any rebatable earnings to the federal government in a timely manner in order to preserve the tax-exempt status of the outstanding debt. The County may contract with a firm specializing in arbitrage compliance.

(Res. 02-037, 2-19-02; Res. 04-103, 6-1-04)

5.9 GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB)

5.9.1 Policy.

Cowlitz County intends to comply with the Governmental Accounting Standards Board (GASB) Statement No. 54 (GASB 54) which is a new standard intended to make fund
accounting in general, and fund balance reporting specifically, more consistent and transparent by assigning strict rules for the classification of governmental fund balances based on “specific purposes for which amounts in those funds can be spent”.

5.9.1.1 Definitions.

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

Fund balance classifications, in order of most to least restrictive, are:

1. **Non spendable**: fund balances that cannot be spent because of their form because they are either:
   a. Illiquid (that is not in spendable form such as inventories, prepaid items, deferred expenses, long-term receivables, outstanding encumbrances, and the like); or
   b. Legally or contractually earmarked for a specific use (such as self-funded reserves programs);

2. **Restricted**: fund balances that include amounts constrained to specific purposes by the provider, either externally imposed or mandated by law.
   a. Limitations imposed by creditors, grantors, contributors, or laws and regulations of other governments; or
   b. Limitations imposed by law through constitutional provisions or enabling legislation

3. **Committed**: fund balances that carry self-imposed limitations; resources can only be used for certain purposes by a formal action imposed by the government’s highest level of decision-making authority; in the case of Cowlitz County – the Board of County Commissioners; restrictions on committed fund balances may only be removed by the Board of Commissioners;

4. **Assigned**: fund balances that are spendable or available for appropriation, but have been tentatively earmarked for some specific purpose by the Board of County Commissioners or a designed body or official, but that are neither restricted nor committed; and;

5. **Unassigned**: fund balances that include amounts available for any legal purpose, generally available to finance operating expenditures. The unassigned fund balance is in excess of non-spendable, restricted, committed and assigned fund balances. An unassigned fund balance is the net residual resource, which could be either a surplus or a deficit. This is the least restrictive option for reporting fund balance and was formerly known as unreserved or undesignated fund balance.
Governmental Funds are defined as the General Fund, Special Revenue Funds, Capital Project Funds and Debt Service Funds.

5.9.2 Procedure.

To prevent Cowlitz County from having to consolidate unassigned fund balances into the General Fund, all governmental fund balances not otherwise nonspendable, restricted, or committed, must be assigned by county legislative authority or a designated body/official for that purpose.

The Board of Commissioners has determined that it is in the best interest of Cowlitz County to assign all governmental fund balances to be expended in the individual funds they relate to other than the General Fund that are not already non-spendable, restricted or committed.

When both restricted and unrestricted funds are available for expenditure, restricted funds should be spent first unless legal requirements disallow it.

When committed, assigned and unassigned funds are available for expenditure, committed funds should be spent first, assigned funds second and unassigned funds last, unless the Board of Commissioners, or designee has provided otherwise.

The Board of Commissioners hereby delegates authority to assign funds to the Elected Official or Department Head responsible to manage the funds in accordance with an adopted budget or approved contract.

(Res. 12-079, 5-29-12)

5.10 GRANT APPLICATIONS

5.10.1 Policy.

It is the objective of Cowlitz County to expand the County’s grant activities without incurring a negative impact on the budget. The Board of Commissioners encourages cooperation and collaboration between and among County departments, state and federal agencies, community groups, associations, and citizens so that projects and program needs are met without duplication of service or cost. The Board of Commissioners also recognizes the need for coordination and review of new and competitive grant applications. The review process will be kept simple yet informative.

The review process is intended to enhance record-keeping, ensure the ability to monitor expenditures and timeliness of reimbursements, ensure compliance with grant conditions and federal or state requirements and to manage cash flow. The Board of Commissioners desires that the Office of Financial Management provide advisory services to departments in these areas. Programmatical and day-to-day management of departmental grants remain with the departments unless assistance is requested or assigned by the Board of Commissioners.
5.10.2 Procedures.

The Board of County Commissioners establishes the following process for submitting applications:

A. Departments must fill out and submit a grant questionnaire to the Office of Financial Management. The grant questionnaire form may be obtained from the Office of Financial Management.

B. Office of Financial Management will review the grant questionnaire and prepare a recommendation for the Board of County Commissioners that includes, among other things, a summary of short-term and long-term budgetary impacts, in-kind and match requirements, request for new personnel, a summary of proposed construction, a summary of a proposed change in facility use or significant change in programs, potential for coordination of service efforts and implications for duplication of programs or cost.

C. A workshop will be scheduled with the Board of County Commissioners, Office of Financial Management and the proposing Department(s).

D. Departments will be responsible to write the grant applications. The Office of Financial Management will be available for consultation and advice during this process, if desired.

E. All applications for outside funding sources are to be approved before submission by the Board of Commissioners unless a waiver has been requested and approved by the Board. Department(s) will present the grant application/proposal as a regular agenda item requesting authorization for submittal of the grant application/proposal. Upon Board approval, the Clerk of the Board will route copies of the signed application to the department applying for the grant and the Office of Financial Management.

F. Upon award of the grant, department(s) will submit the contract documents to the Board of County Commissioners for approval. Upon Board approval, the Clerk of the Board will route copies of the signed contract to the department receiving the grant and the Office of Financial Management.

G. Upon award of the grant, department(s) will coordinate with the Office of Financial Management if a budget amendment is required to reflect new revenues and corresponding expenses.

H. Department(s) can request the Board of County Commissioners waive the review process, if it is deemed to be in the best interest of the County. The waiver may be granted if there are no requests for new personnel, cash matches do not require a budget amendment, there is no anticipated construction of or in County administrative facilities, or significant change in facility use and no significant ongoing expenditures which will require County funds for program support should the grant funds be reduced or withdrawn. If the Board of Commissioners approves a waiver of the grant review process, the department should note such waiver on the agenda summary that accompanies the grant application.

I. Elected Officials and Department Heads can request authority from the Board of Commissioners to sign grant applications when the applications are required to be submitted electronically or when other circumstances exist which would jeopardize
the success of the application if delayed due to submission as a regular agenda item. The authorization to sign the application must be obtained prior to submission of the grant proposal. After submission by the Elected Official or Department Head, a copy of the application must then be placed on file with the Clerk of the Board. The Clerk of the Board will route copies of the signed application to the department applying for the grant and the Office of Financial Management.

(Res. 01-054, 3-26-01; Res. 04-102, 6-1-04)

5.11 INVESTMENT

5.11.1 Policy.

It is the Policy of the Cowlitz County Treasurer and the Cowlitz County Finance Committee to deposit and invest all funds received in a manner which will provide maximum security with the highest investment return while meeting the cash flow requirements of the county and the taxing districts within the county's jurisdiction. Cowlitz County's Investment Policy will conform to all state and local statutes governing the investment of public funds including those enumerated in Chapter 36.29, Chapter 39.58, Chapter 39.59, and Chapter 39.60 of the Revised Code of the State of Washington.

5.11.2 Scope.

This investment policy applies to all funds controlled by the Cowlitz County Treasurer and shall apply to all investment transactions made for the County and/or special purpose taxing districts. These funds are accounted for in the Cowlitz County Annual Financial Report and include:

- General Fund
- Debt Service Funds
- Capital Project Funds
- Internal Service Funds
- Enterprise Funds
- Trust and Agency Funds
- Special Revenue Funds
- Proprietary Funds
- Any new fund, unless specifically exempted

There are instances when a client or taxing district requests that the Treasurer's Office make an investment with a specific term for one of their funds. Arbitrage and bond refunding considerations are examples behind such requests for investments with particular term characteristics. The yield objective and performance standards discussed below in this investment policy clearly cannot be applied to such instructions, which are solely the responsibility of the entity making them.

5.11.3 Policy Objectives
The primary objectives, in priority order, of the Cowlitz County Treasurer investment activities shall be:

1. **SAFETY**: Safety of principal is the foremost objective of the investment policy. Investments of the Cowlitz County Treasurer shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. Diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio whether from securities, defaults, or erosion of market value.

2. **LIQUIDITY**: The Cowlitz County Treasurer's investment portfolio shall remain sufficiently liquid to enable Cowlitz County and its taxing districts to meet all reasonably anticipated operating requirements.

3. **YIELD**: The Cowlitz County Treasurer's investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account investment risk constraints, and the cash flow characteristics of the portfolio.

4. **LEGALITY**: Funds of the County will be invested in accordance with the Revised Code of Washington (RCW), the Budgeting Accounting and Reporting System (BARS) manual, this policy and written administrative procedures.

5.11.4 **Prudent Person Standard And Ethics**

The standard of prudence to be used by investment officers shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with the written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable income to be derived. The Treasurer will avoid incurring unreasonable and avoidable risks, either with regards to individual financial institutions or types of investments.

All participants in the investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transactions that might impair public confidence in Cowlitz County Government.

Persons authorized to invest shall not accept gifts from the institutions with which the county places investments. Occasional business meals are acceptable and must be reported to the Treasurer and Finance Committee.

5.11.5 **Delegation of Authority**

According to Chapter 36.29 of the Revised Code of Washington, the County Treasurer or his/her designee is authorized to execute investment transactions dealing with funds under
the control of Cowlitz County Treasurer. Authority to manage the investment portfolio is derived from the Cowlitz County Investment Policy, as adopted by the Cowlitz County Finance Committee, ordinances, resolutions and statutes adopted by the county, the state, the federal government, and taxing districts within Cowlitz County. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by The Treasurer.

The Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officers.

### 5.11.6 Ethics and Conflicts Of Interest

Investment Officers and designated employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Investment officers and designated employees shall disclose to the Cowlitz County Treasurer and/or the Public Disclosure Commission any material financial interest in financial institutions that conduct business within this jurisdiction, and they shall further disclose any personal financial or investment positions that could be related to the performance of the Cowlitz County Treasurer's investment portfolio. Investment Officers and designated employees shall subordinate their personal investment transactions to those of the Treasurer, particularly with regard to the timing of purchases and sales.

### 5.11.7 Authorized Financial Dealers and Institutions

The County Treasurer will at least yearly update a list of financial institutions along with approved security brokers or dealers through which investments may be made. Deposit and investment of county funds shall be made only in those institutions and in those securities in which the Cowlitz County Treasurer is statutorily authorized and approved to invest including Chapter 39.59 of the Revised Code of Washington.

Financial Institutions must be authorized as public depositories by the Public Deposit Protection Commission, Chapter 39.58 of the Revised Code of Washington.

Broker/Dealers must be limited to those that meet one or more of the following:
- Primary dealers recognized by the Federal Reserve Bank of New York: or
- Non-primary dealers qualified under U.S. Securities and Exchange Commission Rule 15C3-1, the Uniform Net Capital Rule, and a certified member of the Financial Industry Regulatory Authority (FINRA).

An annual review of the financial condition of broker/dealers will be conducted by the Treasurer. A current audited financial statement may be required to be on file with the Treasurer for each financial institution, broker, or dealer with whom the Treasurer invests.

### 5.11.8 Authorized Investments
The types of securities the Treasurer's Office is authorized to invest in are limited by statute 36.29.020 Revised Code of Washington. Rules regarding specific types of investments are set out in RCW 39.60.

Within the limitations and parameters defined by statute, the County Finance Committee has chosen to invest in Certificates of Deposits, Savings Accounts, US Treasury Bills, US Treasury Bonds, US Treasury Notes, US Treasury Strips, Federal Insured Money Market Deposit accounts, Registered Warrants, US Government Agencies, and the Washington State Government Investment Pool. Bankers Acceptances will be purchased only from State authorized financial institutions or brokers/dealers having a net worth of at least $1450 million as reported in the latest PDPC report.

According to RCW 39.59.020 (3) the Treasurer is authorized to invest in (purchase) registered warrants of special purpose taxing districts in the County, within the liquidity needs of the County. Interest rate on warrants will be fixed by the Treasurer on the first business day of each month, based on Local Government Investment Pool rate. Requirements of RCW 36.29.060 are applicable to call of these warrants.

### 5.11.9 Safekeeping and Custody

All security transactions entered into by the Treasurer shall be conducted on a delivery versus payment (DVP) basis. Securities shall be held at the Federal Reserve Bank or trust department of a bank insured by Federal Deposit Insurance Corporation. All transactions will be evidenced by safekeeping receipts.

### 5.11.10 Diversification

Cowlitz County will attempt to diversify its investment portfolio so no more than 65% of the portfolio will be invested in any one instrument type or issuer at one time. This limit pertains to any district bond proceeds investment with the exception of US Treasury securities, Federal Agency issues and authorized State Government Investment Pool.

### 5.11.11 Maximum Maturities

To the extent possible, the Treasurer will attempt to match investments with anticipated cash flow. The Treasurer will not directly invest in securities maturing more than three years from the date of purchase. Reserve or enterprise revenue funds may be invested in securities exceeding three years if the maturity of such investment is made to coincide as nearly as practical with the expected use of the funds. Taxing district funds may be invested in securities exceeding three years providing the investment complies with all other policies in this document and the request is generated by a resolution of the District's governing authority.

### 5.11.12 Investment Procedures
Selection of investments will be based on the following: Safety, Liquidity, Yield, and Diversification. Bids by broker/dealers or financial institutions may not be disclosed to the other bidders until after investment closes. Bid may be disclosed but not the bidder.

Investment officer will routinely monitor the contents of the portfolio, the available markets and the relative values of competing instruments, and will adjust the portfolio according to this policy.

5.11.13 Accounting Methods

Investments will be carried at cost; gains or losses from investments will be credited or charged to investment income at the time of sale.

Fifteen hundred (1,500.00) will be the minimum required to open a new investment fund account. At the option of the Treasurer and/or a district, funds may be combined and invested in the Local Government Investment Pool (State Pool) or in a local investment pool. Fixed rate investments will be credited with interest at the time of maturity except for coupon items.

5.11.14 Investment of Excess Monies of Municipal Corporation

In accordance with Revised Code of Washington 36.29.020, the Treasurer will invest any and all funds which meet the following conditions:

1. The funds belong to a municipal corporation, and
2. Are in the custody of the County Treasurer, and
3. Are not required for immediate expenditure, and
4. The governing body of the municipal corporation has not provided direction as to the investment of said funds.

The interest or other earnings thereon shall be deposited in the current expense fund of Cowlitz County and may be used for general county purposes.

5.11.15 Investment Service Fee/Expenses

In accordance with RCW 36.29.020, RCW 36.29.022, and RCW 36.29.024, the Treasurer will charge a fee of five percent (5%) on the interest or other earnings from investments made as directed by a written resolution from the board of a municipal corporation. This fee will be levied at the time the interest or other earnings is credited to the account. This fee shall not exceed $50.00 for any specific investment. For a multi-year investment, not more than $50.00 per year shall be authorized. The Treasurer may combine funds for purposes of investment and may deduct the amounts necessary to reimburse the Treasurer's Office for the actual expenses the office incurs and to repay any county funds appropriated and expended for the initial administrative costs of establishing a county investment pool.

5.11.16 Finance Committee

A Finance Committee consisting of the Treasurer as Chairman, the Auditor as Secretary, and the Chairman of the Board of County Commissioners, shall meet at least quarterly to
review the investment performance and the investment plan. Revised Code of Washington 36.48.070

5.11.17 Investment Policy Adoption

This investment policy shall be adopted by vote of the County Finance Committee, and any modifications to it shall be similarly approved. The Finance Committee will review for appropriate modifications on a two year basis. This policy supersedes and replaces prior policies adopted April 1986 and amended February 1989, December 1992 and July 2014. The revised Investment Policy of Cowlitz County as set forth in this document has been reviewed and is hereby accepted.

(7-18-17 Finance Committee)

5.12 SAVINGS INCENTIVE PROGRAM

5.12.1 Policy.

The Board of Commissioners hereby establishes in Incentive Savings Program to be funded with a portion of unspent budget appropriations that will revert or have reverted to the General Fund from the prior year’s budget allocations. The Incentive Savings Account shall be made available for reallocation in accordance with the procedures described in this policy.

5.12.2 Purpose

The Incentive Savings Program is intended to further and promote efficiency and fiscal responsibility in General Fund departmental spending. The program is intended to reward, rather than penalize, General Fund Departments that do not spend the entire annual budget allocations by re-allocating and dedicating a portion of unused resources from one year into the next year for departmental use. Since the amount of these resources is unpredictable, the funds may not be used to create new services, to expand services or to incur on-going obligations except minor equipment maintenance costs. Expenditures will be approved only for one-time activities and preference will be given to those requests that meet a critical need to improve the quality, efficiency and effectiveness of employee performance and productivity and/or service quality.

5.12.2.1 Applicability.

This policy applies to all General Fund Departmental budgets.

5.12.2.2 Definitions.

Incentive Savings Account means

Twenty-five percent (25%) of unexpended (unspent) and unencumbered departmental appropriations for salaries and benefits as of December 31 of a fiscal
year, that have reverted to the General Fund by virtue of a lapse in spending authority;

Plus

Fifty percent (50%) of the balance of unexpended (unspent) and unencumbered departmental appropriations (all expenditure categories exclusive of salaries & benefits) as of December 31 of a fiscal year, that have reverted to the General Fund by virtue of a lapse in spending authority;

Excluding

(a) departmental appropriations that had been designated for a specific purpose, objective, project, or otherwise restricted if the department did not achieve the specific purpose or objective or complete the project;

(b) amounts that are appropriated as pass-through to third parties or other entities;

(c) amounts set aside for debt service;

(d) amounts encumbered in the prior year for goods or services purchased but not paid for during the prior year;

(f) amounts necessary to establish an appropriate fund balance.

Funds in the Savings Incentive Account are un-appropriated and may only be spent after approval by the Board of Commissioners through a resolution amending the departmental budget.

5.12.3 Procedures.

These procedures describe the annual process for calculating and reallocating the Incentive Savings Account. Identified savings may be expended only for one-time activities, unless specifically approved by the Board of County Commissioners. Preference will be given to expenditures for employee training, employee incentives, technology improvements, new work processes, performance measurement, contracted service, supplies or capital items.

■ The Office of Financial Management will analyze General Fund expenditure savings by department and report to the Board not later than May 1 each year the amount of savings each department has carried forward from the prior fiscal year. This analysis will consist of:

- Calculating total expenditure budget savings by department;

- Reviewing prior year departmental budget modifications;

- Adjusting departmental savings for prior year(s) encumbrances including grants and contracts, third-party pass-through obligations, debt service, prior year purchases not yet paid for;

- Reviewing past capital expenditures and capital expenditure requests;
Calculating the amount representing 25% of adjusted departmental salary and benefit savings;

Calculating the amount representing 50% of adjusted departmental expenditure savings for all expenditure categories exclusive of salary and benefit savings;

Analyzing the impact on fund balance.

The Board will make a preliminary determination of the total amount of the Incentive Savings Account balance and the amount to be allocated to each department.

The Office of Financial Management will notify each department of the preliminary amount available for the Savings Incentive Program Account and provide necessary background information.

Departments will be asked to submit expenditure requests including:

- Prioritized list of expenditures to be funded with expenditure savings;
- Rationale for expenditures.

The Board may find it necessary to meet with some Elected Officials or Department Directors and Managers to discuss the expenditure requests or may meet to discuss expenditure needs at the request of the department.

The Board will adopt a resolution amending the budget, reflecting its final decisions related to the amount of savings to be used by each department in the current fiscal year.

Savings incentives not spent in the year approved will not be carried forward to future years unless specifically approved by the Board.

5.13 SMALL WORKS ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS

5.13.1 Policy

5.13.2 Procedures

In order to be able to implement small works roster processes, Cowlitz County is required by law to adopt a resolution establishing specific procedures.

Section 1. The following small works roster procedures are established for use by Cowlitz County pursuant to Chapter 39.04 RCW.

1. Cost. Pursuant to RCW 39.04.155, the County shall develop and administer a small works roster process for awarding contracts for construction, building, renovation, remodeling, alteration, repair, or improvement of real property with an estimated cost of $300,000.00 or less. The small works roster process shall include a limited public works process for projects estimated to cost less than $35,000. For projects with an estimated cost of $10,000 or less, the following County Officials have authority to waive bidding requirements for public work contracts.

   Chief of Staff
   Facilities Maintenance Director
   Information Technology (IT)/Geographic Information Systems (GIS) Director
   Public Works Director
   Purchasing Manager
   Finance Director

2. Number of Rosters. Cowlitz County may create a single general small works roster, or may create a small works roster for different specialties or categories of anticipated work. Said small works rosters may make distinctions between contractors based upon different geographic areas served by the contractor.

3. Contractors on Small Works Roster(s). The small works roster(s) shall consist of all responsible contractors who have requested to be on the roster(s), and where required by law are properly licensed or registered to perform such work in this state. Contractors desiring to be placed on a roster or rosters must keep current records of any applicable licenses, certifications, registrations, bonding, insurance, or other appropriate matters on file with Cowlitz County as a condition of being placed on a roster or rosters.

4. Publication. At least once a year, Cowlitz County shall publish in a newspaper of general circulation within the jurisdiction a notice of the existence of the roster or rosters and solicit the names of contractors for such roster or rosters. Responsible contractors shall be added to an appropriate roster or rosters at any time that they submit a written request and necessary records. Cowlitz County may require master contracts to be signed that become effective when a specific award is made using a small works roster. The small works roster process may be administered by Interlocal agreement as provided in RCW Chapters 39.04.155 and 39.34 or by contract with a non-governmental service provider, including but not limited to the Municipal Research and Services Center of Washington.
5. **Telephone or Written Quotations.** Cowlitz County shall obtain telephone, written or electronic quotations for public works contracts from contractors on the appropriate small works roster to assure that a competitive price is established and to award contracts to the lowest responsible bidder, as defined in RCW 43.19.1911(9), as follows:

a) A contract awarded from a small works roster need not be advertised. Invitations for quotations shall include an estimate of the scope and nature of the work to be performed as well as materials and equipment to be furnished. However, detailed plans and specifications need not be included in the invitation. This paragraph does not eliminate other requirements for architectural or engineering approvals as to quality and compliance with building codes.

b) Quotations may be invited from all appropriate contractors on the appropriate small works roster. As an alternative, quotations may be invited from at least five contractors on the appropriate small works roster who have indicated the capability of performing the kind of work being contracted, in a manner that will equitably distribute the opportunity among the contractors on the appropriate roster.

If the estimated cost of the work is from one hundred thousand dollars to two hundred thousand dollars, Cowlitz County may choose to solicit bids from less than all the appropriate contractors on the appropriate small works roster but must also notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. Cowlitz County has the sole option of determining whether this notice to the remaining contractors is made by:

(i) Publishing notice in a legal newspaper in general circulation in the area where the work is to be done;
(ii) Mailing a notice to these contractors; or
(iii) Sending a notice to these contractors by facsimile or other electronic means.

C) For purposes of this resolution, “equitably distribute” means that Cowlitz County may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.

If the estimated cost of the work is from one hundred thousand dollars to two hundred thousand dollars, Cowlitz County may choose to solicit bids from less than all the appropriate contractors on the appropriate small works roster but must also notify the remaining contractors on the appropriate small works roster that quotations on the work are being sought. Cowlitz County has the sole option of determining whether this notice to the remaining contractors is made by:

(i) Publishing notice in a legal newspaper in general circulation in the area where the work is to be done;
(ii) Mailing a notice to these contractors; or
(iii) Sending a notice to these contractors by facsimile or other electronic means.

C) For purposes of this resolution, “equitably distribute” means that Cowlitz County may not favor certain contractors on the appropriate small works roster over other contractors on the appropriate small works roster who perform similar services.

d) At the time bids are solicited, the Cowlitz County representative shall not inform a contractor of the terms or amount of any other contractor’s bid for the same project;

e) A written record shall be made by Cowlitz County of each contractor’s bid on the project and of any conditions imposed on the bid. Immediately after an award is made, the bid quotations obtained shall be recorded, open to public inspection, and available by telephone inquiry.

6. **Limited Public Works Process.** As an alternative to the procedure described in section 5 of the Resolution, if a work, construction, alteration, repair, or improvement project is estimated to cost less than thirty-five thousand dollars, Cowlitz County may award such a contract using the limited public works process.
provided under RCW 39.04.155, subsection (3). For such limited public works projects, Cowlitz County will solicit electronic or written quotations from a minimum of three contractors from the appropriate small works roster and shall award the contract to the lowest responsible bidder as defined under RCW 43.19.1911(9). After an award is made, the quotations shall be open to public inspection and available by electronic request.

For limited public works projects, Cowlitz County may waive the payment and performance bond requirements of chapter 39.08 RCW and the retainage requirements of chapter 60.28 RCW, thereby assuming the liability for the contractor’s nonpayment of laborers, mechanics, subcontractors, materialmen, suppliers, and taxes imposed under Title 82 RCW that may be due from the contractor for the limited public works project. However, Cowlitz County shall have the right of recovery against the contractor for any payments made on the contractor’s behalf.

Cowlitz County shall maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four months under the limited public works process, including the name of the contractor, the contractor’s registration number, the amount of the contract, a brief description of the type of work performed, and the date the contract was awarded.

7. **Determining Lowest Responsible Bidder.** Cowlitz County shall award contracts for public works projects to the lowest responsible bidder, provided that, whenever there is a reason to believe that the lowest acceptable bid is not the best price obtainable, all bids may be rejected and Cowlitz County may call for new bids.

8. **Award.** All of the telephone bids or quotations shall be collected and presented at the same time to the Board of County Commissioners for consideration, determination of the lowest responsible bidder, and award the contract.

(Res 18-007, 2-6-18; Res. 07-029, 2-20-07)

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6.1 **ANIMALS RESTRICTED IN COUNTY BUILDINGS**
6.1 ANIMALS RESTRICTED IN COUNTY BUILDINGS

6.1.1 Policy.

County Buildings are provided and equipped for the efficient conduct of County business. The presence of animals or pets poses the risk of interfering with the orderly conduct of such business. This policy is adopted for the purpose of defining those limited situations where animals should be allowed in County buildings, with particular recognition of the right of persons with disabilities to be accompanied by bona fide service animals.

6.1.2 Definitions.

Bona fide: In or with good faith; honestly, openly and sincerely; without deceit or fraud.

Disabled person: An individual who has a disability as defined by the Americans with Disabilities Act.

Service animal: Defined by the Americans with Disabilities Act (ADA) as any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.
A generalized anxiety or fear is not a disability. An animal that provides comfort or therapy by its presence is not a service animal as it is not trained to do a specific task for the individual.

6.1.3 Procedures.

Service Animals Permitted - Conditions

Bona fide service animals assisting individuals with disabilities are generally permitted in the public areas of all county facilities and programs, with the exception of those areas where the animal’s presence would fundamentally alter the activity being conducted or where the animal creates an identifiable hazard or security risk.

Determination of Service Animal Status

County employees and/or County Security personnel can and should, when they believe appropriate, inquire with respect to whether an animal is a bona fide service animal required because of a disability, the individualized training of the service animal, and the tasks which the service animal is individually trained to perform.

When a Service Animal May be Excluded from County Facilities

A service animal may be excluded from a county facility or program if the animal’s behavior or presence poses a direct threat to the health or safety of others. The animal must be fully under the control of the disabled person at all times. If an animal is out of control, or presents a danger to the health or safety of others, and the person in charge does not or can not take effective action to control it, the animal will be excluded from the building.

Service animals may also be excluded in areas where the presence of a service animal fundamentally alters the nature of a program or activity or is disruptive.

Requirements for Service Animals

It is the responsibility of the person in control of the animal to identify the training that the service animal has received and the tasks the service animal has been trained to perform.

The owner/keeper of a service animal must be in full control of the animal at all times. The care and supervision of a service animal, including cleaning up after the animal, is solely the responsibility of owner/keeper.

Service animals in training are animals that are not yet trained to provide assistance to persons with disabilities in public settings. Service animals in training will generally be admitted to county buildings. Service animals in training must wear a harness or leash. Service animals in training should generally be identified by a special cape, or the trainer may present credentials for the animal issued by a school for service animal training.

6.1.4 Other Exceptions.
Certified law enforcement K-9’s under control of their assigned handler are permitted in County facilities and programs.

Animals involved in programs or under circumstances authorized or approved by county elected officials or department heads are also permitted.

The County acknowledges and affirms the provisions of RCW 70.84.060 with respect to unauthorized use of service animals as follows:

RCW 70.84.060 Unauthorized use of white cane, dog guide, or service animal.
It shall be unlawful for any pedestrian who is not totally or partially blind to use a white cane or any pedestrian who is not totally or partially blind or is not hearing impaired to use a dog guide or any pedestrian who is not otherwise physically disabled to use a service animal in any of the places, accommodations, or conveyances listed in RCW 70.84.010 for the purpose of securing the rights and privileges accorded by the chapter to totally or partially blind, hearing impaired, or otherwise physically disabled people.

(Res. No. 08-076, 7-8-08; Res. No. 09-054, 3-24-09)

6.2 CELLULAR PHONES

6.2.1 Policy.

The Board of Commissioners recognizes that it is beneficial to the County that officials and employees of the County have a convenient means of communicating while away from their offices during working and non-working hours. Therefore, the County has purchased some cellular telephones for use by County officials and employees. Providers of cellular telephone services are willing to provide services to officials and employees of the County both for business and personal use. County employees who perform County duties have purchased their own cellular telephones to be used for their personal use and County use.

6.2.2 Procedures.

6.2.2.1 Responsibility of County Employees.

A. Use of a County-provided wireless telecommunication devices (i.e. cellular telephones, data communication devices, etc.) is a privilege and is provided to employees to improve County operations and services. It is intended that County-provided wireless telecommunication devices be used for business purposes only.
B. Use of a County-provided cellular phone should not be a primary mode of communication, but should be used only when it is the most cost-effective way to conduct business or alternative communication is not feasible.
C. Employees are not expected or encouraged to use a personal cellular phone for County business. In instances where employees have a very limited need for a cellular phone for business purposes, such as attending a County-approved training session, employees will be reimbursed for business-related calls.

D. County employees should not use a wireless telecommunication devices while operating a County-owned vehicle or machinery, or handling hazardous materials, except in the case of an emergency. This policy does not apply to employees that are directly involved with law enforcement, public health, or public safety.

E. Employees assigned County-owned wireless telecommunication devices are to review each billing for accuracy and propriety and initial the billing statement and billing voucher.

F. Employees will pay for any and all charges, which are determined, by the supervisor or the Auditor to be the result of personal use of the wireless telecommunication device.

G. Employees will abide by the wireless telecommunication device agreement and procedure in its entirety. Misuse of a County-issued wireless telecommunication device or violation of this policy will result in immediate forfeiture of the device and could be grounds for disciplinary action.

6.2.22 Responsibility of County Elected Officials and Department Heads.

A. Elected Officials and Department Heads are responsible for determining when an employee is justified to be issued a County-purchased wireless telecommunication device. Criteria should include enhancement of job performance, need for mobility, frequency of expected use, lack of access to other communication devices, and cost efficiency.

B. Elected Officials and Department Heads are responsible for monitoring employee usage, reviewing individual’s billings and for revoking wireless telecommunication device privileges if abused or policies violated.

C. Elected Officials and Department Heads will select a wireless telecommunication provider and associated contract terms and will ensure that all contracts explicitly exempt County departments and offices from paying federal taxes on the purchase or use of County cellular phones.

6.2.23 Elected Officials.

Elected Officials who own their own cellular phone may choose to receive a stipend up to the amount of $50 per month provided that:

Only an amount up to $50 per month will be allowed for a cellular phone, provide further that:

A. The cellular number is published to the public on either business cards and/or letterhead.

B. The elected official receives no other compensation from the County for cellular calls.
An additional amount up to $40 per month will be allowed for a cellular phone that has a data connection that allows for County e-mail and Internet access, provided further that:

A. The County e-mail address is published to the public on either business cards and/or letterhead.
B. The elected official receives no other compensation from the County for data communications/connection.

This policy shall be effective August 1, 2006.
I understand and agree to the following terms regarding the use of cellular telephones for personal calls:

Cellular telephones are provided for purposes related to County business and in the event of an emergency.

The County recognizes that occasions arise in which personal calls need to be made or received on cellular telephones. However, personal calls are to be kept to a minimum.

I understand that I am required to review the appropriate phone bill each month and identify all personal calls. I will reimburse the County on a monthly basis for all personal phone calls identified and submit payment along with copies of phone bills highlighting my personal calls to the Auditor’s office.

I further understand that in the event I have no personal usage during a month, I will submit a statement to the Auditor’s office stating that fact. Every month when submitting an invoice for payment of cellular phone service, I will either submit reimbursement for any personal calls made or make a statement of non-usage to the Auditor’s office. I understand that failure to submit this required information will result in my forfeiture of the cellular phone.

If payment is not received within the authorized time period, the County has the authority to withhold the un-reimbursed amount from my payroll check.

________________________________________________________________________

Employee Name

________________________________________________________________________

Department

________________________________________________________________________

Signature

________________________________________________________________________

Date

(Res. 06-086; 7-18-06)
6.3 CODE OF CONDUCT FOR FEDERAL CONTRACTS

6.3.1 Policy.

Cowlitz County employees are expected to adhere to acceptable business principles and exhibit a high degree of personal integrity. No officer, employee, or agent of Cowlitz County shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

6.3.2 Procedures.

A conflict of interest would arise when:

- A. The employee, officer, or agent;
- B. Any member of his/her immediate family
- C. His/her partner; or
- D. An organization, which employs, or is about to employ any of the above has a financial or other interest in the firm selected for award.

Cowlitz County officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors. Violation of these standards may cause penalties, sanctions or other disciplinary actions to be taken against Cowlitz County officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents to the extent permitted by federal, state or local laws or regulations.

(Res. 92-013, 2-3-92)

6.4 ENERGY CONSUMPTION

6.4.1 Policy.

Cowlitz County Board of Commissioners requests that all Cowlitz County personnel, departments and facilities use all reasonable and prudent measures to reduce the County’s energy consumption.

6.4.2 Procedures.

Examples of such measures include, but are not limited to, the following:

- A. Turn off all lighting when an area is not in use.
- B. Turn off all computers, monitors, and copiers at the end of each workday.
- C. Recommend limiting the use of all under the desk space heaters.
- D. Unplug coffeepots at the end of each workday.
E. Exemption: Devices intended for the protection of the health and safety of County employees and the public.

Compliance with these relatively minor requests, though inconvenient, may forestall the use of more stringent actions to achieve this 10% reduction of energy consumption.

(Res. 01-026, 2-20-01)

6.5 EXCESSIVE USE OF FORCE

6.5.1 Policy.

Cowlitz County prohibits the excessive use of force by any law enforcement agencies or personnel against individuals engaged in nonviolent civil rights demonstrations.

6.5.2 Procedures.

In accordance with Section 519 of Public Law 101-144, (1990 HUD Appropriations Act), Cowlitz County certifies that:

A. Cowlitz County hereby adopts a policy which prohibits the excessive use of force by any law enforcement agencies or personnel against individuals engaged in nonviolent civil rights demonstrations.

B. The policy stipulates that law enforcement personnel will exercise the minimum force necessary to affect arrest and/or protect themselves and others against any individuals engaged in nonviolent civil rights demonstrations.

(Certification, 2-3-92)

6.6 FAX MACHINES

6.6.1 Policy.

Cowlitz County FAX machines are provided for the purpose of transmitting and receiving official County business.

6.6.2 Procedures.

The general public should not be permitted to use County FAX machines. Non-County employees who are conducting County business may use the FAX machines.

Personal use of County FAX machines by County employees is discouraged and should be kept to a minimum and used only when U.S. mail, other mail, or parcel delivery service will not meet the time requirements. Employees using County FAX machines for personal use must pay up to $1.00 for each fax transmitted at the time of transmission.
State law generally prohibits the use of County facilities to assist in any manner a campaign for election of any person or to support or oppose a ballot proposition. In no event shall County FAX machines be used for such purposes.

State law further restricts or regulates the use of County facilities to advocate or lobby legislation at all levels of government. County FAX machines shall not be used for any such lobbying activities except where the transmission concerns a subject related to the official duties of a County office and is authorized by a County elected official as consistent with the official position of such elected official.

(Memo, 4-21-97)

6.7 LOST AND FOUND

6.7.1 Policy.

Any governmental entity that acquires lost property must follow procedures in accordance with RCW 63.21.060.

6.7.2 Procedures.

Found items in County buildings turned in to individual offices should be submitted to the Office of Administrative Services. The department will attempt to notify the owner if possible. If left unclaimed, these items will be held for a minimum of 10 days. Those items of auctionable value will then be sent on to the city of Kelso Police Department within 30 days.

(Memo, 4-2-87; Res. 04-108, 6-1-04)

6.8 MAIL SERVICE

6.8.1 Policy.

Office of Administrative Services will provide interoffice mail services that will include, among other things, pickup and delivery of mail going between or among departments, and pickup and delivery of U.S. Postal mail and small packages for the U.S. Postal Service. Office of Administrative Services will process such mail, including sealing, sorting, stamping and delivering to the U.S. Post Office.

The schedule for interoffice mail services will be determined, from time to time, by the Office of Administrative Services, based on departmental needs and available resources. The schedule will be communicated to departments.
6.8.1.1 Definitions.

A. **Pre-Metered Mail:** mail processed through the Central Mail postage meter. Pre-metered mail receives a printed “idicia” that includes the County’s meter number, date and city where processed, and postage. It is illegal to print an idicia pre-dating envelopes processed through the mail machine. Postage due may be charged if this happens and first class pre-sort mail privileges could be discontinued.

B. **Pre-Sort First Class Mail:** requires a minimum of 200 pieces of first class postage rate mail in #10 regular envelopes (business size envelopes). Envelope cannot weigh more than one (1) ounce to be considered for first class pre-sort. Pre-sort first class mail requires no less than 10 pieces per 5-digit zip code. Mail in this category receives discount pricing.

C. **Pre-Stamped Mail:** mail processed by an individual utilizing postage stamps rather than the postage meter.

6.8.2 Procedures.

6.8.2.1 Central Mail Room Classification of Mail.

The Central Mail Room will classify mail received from departments for delivery by the U.S. Post Office as follows:

A. Priority mail is mail identified by departments that MUST be delivered to the U.S. Post Office the same day it is received by the Central Mail Room.

B. Regular mail is mail that can/may be held over to the next business day in order to be included in the next available first class pre-sort or held over due to time or resource constraints.

6.8.2.2 Mail Service Procedures.

A. Administrative Services will provide interoffice mail services and process mail for delivery to the U.S. Post Office through a Central Mail Room.

B. Administrative Services will establish a schedule for interoffice mail services based on departmental needs and available resources. The schedule will be communicated regularly to departments. In the event of a temporary disruption in the regular schedule, departments will be notified.

C. Postage stamps for pre-stamped mail will be available to departments and may be ordered from Office of Administrative Services. The ordering department will be billed for postage.

D. If departments have time-sensitive mail, it is the department’s responsibility to communicate its needs to the mail clerk.

E. If a department anticipates a large volume of mail that requires processing in a single day or expects a large pre-sort, departments should communicate in advance with the mail clerk in order that a schedule can be developed to avoid disruption of mail services to other departments.
F. If departments wish to take advantage of presort discounts, mail is to be prepared and sorted by zip code by the department, before being picked up by the mail clerk, unless other arrangements are made, in advance.

G. The mail machine/meter will stay open until at least 4:30 p.m. each business day.

H. Departments that do not have mail ready for pickup when the mail clerk arrives may deliver it to the Central Mail Room for processing. If the mail is delivered to the Central Mail Room before 4:30 p.m., the mail clerk will process it with the regular day’s mail. The mail clerk may not process mail arriving in the Central Mail Room after 4:30 p.m. until the next business day.

I. No personal mail will be picked up or processed by the mail clerk. Employees should not have personal mail delivered to the County.

J. The Mail Clerk will maintain a separate account for each department to which the cost of postage used by a department will be charged. The Mail Clerk will prepare daily as well as monthly reports detailing the amount of postage charged to each account. These reports will become the basis for invoicing postage used by the departments and departments will reimburse Office of Administrative Services for the cost of postage.

(Administrative Directive, 2-24-93; Res. 04-109, 6-1-04)

6.9 NON-SUFFICIENT FUNDS (NSF) FEE

6.9.1 Policy.

Cowlitz County offices and departments are authorized to charge a fee when it is necessary to reprocess checks returned as “non-negotiable.”

6.9.2 Procedures.

A fee of $25.00 can be charged whenever it is necessary to reprocess checks returned as “non-negotiable.” Each County office will post a notice within view to the citizen stating the NSF fee.

(Res. 03-044, 4-1-03)

6.10 PARKING

6.10.1 Policy.

The Board of County Commissioners ensures adequate parking will be available for citizens and employees. Employees are to utilize the designated employee areas and are encouraged to obtain Parking Permits from the Office of Administrative Services.

6.10.2 Procedures.
Employees will adhere to the following parking procedures.

**6.10.2.1 Parking Permits.**

All employees are encouraged to obtain a parking permit from the Office of Administrative Services.

**6.10.2.2 Administration Building.**

A. All 15-minute parking spaces shall be utilized for public parking only.
B. Parking permits will be obtained from the Office of Administrative Services and used when parking in the southwest lot on Academy Street.

**6.10.2.3 Hall of Justice.**

A. Basement parking
   Spaces assigned to Superior Court judges, District Court judges, Prosecuting Attorney, Sheriff’s boat, Corrections’ van, Task Force van, County delivery, and Crime Lab
B. North overhang area
   Spaces assigned to Clerk, Sheriff K-9 unit, Communications van, Maintenance, and 911 and Records – 8 spaces to be utilized for swing and graveyard shifts
C. Dike area
   Directly east of the Hall – Spaces assigned for ADA compliancy, Sheriff, Law Enforcement, and Load/Unload
D. East Front lower area
   Client parking only
E. North Dike area
   8 spaces assigned to Sheriff and remainder for employee and client parking
F. South Lot Designated Spaces
   Spaces assigned to Prosecutor and Corrections Pool Cars Only
G. North Lot, South Lot, and East/South Conference Center Areas
   Employee parking

(Res. 01-062, 4-9-01)

**6.11 PUBLIC RECORDS REQUESTS**

**6.11.1 Policy.**

The purpose of this chapter is to ensure compliance with the provisions of the Washington Public Records Act, Chapter 42.56 RCW, and other applicable law relating to the public records in custody of and/or maintained by Cowlitz County.
6.11.2 Interpretation and Construction.

In applying this chapter, the public records ombudsman, public records coordinators, and staff dealing with public records shall interpret this chapter so that its provisions are liberally construed to promote access to public records, to provide for the fullest assistance to a requestor, to provide the most timely possible action on requests, so as to ensure continuing public confidence in governmental processes, and so as to ensure that the public’s interest in the conduct of County government will be fully protected.

6.11.3 Definitions.

A. “County Agency” includes every elective office, department, division, bureau, board, commission, or other local public entity within Cowlitz County’s governmental structure that is or shall be subject to the provisions of the Public Records Act, Chapter 42.56 RCW, including advisory groups comprised of volunteers appointed to make recommendations to elected officials, and excluding the County Law Library.

B. “Public record” includes any writing containing information relating to the conduct of government or the performance of any County function prepared, owned, used, or retained by any County agency regardless of physical form or characteristics. For purposes of the Public Records Act, Chapter 42.56 RCW, “Public record” does not include records of the Superior or District Courts, or Court records retained by the County Clerk, or records of the Superior Courts or Courts of Limited Jurisdiction.

C. “Writing” means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

6.11.4 Procedures.

6.11.4.1 Public Records to be Made Available.

Each County agency, as defined in paragraph III, shall make available for public inspection and copying all public records, except as otherwise provided by law.

6.11.4.2 Exemption From Requirement To Maintain A Current Records Index.

A. The Board of County Commissioners finds that Cowlitz County government is comprised of many branches, boards, departments, divisions, subdivisions, agencies, offices, commissions, and many other County entities that maintain separate and
distinct recordkeeping systems. The records are voluminous, diverse, complex, and are stored in incompatible databases. Indexing of these records would be overwhelmingly costly to the Cowlitz County taxpayers, while substantially interfering with effective and timely County office operations. As a result, it would be unduly burdensome, if not physically impossible; to develop an index of those records identified in RCW 42.56.070(3) or as the statute may be amended in the future.

B. No Cowlitz County agency, as defined in paragraph III, is required to maintain an index of public records conforming to the requirements of RCW 42.56.070(3) or as the statute may be amended in the future.

C. Any index maintained by an individual County agency shall be made available for public inspection and copying unless exempt from disclosure or made confidential by law.

6.11.4.3 Public Records Coordinators; Policies; Training and Education.

A. Public Records Coordinators. At the request of the Clerk of the Board of County Commissioners, County agencies, as defined in paragraph III, shall appoint public records coordinators, whose duties shall include prompt, efficient response to public records requests. The applicable public records coordinator will oversee compliance with the Public Records Act but another staff member may process the request. The public records coordinator or designee will provide the fullest assistance to requesters; ensure that public records are protected from damage or disorganization; and prevent fulfillment of public records requests from causing excessive interference with essential function of Cowlitz County or its agencies.

B. Public Records Ombudsperson. The Board of County Commissioners shall appoint a Public Records Ombudsperson. People seeking public records or information available for inspection and copying from Cowlitz County may seek assistance from the Public Records Ombudsperson. The Public Records Ombudsperson may facilitate identification of records which are available for disclosure and minimize unnecessary effort and cost to the County and to persons seeking available records.

C. Notice to the Public. A list of names and contact information of the current public records coordinators for agencies of Cowlitz County, to whom members of the public may direct requests for disclosure of public records and who will oversee the County’s compliance with the public records disclosure requirements of this chapter, shall be made available in a way reasonably calculated to provide notice to the public, including posting at the administrative offices of each County agency, posting on the County’s internet site, and, at the discretion of the Public Records Ombudsperson, in selected County publications.
D. **Training.** The Public Records Ombudsperson, and Public Records Coordinators should attend training classes on the Washington State Public Records Act, 42.56 RCW.

### 6.11.4.4 Requests for Public Records.

A. In accordance with requirements of the Washington Public Records Act that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

**Written Requests.** Requests for access to public records shall be addressed to the Public Records Coordinator of the applicable County agency as set forth below:

<table>
<thead>
<tr>
<th>Department</th>
<th>Telephone</th>
<th>Fax</th>
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<tbody>
<tr>
<td>911 Communications</td>
<td>577-3179</td>
<td>414-5529</td>
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<tr>
<td>312 SW 1st Avenue Kelso, WA 98626</td>
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<tr>
<td>Assessor</td>
<td>577-3010</td>
<td>442-7080</td>
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<td>Auditor</td>
<td>577-3002</td>
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<tr>
<td>Building and Planning</td>
<td>577-3052</td>
<td>414-5550</td>
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<tr>
<td>Board of Equalization</td>
<td>577-3015</td>
<td>423-9987</td>
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<td>207 4th Avenue North Kelso, WA 98626</td>
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<td>Clerk's Office</td>
<td>577-3016</td>
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<td>312 SW 1st Avenue Kelso, WA 98626</td>
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<tr>
<td>Commissioners</td>
<td>577-3020</td>
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<tr>
<td>Coroner</td>
<td>577-3079</td>
<td>575-1458</td>
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<tr>
<td>District Court</td>
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<td>577-3132</td>
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<td>312 SW 1st Avenue Kelso, WA 98626</td>
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<tr>
<td>Emergency Management</td>
<td>577-3130</td>
<td>577-3009</td>
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<tr>
<td>312 SW 1st Avenue Kelso, WA 98626</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Events Center</td>
<td>577-3121</td>
<td>577-6254</td>
</tr>
<tr>
<td>1900 7th Avenue</td>
<td></td>
<td></td>
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</tbody>
</table>
Longview, WA 98632

**Financial Management**  
207 4th Avenue North  
Kelso, WA 98626  
577-3065  423-9987

**Health**  
900 Ocean Beach Hwy  
Longview, WA 98632  
414-5599  425-7531

**Human Resources**  
207 4th Avenue North  
Kelso, WA 98626  
577-3065  577-3028

**Human Services**  
900 Ocean Beach Hwy  
Kelso, WA 98626  
501-1201  501-1207

**Information Technology (IT) & Geographic Information Systems (GIS)**  
207 4th Avenue North  
Kelso, WA 98626  
577-3024  423-9987

**Jail – Corrections**  
1935 1st Avenue  
x 2212  
Longview, WA 98632  
577-3094  501-6245

**Juvenile Court**  
1725 1st Avenue  
Longview, WA 98632  
577-3100  414-9280

**Law Enforcement Records**  
312 SW 1st Avenue  
Kelso, WA 98626  
577-3095  414-5531

**Maintenance**  
207 4th Avenue North  
Kelso, WA 98626  
577-3027  423-9987

**Museum**  
405 Allen Street  
Kelso, WA 98626  
577-3119  423-9987

**Parks**  
207 4th Avenue North  
Kelso, WA 98626  
577-3027  423-9987

**Prosecuting Attorney**  
312 SW 1st Avenue  
Kelso, WA 98626  
577-3080  414-9121

**Public Defense**  
1800 1st  
Longview, WA 98632  
578-7430  578-7431

**Public Works**  
1600 13th Avenue South  
Kelso, WA 98626  
577-3030  636-0845

**Risk Management**  
207 4th Avenue North  
Kelso, WA 98626  
577-3065  423-9987

**Sheriff**  
312 SW 1st Avenue  
Kelso, WA 98626  
577-3092  423-1047
A request shall be made in writing (or by fax, hand delivery or US mail, upon a form prescribed by the County agency which shall be available at the offices where records are maintained. A request that is made other than upon the form prescribed by the office is permissible, but must provide the information listed in (a) through (e) of this subsection. The request form shall be presented to the public records coordinator of the agency to which the request is directed, or to a member of the staff designated by him or her, if the public records coordinator is not available, at the office during the office hours specified in this chapter. The request shall include the following information:

a. The name of the person requesting the record, together with appropriate contact information;

b. The time of day and calendar date on which the request was made;

c. The nature of the request;

d. If the request is for a list of individuals, the requestor shall certify that the request is not for commercial purpose, except as provided by State law;

e. The requestor, at her or his option, may provide additional information necessary to determine the application of a statute or other law authorizing disclosure or exemption from disclosure of the record(s) requested.

3. In all cases in which a member of the public is making a request, it shall be the obligation of the public records coordinator, or designated staff member to whom the request is made, to assist the member of the public in appropriately identifying and locating the public record requested.

B. Informal Requests. Certain departments and offices of elected officials, which have records in certain forms which have customarily been open to the public inspection and/or copying, may, at the option of the heads of such departments or elected officials, permit inspection and copying without requiring such requests in writing.
C.  **Lack of Existing Records.** County employees are not required to create documents in response to a public records request or to perform research, retrieve data, provide analysis, information or any report relating to the conduct of County business when no document exists that is responsive to the request.

D.  **Excessive Interference.** Consistent with other demands and resources, each County agency may adopt policies to prevent the fulfilling of public records requests from causing excessive interference with the essential functions of said agency.

### 6.11.4.5 Hours for Seeking Public Records.

Public records shall be available for inspection and copying during the customary office hours of each County agency, as defined in paragraph III. PROVIDED, that if the agency does not have customary office hours of at least thirty hours per week, the public records shall be available from nine o’clock a.m. to noon (9:00 a.m. to 12:00 p.m.) and from one o’clock p.m. to four o’clock p.m. (1:00 p.m. to 4:00 p.m.), Monday through Friday, excluding legal holidays, unless the person making the request and the agency agree on a different time.

### 6.11.4.6 Response for Request for Public Records.

A.  Upon receipt of a request for disclosure of public records, the receiving County agency shall respond promptly. Within five (5) business days of receiving a public records request, the receiving agency shall respond by:

1.  Providing the record; or
2.  Providing a portion or an installment of the record pending completion of action on the request; or
3.  Acknowledging that the office has received the request and providing a reasonable estimate of the time the office will require to respond to the request; or
4.  Denying the public records request. Agency responses refusing in whole or in part the inspection or copying of a public record shall include a statement of the record or portion of the record that is being denied and provide the specific exemption authorizing withholding of the record or any part thereof.

B.  Additional time for the office to respond to a request may be based upon the need to:

1.  Clarify the intent of the request;
2.  Locate and assemble the records requested;
3.  Notify third parties or agencies affected by the request; or
4. Determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request.

C. In acknowledging receipt of a public record request that is unclear, the County office may ask the requestor to clarify what information the request is seeking. If the requestor fails to clarify the request within fourteen (14) days, the County agency may notify the requestor in writing that no response to the request will be forthcoming.

6.11.4.7 Fees; Production in Installments.

A. Inspection. No fee shall be charged for the inspection of public records.

B. Fees for Copying. A reasonable charge may be imposed for providing copies of public records and for the use by any person of available County equipment to copy public records, which charges shall not exceed the amount necessary to reimburse the County for its actual costs directly incident to such copying.

1. Charges for photocopies shall be imposed in accordance with the actual per-page cost or other costs established and published by County departments, offices, agencies, boards, bureaus, divisions or commissions. Except as expressly authorized by statute, in no event may a County agency charge a per-page cost greater than the actual per-page cost as established and published by the various County entities.

2. Requests of a significant nature and magnitude may be copied by a commercial vendor and will be subject to a deposit, based on the estimated cost, before copying.

3. To the extent the individual County agency has not established the actual per-page cost for photocopies of its public records, it may not charge in excess of fifteen cents per page, or as otherwise provided by state law. The County agency is not required to provide records in any form other than their native form. The County may require payment of ten cents per page for documents that are scanned into electronic form. The County agency may also charge the amount per hour for copying information on a CD-ROM or other media, plus the listed cost for each CD-ROM or other media.

C. The actual cost of postage, delivery charges, containers or envelopes used to mail the records to the requestor may be charged.

D. Before beginning to make copies, any County agency may require a deposit in an amount not to exceed ten percent of the estimated cost of providing copies for a request. The County agency may also require the payment of the remainder of the copying costs before providing all the records, whether they include all of the records or an installment. If an agency makes a request available on a partial or installment basis, the agency may require payment for each part of the request as it is provided. If an installment of a records request is not claimed or reviewed or paid for, the agency is not obligated to fulfill the balance of the request.
6.11.4.8 Protection of Public Records.

A. No person shall knowingly alter, disorganize, deface or destroy public records of the agency.

B. Original public records of the agency shall not be removed from the possession of any County agency or its employees, except in the case of commercial copying.

C. The public records officer is authorized to promulgate policies to ensure, to the extent practicable, that requested records are not removed from the premises nor portions thereof removed by member of the public.

6.11.4.9 Retention of Public Records.

A. Retention. Public records of County agencies shall be retained in accordance with retention schedules, or any exceptions to those schedules promulgated by the Washington Secretary of State.

B. Destruction. No public record scheduled for destruction under an applicable retention schedule shall be destroyed while the record is subject to a pending public records request.

6.11.4.10 Exemptions.

A. Each County agency has the right to determine that a public record requested in accordance with the procedures outlined in this chapter is exempt under the provisions of the Washington Public Records Act or other law (see Appendix “A”).

B. Each County agency reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure or such details would be an invasion of personal privacy protected by the Washington Public Records Act or other law.

C. All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific statutory or case law basis authorizing the withholding or redacting of the record, a description of the record or portion withheld, and a brief explanation of how the exemption applies to the record withheld.

6.11.4.11 Review of Denial or Redaction of Public Records.

Each agency public records coordinator, with the advice and consent of the public records ombudsperson, may establish or cause to be established mechanisms for the review of decisions denying inspection of public records for their respective departments of County government. Upon approval by the public records coordinator, each mechanism for review shall be included in the County’s Public Records Procedures, as described in paragraph VI. B. In the absence of such established mechanism, the following procedure shall apply:
A. **Written Request for Internal Review of Denial of Access.** Any person who objects to the initial denial or partial denial of a records request may seek reconsideration of that decision in writing to the public records coordinator of the agency to which the request was directed. The request shall include a copy of or reasonably identify the written statement by the public records coordinator or designee denying the request. A written request for review shall be made within five business days of the decision to deny the request.

B. **Consideration of Petition for Review.** The public records coordinator or designee, following receipt of the written request, shall promptly review the request and any other relevant information and may consult with the Prosecuting Attorney before action on the request. The public records coordinator or designee shall promptly affirm or reverse the denial.

C. **Judicial Review.** Judicial review of all agency or government decisions to deny a public records request may be made pursuant to RCW 42.56.520 - .550.

6.11.2.12 **Adoption of Form.**

A. Requests shall be made to the selected public records coordinator upon a standard for promulgated by the Public Records Ombudsperson for the County designated by the Cowlitz County Executive which shall be made available at the office of each agency’s public records coordinator and on the County website.
Attention: Public Records Coordinator

Requestor: Write the name and contact information for the County Agency in this box.

Cowlitz County
Request for Access to Public Records

Requests and production are governed by Chapter 42.56 RCW

Instructions: 1. Complete Section A of the form and County Agency information above. Please print.
2. Mail, deliver, or fax completed form to the public records coordinator for the Cowlitz County Department/Office shown above, do not send via Email.

<table>
<thead>
<tr>
<th>SECTION A</th>
<th>Requestor / Records Request Information – Please PRINT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requestor Name</td>
<td>Business Name</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>City, State – Zip Code</td>
</tr>
<tr>
<td>Phone Number</td>
<td>Fax Number</td>
</tr>
</tbody>
</table>

Select One:
- Do not make copies, but allow review. I may request copies of specific pages after review.
- Mail copies*  Hold copies for pickup* (prior payment is required for copies mailed or picked up).

*I understand that I will be charged $.15 per page or the published cost of copies requested, whichever is greater, plus mailing cost, if mailing is requested. Or cost for CD & DVD (if available) will be $5 plus mailing cost, if mailing is requested.

Please describe the SPECIFIC record(s) you are requesting, including date(s):

SECTION B  The following must also be signed ONLY if you request any list of individuals.

I understand that Washington State Law (RCW 42.56.070(9)) prohibits the use of lists of individuals for commercial purposes. If applicable to this request, I hereby declare, under penalty of perjury pursuant to the laws of the State of Washington, that I will not use the list of individuals obtained from this request for commercial purposes. If applicable, I also acknowledge that I am solely responsible for any consequences or damages arising from my commercial use of the list of individuals I am obtaining.

If you believe that you are entitled to information, which was not released, or that the information furnished has been incorrectly redacted or is incomplete, you may file a written appeal with the ombudsperson within five (5) business days from the date of the response to your request. The appeal must include your name and address, a copy of this form together with a brief statement identifying the basis of the appeal.

Signature: ___________________________ Date: ___________________________

FOR OFFICIAL USE ONLY – Return completed form to the Public Records Coordinator

Dept. Receiving Request & Date: ___________________________

Response Required by: ___________________________ Response Completed Date: ___________________________
6.12 PURCHASING

Policy.
It is the policy of the Board of Commissioners that procurement by Cowlitz County offices and departments be conducted according to state law and in a responsible, transparent and collaborative manner that ensures public funds are spent legally and responsibly, while promoting fair and open competition. County employees should be afforded a process to purchase goods and services in the most efficient and cost effective way that also encourages and maintains reliable sources of supply. The County will attempt to obtain the lowest practical price for such goods.

Procedures.

The Board of Commissioners hereby establishes a process and procedure to guide County employees when purchasing materials, supplies or equipment not connected to a public works project. The bid limits specified in this policy are those established in RCW 36.32.245 as now enacted or hereafter amended.

A. Purchase Thresholds
   I. $0 - $10,000 No formal bid requirements
   II. $10,000-$50,000 Informal bidding procedure
   III. $50,000 and above formal bidding procedure

B. Informal Bid Process ($10,000-$50,000)
   
   I. Public Notification
      At least twice a year the County will publish in a newspaper of general circulation within the jurisdiction, a notice of the existence of the vendor list and solicit the names for vendors for the lists.

   II. Process
      a) The requesting department will prepare detailed specifications for the intended purchase. If the cost, including sales tax, use tax, and freight will be estimated between $10,000 and $50,000, these procedures apply. Nothing in these procedures allows the artificial division of purchase requirements in order to qualify a purchase and make it eligible to be made utilizing these procedures.
      b) Once the specifications have been developed, a minimum of three vendors are selected from the Vendor List. Purchasing Services will furnish the vendors with written specifications for the equipment, materials or supplies needed by the County together with instructions how to respond to the request for quotation or bid. Other vendors, not selected by the County, are encouraged to respond and will be provided with written specifications, by Purchasing Services, upon request. It is the intent of the County that a
competitive price be established and this process will provide a basis for selection of a vendor and award of contracts or bids for the purchase of materials, equipment or supplies to the lowest responsive bidder. If three appropriate vendors cannot be identified, after a good faith effort, those vendors identified by the County will be asked to provide a quotation or bid. Justification as to why three vendors were not solicited will be documented by Purchasing Services. Vendors selected will be asked to submit verbal telephonic responses, FAX quotes or written responses. Written confirmation with an original signature of an authorized representative of the vendor will be required if quotes are provided by verbal telephonic or FAX responses. The County will not share quotations from one vendor with other vendors prior to award. Requests for bids or quotations made in accordance with this section need not be advertise in the County’s official newspaper of general circulation.

III. **Award of Contract**
When the time has expired for quotes or bids to have been received, Purchasing Services will select the lowest responsive and responsible bidder and inform them that they have been selected and when to proceed with the project or when to deliver the equipment, materials or supplies. The selected vendor will be informed telephonically and a written or faxed Notice to Proceed will follow. Immediately after the award is made, the bid quotations received shall be recorded and opened to public inspection.

IV. **Public Posting**
A list of all contracts awarded under these procedures shall be posted in a public place, Administrative Services bulletin board, every two months. The list shall contain the name of the vendor awarded the contract, the amount of the contract, a brief description of the items purchases, and the date the contract was awarded.

C. **Formal Bid Process ($50,000 or above)**

I. **Request for Proposal / Invitation to Bid**
The request for proposal or invitation to bid (RFP/ITB) will contain detailed written specifications and shall be filed with the Clerk of the Board for public inspection.

II. **Public Notification**
An advertisement shall be published in the official newspaper of the County stating the time and place the bids will be opened, the time after which bids will not be received, the materials, equipment, supplies, or services to be purchased and that the specifications may be seen at the office of the Clerk of the Board. The advertisement shall be published at least once, at least thirteen days prior to the last date upon which bids will be received.

III. **Submittal of Proposal or Bid**
Bids shall be in writing and filed with the Clerk of the Board. Bids shall be opened and read in public at the time and place named in the advertisement. Contracts requiring competitive bidding under this section may be awarded only to the lowest responsive bidder. Immediately after the award is made, the bids shall be recorded
IV. Determining the lowest responsive bidder

The County reserves the right to reject any and all bids not in compliance with all prescribed bidding procedures and requirements, may reject for good cause any and all bids upon the finding that it is in the public interest to do so and may waive any and all informalities.

The County reserves the right to reject any or parts of any and all bids, to re-advertise, to postpone or cancel at any time this request for bids, or to waive any irregularities in this request or immaterial irregularities in the bid(s) received as a result of a request. The determination or criteria and process whereby bids are evaluated, the decision as to which vendor(s) shall receive a contract, or whether or not a contract shall ever be made as a result of a request, shall be at the sole discretion of the County. All decisions of the County are final.

6.13 MOTOR VEHICLE IMPOUNDMENT, REDEMPTION AND DISPOSAL

Impoundment without prior notice.

A. A vehicle may be impounded with or without citation and without giving prior notice to its registered or legal owner under the following circumstances:

1. The vehicle is or is likely to impede the normal flow of vehicular or pedestrian traffic;
2. The vehicle is illegally parked in a posted restricted zone where parking is limited to designated classes of vehicles, or is prohibited during certain hours, or on designated days, or at any time when the vehicle is interfering, or likely to interfere with, the intended use of such a restricted zone or public area;
3. The vehicle poses an emerging or emergent threat to the public safety;
4. Law enforcement has information sufficient to form a reasonable belief that the vehicle is stolen;
5. Law enforcement has information sufficient to form a reasonable belief that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary to obtain or preserve such evidence;
6. Whenever law enforcement finds an unattended vehicle at the scene of an accident or when the driver of a vehicle involved in an accident is physically or mentally incapable, or too intoxicated, to rationally decide upon steps to be taken to protect his or her property;
7. Whenever the driver of a vehicle is arrested or taken into custody by law enforcement, and the driver is physically or mentally incapable, or too intoxicated, to rationally decide upon steps to be taken to protect his or her property;
8. Whenever a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person pursuant to RCW 46.19.030 is parked in a stall or space properly marked, as required by RCW 46.61.581, which space is provided on private property without charge or is on public property;
9. Whenever a mobile home is subject to removal from a mobile home park pursuant to a writ of restitution, provided such writ is attached to a Cowlitz County Sheriff’s Office impound report.

B. Nothing in this section shall derogate from the powers of law enforcement under the common law or other statute or ordinance.

Impoundment after notice.

A vehicle subject to impoundment under CCC 11.34 may be impounded after notice of such proposed impoundment has been securely attached to and conspicuously displayed on the vehicle for a period of twenty-four (24) hours prior to such impoundment if such vehicle is parked and/or used in violation of any law, ordinance or regulation; provided that if the vehicle has current vehicle license and tabs, an authorized agent of the Cowlitz County Sheriff’s Office shall check the computer records to ascertain the identity of the last owner of record of the vehicle and shall make a reasonable effort to contact the owner in person or by telephone in order to notify the owner of the proposed impoundment.

Impound procedure.

When impoundment is authorized by CCC 11.34 and this policy, a vehicle may be impounded by the County or by a towing contractor acting on a request of the County Sheriff. Such County agent shall provide to a towing contractor a signed authorization for the tow and impound before the towing contractor may proceed with the impound.

Notification to owner of impounded vehicle.

A. When a vehicle is impounded, the County or impounding towing contractor shall provide notification of the impoundment to the legal and registered owner(s) of the vehicle. The notification shall be sent by first-class mail within twenty-four (24) hours after the impoundment to the last known name and address of the owner(s) of the vehicle, as identified by the Washington State Department of Licensing, and shall inform the owner(s) of the identity of the agency authorizing the impound. The notification shall include the name of the towing contractor, its address and telephone number, the location and time of the impound, and that the vehicle was impounded by authority of the Cowlitz County Sheriff or respective Department. The notice shall also include written notice of the right of redemption and opportunity for a hearing to contest the validity of the impoundment pursuant to this chapter.

B. In the case of an abandoned vehicle, as defined in RCW 46.55.010(1), within twenty-four (24) hours after receiving information as to the vehicle owner(s) from the State Department of Licensing, the County or towing contractor shall send by certified mail, with return receipt requested, a notice of custody and sale to the legal and registered owner(s).

C. No notices need be sent to the legal or registered owner(s) of an impounded vehicle if the vehicle has been redeemed.

D. When a person seeks to redeem an impounded vehicle, the County or towing contractor shall give said person a copy of the towing and storage invoice as well as a written notice of the right of redemption and opportunity for a hearing, in accordance with procedures established by the County. The County and towing contractor shall maintain a record evidenced by the redeeming person’s signature that such notification was provided.

Redemption of impounded vehicles and hearing request.
Vehicles impounded shall be redeemed under the following circumstances:

A. Only the registered owner, the legal owner, or a person authorized in writing by the registered or legal owner, or one (1) who purchased a vehicle from the registered owner and who produces proof of ownership or written authorization and signs a receipt therefor, may redeem an impounded vehicle.

B. Any person so redeeming an impounded vehicle must pay the County or towing contractor for costs of impoundment (towing and storage) before the vehicle will be released from impound. Such County or towing contractor shall accept only cash, major bank credit cards, certified bank drafts, or money orders.

C. Any person who stops payment on a personal check or credit card, or does not make restitution within ten (10) days from the date a check becomes insufficient due to lack of funds, or in any other manner defrauds the towing contractor in connection with services rendered pursuant to this chapter shall be liable to the towing contractor for damages in the amount of twice the towing and storage fees, plus costs and reasonable attorney’s fees.

D. Any person seeking to redeem an impounded vehicle has a right to a hearing before an administrative hearing officer to contest the validity of the impoundment or the amount of towing and storage charges. Any request for a hearing shall be made in writing on a form provided for that purpose, signed by such person and must be received by the notifying Sheriff or respective Department within ten (10) calendar days (including Saturdays, Sundays, and holidays) of the later of the date the notice of right of redemption and opportunity for hearing was mailed to such a person, or the date such notice was given to such person by the towing contractor. If the hearing request is not received by the County within the ten (10) day period, the right to a hearing is waived and the registered owner is liable for any towing, storage, or other impoundment charges permitted under this chapter.

E. If a hearing, such hearing shall be held within two (2) working days of the receipt of the written request.

**Post impoundment hearing procedure.**

A. In accordance with RCW 46.55.240(1)(d), the County shall appoint one (1) or more administrative hearing officers to conduct the requested post-impound hearings. Such hearing officer shall determine whether the impoundment was proper and whether the towing and/or storage fees charged in connection with the impound were proper.

B. At the hearing, the Sheriff or respective Department may produce any relevant evidence to show that the impound and/or fees were proper. The County’s impound report and any towing contractor’s impound receipts may be received in evidence. In determining whether the fees charged were proper, the hearing officer may take notice of the County’s expenditures and towing contractor’s rates.

C. At the hearing, the person who requested the hearing may produce any relevant evidence to show that the impound and/or fees were not proper.

D. If the impoundment is found to be proper, the hearing officer shall enter an order so stating. If the costs of impoundment have not been paid, the hearing officer’s order shall also provide that the impounded vehicle shall be released only after payment of the costs of impoundment to the towing contractor.

E. If the impoundment is found to be improper, the hearing officer shall enter an order so stating and shall order the immediate release of the vehicle. If the costs of impoundment have already been paid, the hearing officer shall enter an order against the County and in favor of the person who has paid the costs of impoundment in the amount of
costs of the impoundment plus interest at the rate of 12.0 percent per annum from the date on which that person paid such costs, and the County shall comply with such order. If the costs of impoundment have not been paid, the hearing officer shall enter an order directing the County to pay such costs to the towing contractor, and the County shall comply with such order.

F. If the hearing officer finds that the impoundment was proper, but that the County’s or towing and/or storage fees were improper, the hearing officer shall determine the correct fees to be charged. If the costs of impoundment have not been paid, the hearing officer shall order the release of the vehicle upon payment of the correct impoundment fees as determined by the hearing officer. If the costs of impoundment have been paid, the hearing officer shall enter an order against the County and in favor of the person who has paid the costs of impoundment for the amount of the overpayment plus interest at the rate of 12.0 percent per annum on the overpayment from the date on which that person paid such costs, and the County shall comply with such order. The towing contractor shall be liable to the County for the amount of such overpayment and interest at the rate of 12.0 percent per annum. The towing contractor shall make payment to the County no later than sixty (60) days after it receives notice of such requirement to pay. The County may bring an action in the District Court against the towing contractor to recover such overpayment plus interest at the rate of 12.0 percent per annum.

G. In accordance with RCW 46.55.240(1)(d), a decision made by an administrative hearing officer may be appealed to the District Court for final judgment.

Sale of unclaimed vehicles.

A. Any impounded vehicle not redeemed within fifteen (15) days of mailing of the notice required herein and not listed as a stolen vehicle, shall be deemed unclaimed and shall be sold at a public auction in accordance with the provisions and subject to all conditions of RCW 46.55.130; provided that, in the case of a vehicle impounded and held pursuant to order of a law enforcement officer, as herein authorized, the fifteen (15) days shall not begin until forty-eight (48) hours after the Sheriff or respective Department shall have notified both the owner and towing contractor that it has authorized the release of the vehicle; provided further that when a timely request for a post-impound hearing has been made, the sale of the vehicle at public auction shall not take place until after the hearing has been conducted and the hearing officer has entered an order. Prior to sale at public auction, the towing contractor shall confirm with the County that no hearing has been requested or is pending.

B. When an unclaimed vehicle is sold at public auction pursuant to subsection A of this section, the towing contractor may recover its towing and storage charges from the proceeds of sale. Such towing and storage charges shall be limited to the contract rates established herein.

Contracts for towing and storage.

The County Sheriff or respective Departments, may enter into agreements and work orders with towing contractors to provide towing and storage services. Such agreements shall be at no cost to the County and shall provide that the towing contractor may recover the costs of towing and storage only from the person seeking to redeem the impounded vehicle, or from the proceeds of sale of an unclaimed vehicle, and that the County shall not be responsible for payment of such costs except upon order of the administrative hearing
officer or court of competent jurisdiction. The County may specify that towing services obtained be on a rotational or other basis within the City. The County may also set the rates towing contractors may charge persons seeking to redeem impounded vehicles for towing and storage services provided pursuant to this policy. (Res. No. 16-108, 9-20-16)
COWLITZ COUNTY POLICIES

Subject: PROPERTY

Chapter: 7

Sections:

7.1 CAPITAL IMPROVEMENT AND PRESERVATION

7.1.1 Policy.

The Board of Commissioners of Cowlitz County recognizes the need for long-range planning with respect to capital facility acquisition, development, improvement and preservation.

The Board recognizes that it must make infrastructure capital investments to support and enhance the delivery of services to the citizens of Cowlitz County.

The Board wishes to adopt capital planning policies to guide its decision-making with respect to these capital investments.
The Board of Commissioners wishes to establish a standing committee, known as the Capital Improvement Committee, to assist the Board in the identification and prioritization of projects and to evaluate funding for such projects.

7.1.2 Procedures.

7.1.2.1 Tasks.

The following tasks shall be assigned to the Capital Improvement Committee (CIP):

- Develop comprehensive procedures for the identification and prioritization of new capital facilities, or the improvement and preservation of existing facilities owned by Cowlitz County.
- Evaluate such projects as may be submitted to or identified by the committee in accordance with established procedures.
- Evaluate potential funding sources.
- Make recommendations to the Board of Commissioners concerning such projects and funding sources.
- Such other similar or related duties as may, from time to time, be assigned to the committee by the Board of County Commissioners.

7.1.2.2 Capital Planning and Financing Policies.

The following Capital Planning and Financing Policies are hereby adopted:

- Each department with major capital assets will develop and maintain, at a minimum a six-year capital plan. The actual planning term for capital programs should relate to the useful life of capital assets, the term of financing and industry standards for the particular type of asset.
- The Board of County Commissioners will adopt and update annually a county six-year Capital Improvement Plan based upon recommendations by the Capital Improvement Committee. The plan will include estimated project costs and identify potential funding sources. The Plan should also anticipate future costs of operation and maintenance.
- In general, all assets will be maintained at a level that protects capital investment and minimizes future maintenance and replacement costs.
- The CIP will maintain accurate information on the condition, lifespan and estimated replacement cost of its major physical assets to assist in long-term planning. The CIP will coordinate development of a biennial Capital Improvements Budget with the development of its biennial operating budget. The Capital Improvements Budget will include capital expenditures based on the first two years of the current Capital Improvement Plan.
- The budget will provide sufficient funding for adequate operation, maintenance and scheduled replacement and enhancements of capital plant and equipment. Whenever the Capital Facilities Committee identifies a significant discrepancy between the need to maintain and modernize infrastructure or facilities and the funds available for such improvements, the Committee will prepare and present to
the Board of Commissioners a strategy for meeting such needs.

- In general, maintenance and operations of current capital facilities should be given priority over acquisition of new facilities, unless a cost/benefit analysis indicates to the contrary. In addition, state or federal mandates or new service demands may require acquisition of new facilities even when maintenance needs are not fully met.
- A high priority should be placed on maintenance where deferring maintenance will result in greater costs to restore or replace neglected facilities.

A Capital Improvement Committee is hereby established and the following are appointed to serve on this committee:

- Facilities Manager, Committee Chair
- Purchasing Manager
- Risk Manager
- OFM Director
- Facilities Coordinator
- Five Campus representatives, Elected Officials or their designees

A ten-member Capital Improvement Committee is hereby established to consist of the Facilities Manager who shall be Chairman, the Director of Financial Management, Purchasing Manager, Risk Manager, Facilities Coordinator and elected officials or their designees representing each of the following work locations:

A. Administration Campus (including the Kelso Courthouse building, the Annex and the Cowlitz County Historical Museum);
B. Law & Justice Campus (including the Hall of Justice, the Boat House Meeting Center, the Department of Corrections, Youth Services Center, offices for Public Defenders and Drug Court, Search & Rescue Building, and the Law Enforcement Gun Range);
C. Public Works and Parks (including Public Works Center, Motor Pool, Kelso-Longview Road Shop, Kalama Road Shop, Castle Rock Road Shop, Riverside Park, Cowlitz County Gun Range, Harry Gardner Park and other park locations);
D. Conference Center Campus & Tourism Facilities (including the Fairground facilities and parking lot, WSU Extension Office, Coroner, Hoffstadt Bluffs Visitor Center, Silver Lake Visitor Center); and
E. Health Department (including offices of Public Health, Environmental Health Services, Healthy Communities, Support Services, Human Services and property leased to Lower Columbia Mental Health or subsequent tenant.

Appendix A - CIP Process

The following is the process for assigning requested projects to the CIP list.

- Elected Officials and/or Department Heads submit a completed “NEW CIP REQUEST FORM” to the Facilities Maintenance Department on or before February 1 of the current year for evaluation and consideration to be placed upon the CIP List for the next budget cycle. The department submitting the request is
invited to offer opinions, relating to several categories, regarding the merits of the proposed project. These categories should correspond to those used to rank the priority of the proposed project for inclusion on the CIP List.

• The Facilities Manager will review the CIP request, complete necessary research, and working with the Facilities Projects Coordinator provide an estimated project cost. During the review process, the Facilities Projects Coordinator may visit the prospective project site to collect data and speak with the Elected Official or Department Head to address concerns relating to the project. Depending upon the size or complexity of the project, the advice of a consultant, engineer, architect, or other qualified professional may be sought.

• The proposed CIP projects will be ranked using “CIP GUIDELINES”. The first section of the guidelines (CIP Decision Matrix) lists the sort options of the program. The second section of the guidelines (Project Cost-Assignment Guideline) determines the nature of the bidding regulations needed for financing of the proposed project, based upon initial estimates. The third section of the guidelines (Priority Description and Factors) assigns a numerically weighted value to each of the six categories used to evaluate the merit of the proposed CIP project. The fourth section of the guidelines (Annual Priority Deadline) provides a timeline of significant events in the CIP cycle.

• The Priority Description section is used to assign a numerically weighted value for each of the proposed CIP projects. It is intended that these factors provide a comparison between each of the categories among the CIP project requests, over time. In fact, priority over time may change assigned values as degrees of urgency change.

• The results will be compiled in a “COMPLETE CIP PROJECTS LIST” each year and presented for consideration during the next succeeding budget cycle. The columns headed “SAF”, “SYS”, “SDP”, “MSN”, “AST”, and “ROI” correspond to the priority descriptions and factors as follows: “SAFety”, “SYStem Preservation”, “Secondary Damage Potential”, “MiSSioN”, “AeSThetics”, and “Return On Investment”.

Appendix B - New CIP Project Request Form - Biennial Year ________

Department: ___________________________________________ Date: ____________

Building: ____________________________________________

A separate request form is needed for each proposed project
Please provide a brief description of the CIP project that is being requested.

Please describe the benefits of the requested projects impact the following areas of concern:

**Safety and Health (SAF):** how does the project protect or increase the safety and health of County employees and the public? What would happen if nothing were done?

**System Preservation (SYS):** how will the proposed project impact the building system? What would happen if nothing were done?

**Secondary Damage Potential (SDP):** what other building systems may be impacted if nothing were done?

**Ability to Fulfill Mission (MSN):** How does the proposed request affect your department’s ability to fulfill the County Mission Statement or your department’s mission statement?

**Aesthetics (AST):** are there aesthetic concerns with the proposed request?

**Potential Return on Investment (ROI):** will completion of this project increase operational costs, be budget neutral, or decrease operational costs?

Is there an estimate for your proposed request? If so, could you please include it?

________________________________________
Printed Name

________________________________________
Signature of:
Elected Official or Department Head

___________________________
Date

**Appendix C - CIP Guidelines**

**CIP Sorting:**

- Systems (Type of work)
- Location of work
- Priority of work
- Cost of work
- Year work entered

**Project Cost-Bid Guidelines:**

- Following authorization of the Board of Commissioners and the State of
Washington public works guidelines for counties

<table>
<thead>
<tr>
<th>Maintenance</th>
<th>$0 to $10,000</th>
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<tbody>
<tr>
<td>Small Works Roster</td>
<td>$10,001 to $200,000</td>
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<tr>
<td>(Informal bid process)</td>
<td></td>
</tr>
<tr>
<td>Formal bid process</td>
<td>$200,001 and above</td>
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Priority Descriptions and Factors:

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<tr>
<th>Health and Safety</th>
<th>0 to 15</th>
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</thead>
<tbody>
<tr>
<td>System Preservation</td>
<td>0 to 10</td>
</tr>
<tr>
<td>Secondary Damage Potential</td>
<td>0 to 10</td>
</tr>
<tr>
<td>Effect on Ability to Fulfill Mission</td>
<td>0 to 10</td>
</tr>
<tr>
<td>Aesthetic Considerations</td>
<td>0 to 5</td>
</tr>
<tr>
<td>Potential return on investment</td>
<td>-5 to 5</td>
</tr>
<tr>
<td>Other</td>
<td>0 to 5</td>
</tr>
</tbody>
</table>

Requested CIP projects must receive a minimum of 30 points to be considered a significant CIP project.

Annual Priority Assessment Schedule:

- Annual deadline for CIP requests—February 1st
- Priority assignment and review by the committee—April 15th
- Final review and recommendation for CIP list—June 1st
- Recommendations to the Board—August 1st

Appendix D - Explanations Of Priority Descriptions

**Health and Safety (SAF)** (0 to 15 points). This criteria attempts to measure the impact of health and safety upon the proposed CIP project, if the project is not completed. Two factors effecting the assignment of numeric value are: 1) severity of the hazard, and 2) potential frequency of the risk. Risk is defined as the probability of suffering harm or loss. Please consider the likelihood or injury or loss and the possible severity of the injury or loss, when evaluating the proposed project.

<table>
<thead>
<tr>
<th>Hazard</th>
<th></th>
<th>Risk/Likelihood of Occurrence</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Imminent</td>
<td>Probable</td>
</tr>
<tr>
<td>Death/Permanent Disability</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Time Loss Injury/Illness</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>Injury /Illness w/o Time loss</td>
<td>12</td>
<td>8</td>
</tr>
</tbody>
</table>

Where: Imminent = likely to occur within one week
Probable = likely to occur within one month
Possible = likely to occur within one year
Unlikely = likely more than one year between occurrences
**System Preservation (SYS)** (0 to 10 points). This criteria attempts to give a numeric rating of the duration of the operational life of a system should the requested CIP project not be repaired or fixed. The criteria also asks if damage will occur to other elements of the system, to what degree deterioration will occur to these other subsystem elements. Example: if a roof membrane is leaking, what additional members of the roofing system will be affected (insulation, decking, roof framing) if the repair is not made. And, to what degree (little, moderate, or extensive) will damage be sustained by these elements.

<table>
<thead>
<tr>
<th>Total Points</th>
<th>Potential for Damage to Subject System</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>little potential of system damage</td>
</tr>
<tr>
<td>2</td>
<td>potential of minor damage over long term</td>
</tr>
<tr>
<td>4</td>
<td>potential of moderate damage over long term</td>
</tr>
<tr>
<td>6</td>
<td>potential of extensive damage over long term</td>
</tr>
<tr>
<td>6</td>
<td>potential of minor damage over short term</td>
</tr>
<tr>
<td>8</td>
<td>potential of moderate damage over short term</td>
</tr>
<tr>
<td>8</td>
<td>potential of extensive damage over short term</td>
</tr>
</tbody>
</table>

**Secondary Damage Potential (SDP)** (0 to 10 points). This criteria attempts to measure the potential impact of damage (minor, moderate, or extreme) on another building system(s) as a result of the primary problem, if the request is not included on the CIP list. For example, if the leaking roof is not repaired, ceiling and walls will be damaged and need to be repaired; insulation will hold moisture and promote the growth of mold that may affect indoor air quality; the leak may drip on computers, monitors, and printers; office furnishings may be damaged. And, is the potential of this damage minor (cosmetic,
several thousand dollars), moderate (several tens of thousands of dollars) or extreme (many tens of thousands of dollars or more).

<table>
<thead>
<tr>
<th>Total Points</th>
<th># of Systems Effected</th>
<th>Degree of Potential Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>minor</td>
</tr>
<tr>
<td>2</td>
<td>1</td>
<td>moderate</td>
</tr>
<tr>
<td>3</td>
<td>1</td>
<td>extreme</td>
</tr>
<tr>
<td>4</td>
<td>2</td>
<td>minor</td>
</tr>
<tr>
<td>5</td>
<td>2</td>
<td>moderate</td>
</tr>
<tr>
<td>6</td>
<td>2</td>
<td>extreme</td>
</tr>
<tr>
<td>7</td>
<td>3</td>
<td>minor</td>
</tr>
<tr>
<td>8</td>
<td>3</td>
<td>moderate</td>
</tr>
<tr>
<td>9</td>
<td>3</td>
<td>extreme</td>
</tr>
<tr>
<td>10</td>
<td>4 or more</td>
<td>extreme</td>
</tr>
</tbody>
</table>

**Effect on Ability to Fulfill Mission (MSN)** (0 to 10 points). This criteria attempts to measure the impact of the county or department to fulfill its mission, if the requested CIP project is not completed. The county’s mission is to provide services required by law or mandated by the public, and to enhance the health, safety, and general well-being of the citizens of Cowlitz County. A department’s mission is to fulfill its assigned role in support of the county’s mission. The criteria for the assignment of points of this factor involve the ability of the county or a department to fulfill its mission, if the requested project is not completed.

<table>
<thead>
<tr>
<th>Total Points</th>
<th>Degree of negative impact on mission</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>minor</td>
</tr>
<tr>
<td>6</td>
<td>moderate</td>
</tr>
<tr>
<td>10</td>
<td>extreme</td>
</tr>
</tbody>
</table>

**Aesthetic Considerations (AST)** (0 to 5 points). This criteria attempts to measure the affects of visual impact of the proposed CIP project on the facility or office or upon the employees and patrons of Cowlitz County. The pleasing visual appearance of a facility or office positively affects employee morale and production, while demonstrating to the customer that public properties are being cared for in a responsible manner. Please assign the following points according to impact on visual appearance if the requested CIP project is not completed.

<table>
<thead>
<tr>
<th>Total Points</th>
<th>Degree of negative visual impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>none</td>
</tr>
<tr>
<td>1</td>
<td>minor</td>
</tr>
<tr>
<td>3</td>
<td>moderate</td>
</tr>
<tr>
<td>5</td>
<td>extreme</td>
</tr>
</tbody>
</table>
**Potential Return on Investment (ROI)** (-5 to 5 points). This criteria attempts to measure the potential financial impact of the requested CIP project over time. The implementation of some projects will actually reduce operational expenses, generating a savings stream for the county. Other projects will be budget neutral. Still others will create an on-going expense for the County. This criteria attempts to reward projects that will have a positive return on the County’s initial investment.

<table>
<thead>
<tr>
<th>Total Points</th>
<th>Potential for Return on Investment</th>
</tr>
</thead>
<tbody>
<tr>
<td>-5</td>
<td>creates and on-going expense for the County</td>
</tr>
<tr>
<td>0</td>
<td>budget neutral</td>
</tr>
<tr>
<td>5</td>
<td>created an ongoing savings stream for the County</td>
</tr>
</tbody>
</table>

**Other** (0 to 5 points) The purpose of this criteria is to assign additional weighting to the priority score of a specific project. The CIP Committee must be able to demonstrate that reasonable and special consideration(s), associated with project specific factors, logically justify a greater priority of that specific project. An example may be, if reason dictates that two projects be executed in a sequential manner, more points may be assigned to the project that should logically occur first.

<table>
<thead>
<tr>
<th>Total Points</th>
<th>Degree of necessity to increase priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>none</td>
</tr>
<tr>
<td>1</td>
<td>minor</td>
</tr>
<tr>
<td>3</td>
<td>moderate</td>
</tr>
<tr>
<td>5</td>
<td>extreme</td>
</tr>
</tbody>
</table>

*(Res. 02-093, 5-28-02; Res. 04-104, 6-1-04; Res. 15-062, 6-2-15)*
7.2 FLOOR SPACE ALLOCATION

7.2.1 Policy.

This policy outlines the procedures to be used by Elected Officials and Department Heads to request allocation or re-allocation of building and room assignments in Cowlitz County facilities.

7.2.2 Procedures.

7.2.2.1 Documenting Facility Use.

All floor space, building and room assignments must be documented by Facilities Maintenance, who will maintain current floor plans showing assignments. Current floor plans will be placed on the Intranet available at all times for review by agency heads and employees. Each room or area will be clearly marked as to agency assignment.

Every floor of every facility should have every square foot or floor space assigned to an agency. Facilities Maintenance will be the default agency for common areas, currently unoccupied or currently unassigned space. That includes all general access lobby space, general hallway space, unassigned and other general use or common areas. If it is not assigned, it should be labeled as FM.

All originally assigned floor space must be approved by the Board of Commissioners.

7.2.2.2 Procedure to Consider Requests for Space Allocation/Re-allocation.

If an agency wants or needs floor space or buildings that are not currently assigned to them, they must submit a letter to Facilities Maintenance requesting the additional space. At a minimum, the letter should include:

- Details of the space wanted: Room number(s) and/or narrative description.
- Reason(s) the additional space is needed; and
- Any discussions or agreement(s) with other agencies regarding the change. This is especially important if the desired space is already allocated to another agency for a common area such as a conference room.

The request will be forwarded to the Capital Improvement and Preservation Committee for review and recommendation to the Board. The committee must consider the request and address issues such as impact(s) on other agencies, efficiencies (gained or lost), potential or known costs, impact(s) on employees, and service to the public.

The Capital Improvement and Preservation Committee will be responsible to notify all county agency heads of a pending request and allow sufficient time for review and comment.

All floor space requests will be forwarded to the Board with the committee’s recommendations and comments. The recommendation should include a written synopsis of the original request, Capital Improvement and Preservation Committee analysis and findings and agency head responses to the request.

The Board will make a decision on the request and notify the committee and agency heads.
7.3 CAPITAL AND ATTRACTIVE ASSET POLICY

7.3.1 Policy.

- Establish guidelines and criteria for what is a capital asset
- Establish guidelines and criteria for what is an attractive asset
- Monitor and safeguard County assets
- Comply with state regulatory requirements
- Provide accurate information for financial reports
- Provide information for insurance coverage
- Articulate practices to account for assets owned by the County, in accordance with generally accepted accounting principles
- Establish guidelines for physical inventories of assets

7.3.2 Definitions

Assets - are resources expected to add value to the organization. Assets may be real, intangible or tangible property and acquired through purchase, donation or construction.

Asset Number - is a number uniquely assigned to each asset. It is used for identification in the asset database.

Attractive (Theft Sensitive) Assets - are portable, durable items that do not meet the minimum capitalization threshold, but require special attention because of their potential to be stolen. It is recommended that each department track attractive assets with values in excess of $1,000 up to capitalization limits, but each department has discretion concerning how and if they keep an inventory of these items.

Betterments – enhance an existing capitalized individual or group asset to a condition beyond that achieved through normal maintenance repairs. A betterment increases the useful life of the asset by at least 1 year without the introduction of a new unit.

Capital Assets - are expensive long-lived assets such as land, buildings, improvements, infrastructure, software, machinery and equipment. These assets can be tangible or intangible assets. The original cost (or fair market value if received by donation) of the asset must exceed the cost threshold amount set out for its asset category. The estimated useful life of the asset must exceed one year. Examples of items not considered to be capital assets include, but are not limited to painting, new carpet and office remodeling.

Capital Asset Cost Threshold - is the minimum cost per unit at which an asset must be valued to be considered a capital asset. The various capital asset categories have different cost thresholds as set out in this policy. Assets purchased with grant funds may have a different threshold amount as stipulated by the grant. Usage and disposal of assets acquired by a grant are subject to the grant agreement which supersedes this policy.

Construction-In-Progress (CIP) - is a category of capital assets, which represent the cost of buildings, improvements other than buildings, infrastructure or equipment under construction. When completed,
the total cost is removed from CIP and reported under the appropriate capital asset category. CIP is not depreciated

**Depreciation/Amortization** - is the systematic allocation of expending the exhaustible cost of capital assets according to their estimated useful lives

**Donations** - are a voluntary non-exchange transaction entered into willingly by two or more parties. Both parties may be governments or one party may be a non-governmental entity, including an individual

**Impairment** - a capital asset is considered impaired when (a) it has a decline in service utility that is large in magnitude and (b) it is caused by an event or circumstance outside the normal life cycle of the capital asset

**Improvements** – include additions of new components to previously capitalized assets that either increase the assets’ value, extend the useful life, increase the normal rate of output, lower operating cost, or increase the efficiency of the existing assets. Replacements of the components of existing capitalized assets with improved or superior units, such that the value or useful life of the assets is increased, are also classified as improvements

**Infrastructure** - refers to public property or public domain capital assets. It is defined as long-lived capital assets that normally are stationary in nature and can be preserved for a significantly greater number of years than most capital assets. Examples of infrastructure are roads, sidewalks, and water and sewer lines

**Intangible Asset** - is a capital asset such as software, or leases which have no physical substance but whose value comes from the long-term rights or advantages it offers to the lessee

**Physical Inventory** - is a systematic and periodic physical verification of the existence and location of capital equipment and attractive assets assigned to a department

**Land** - is a category of capital assets which includes all land and land rights acquired by the County for its own use. Acquisition could be by purchase, donation, trade and/or condemnation. Land acquired and converted to parks or open space use and land to be converted to public roads, streets or highways are included. Also included are right-of-ways and easements that provide access to County-owned land

**Leases** - per GASB 87, when the County leases any nonfinancial asset an intangible asset must we recorded and amortized over the shorter of the term of the lease, or the life of the asset being leased. Examples of nonfinancial assets include buildings, land, vehicles, and equipment. Capitalization thresholds for leased assets will be the same as for similar types of assets under this policy

**Original Cost** - is the sum of all costs necessary in placing an asset into service. Capital costs begin to accrue when the County commits to purchasing the asset and end when the asset is placed into service

**Right-of-Way** - is the area of land needed to provide the right of passage that is a servitude imposed by law or convention, and by virtue of which one has a right to pass through the estate of another

**Surplus** - capital assets are no longer required or useful to the County. Before disposing of any County property contact the Purchasing Department for guidance
Useful Life - is the estimated average life (in years) over which a depreciable capital asset is expected to provide service

Premises

1. **Capital Asset Accounting vs. Capital Improvement Program Budgeting**
   Project budget may include funds for aspects of the project that should not be capitalized. In the accounting system, the decision about whether to “capitalize” a particular expenditure – that is, treat it as an expenditure that creates or adds to a capital asset – must follow the criteria contained in this policy, regardless of whether capital funding sources were used to build or buy the asset. The exception is for grant-funded projects, where the requirements of a particular grant may supersede the criteria contained in this policy

2. **Capital Assets vs. Attractive**
   For attractive (theft sensitive) assets, there is no need to estimate or summarize the asset value in financial statements; there is only the need for procedures to ensure their safekeeping and availability for County use

3. **Acquiring Capital Assets**
   When purchasing or constructing an asset, the original cost of a single asset must exceed the threshold amount. The County does not capitalize groups of similar assets which individually do not meet the minimum cost threshold amount for its asset category

4. **Depreciation of Assets**
   With the exception of land which has inexhaustible useful life, capital assets have limited useful lives and systematically decrease in value while used in operations. The County uses the straight-line method of depreciating its capital assets. The period of depreciation is based on the estimated useful life of the asset

**7.3.3. Policy/Conditions**

1. The County follows Generally Accepted Accounting Principles in accounting for capital assets
2. Purchased capital assets should be identified as soon as possible. Asset transactions can be flagged during Purchasing Module processing or AP Module processing
3. The Auditor’s Office establishes capital thresholds. The following table provides the capitalization threshold for each category of capital asset:

<table>
<thead>
<tr>
<th>Asset Category</th>
<th>Examples</th>
<th>Dollar Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>Property parcels, right of way, easements</td>
<td>Capitalize All</td>
</tr>
<tr>
<td>Land Improvements</td>
<td>Walkways, parking lots, landscaping</td>
<td>$50,000</td>
</tr>
<tr>
<td>Buildings &amp; Improvements</td>
<td>Structure, major refurbishment/renovation</td>
<td>$50,000</td>
</tr>
<tr>
<td>Improvements Other Than Buildings</td>
<td>Park developments, playgrounds, drainage</td>
<td>$50,000</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>Roadways, sidewalks, bike paths, bridges, marinas, utility lines</td>
<td>$50,000</td>
</tr>
<tr>
<td>----------------------</td>
<td>---------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Intangible Assets</td>
<td>Software developed or obtained for internal use</td>
<td>$50,000</td>
</tr>
<tr>
<td>Machinery &amp; Equipment</td>
<td>General tools, printers, office equipment, copiers, office furniture, IT equipment, audio/visual equipment</td>
<td>$15,000</td>
</tr>
<tr>
<td>Fleet Replacement</td>
<td>Vehicles</td>
<td>$15,000</td>
</tr>
<tr>
<td>Grant funded assets</td>
<td>Any asset funded or partially funded by federal or state grants</td>
<td>Use $5,000 unless grant requirements specify a different</td>
</tr>
</tbody>
</table>

4. The County capitalizes the following types of assets in accordance with this policy:

- Purchased capital assets are purchased in close-to-serviceable condition, rather than being designed and constructed over time. Each individual item must meet the minimum threshold amount for its particular asset category. In addition to the equipment cost, the County may also incur ancillary charges necessary to place the asset into service. These costs should be added to the equipment cost when calculating the total original cost for the capital asset.

- Constructed Capital Assets include project costs from the time the County commits to a project, until the project is completed and placed into operation.

All costs related to the construction of an asset must be capitalized and the thresholds apply to the total cost after completion of the project. These costs generally include amounts paid for contract work (for work done by outside contractors), materials and supplies furnished by the County, labor of County employees and project management costs. Some costs will be direct costs and readily assignable while some will be indirect costs, which should be allocated to the benefited assets in a reasonable manner.

Capital Asset projects may include stand-alone assets. These will be capitalized individually, apart from the constructed asset.

Costs incurred during construction must be reported as Construction-in-Progress (CIP) if construction has not been completed by year-end. Once completed, the CIP asset is reclassified as Building, Improvements Other Than Buildings, Infrastructure or Machinery and Equipment.

- Infrastructure is a subset of Constructed Capital Projects. New infrastructure includes development, construction, improvements, restoration and rehabilitation. Some examples of infrastructure assets are roads, bridges, curbs, gutters, streets, sidewalks, water lines, sewer lines and drainage systems.

- Betterments/improvements to existing capital assets provide substantial additional future benefits to an existing asset and meet the following two tests:
  - The incremental cost of the upgrade must exceed the appropriate cost threshold.
  - The impact on the original asset must be an enhancement or preserve the asset as described below.
Enhancement costs *add new capacity or functionality* to the existing capital asset. Examples of enhancements include creating a new lane of roadway or re-channeling an intersection to increase traffic flow. Enhancements meeting the cost threshold are capitalized.

Preservation costs extend the useful life of a capital asset beyond its original life by at least one year. If these costs exceed the cost threshold, they are treated as capital cost. Routine chip sealing on roads is a maintenance cost. Note that land is a type of asset that never has preservation costs. The characteristics of land can be changed or preserved through capital investment, but the land itself will always have an indefinite life.

Maintenance and routine repair costs are costs that allow an asset to realize its original function and life. Maintenance and routine repair costs are treated as non-capital and expensed as an operating cost when they are incurred.

Major repairs should be capitalized if they result in betterments/improvements. The difficulty arises in the case of capital outlays that are partly replacements and partly betterments/improvements. To the extent that the project replaces the “old” part of the capital asset, outlays should not be capitalized (unless the “old” part can be identified and removed from the cost of the asset) and to the extent that the project is betterment/improvement, outlays should be capitalized. When the distinction between replacement and betterment/improvement is not easily determinable, the cost of the entire project should be expensed.

Intangible Assets

Accumulation of software costs for capitalization should begin when the County commits to the software project with the intent to complete and use it to perform its planned functions. The asset should be capitalized no later than the time at which the substantial testing is complete and the software is ready for its intended purpose or rendered in service.

Costs incurred during software development must be reported as CIP if development has not been completed by year-end. Once completed, the CIP asset is reclassified as an intangible capital asset.

Computer hardware purchases are not capitalized as part of software capital assets.

Donated assets are capitalized at the price that would be paid to acquire an equivalent asset in a market transaction at the date when the asset is received by the County. Contractor contributions of land or infrastructure are one type of donated asset. If it does not meet the threshold, it will be determined if the asset is an attractive asset and tracked accordingly.

To ensure proper accounting, the following information shall be provided to the Auditor’s Office by the department receiving the donated asset:

- Donation date (or estimated date of donation)
- Detailed description
- Asset location
If there are eligibility requirements to be met before the County claims ownership, describe the requirements and when they are expected to be met.

- Unique identifying numbers (i.e. serial numbers, parcel numbers)
- Estimated fair value of the asset on the date of the donation

- When nonfinancial assets such as buildings, land, vehicles, and equipment are leased an intangible asset must be recorded and amortized over the term of the lease or life of the underlying asset, whichever is shorter. When entering into any lease agreement, provide a copy of the lease to the Auditor’s Office to determine whether an asset needs to be recorded and amortized.

5. Grant Funded Assets will be capitalized based on the criteria specified by individual grant requirements. Depending on the terms of the agreements involved, the federal government could retain an equity interest in these assets. These assets are identified in the asset system as grant funded for tracking purposes.

6. Expenditures for capital assets and attractive assets need to be charged to appropriate accounts:
   - For capital assets coding should be to capital accounts 56XXXXX and capital BARS account numbers 594XXXX. If you aren’t sure what accounts to use, contact the Auditor’s Office for assistance.
   - For attractive assets coding should be to 53XXXXX accounts and an appropriate BARS account number for the department purchasing the asset.

7. Interest Capitalization. The County capitalizes interest expense on capital projects constructed with Enterprise Funds in accordance with GASB Statement 89 when:
   - The capital project is constructed over a period greater than one year
   - The capital project expense for the year is greater than $1,000,000
   - There is outstanding debt in the Enterprise Fund constructing the asset

   The interest rate to be used for capitalizing interest expense is based on the weighted average of the rates applicable to the other borrowings of the Enterprise Fund. If the Enterprise Fund has a specific borrowing for the project, that borrowing rate will be used for interest capitalization.

   The interest capitalization period ends when the project is “substantially complete and ready for its intended use”

   The County does not capitalize interest cost for governmental and internal service funds.

   The County does not capitalize interest cost for projects funded with grants, unless the funding agency specifically authorizes use of grant funds for that purpose.

8. The County depreciates capital assets according to the following chart of estimated useful asset lives:

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Service Life (Years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Capital Assets</td>
<td></td>
</tr>
<tr>
<td>Equipment</td>
<td>5-25</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>-----</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>5-100</td>
</tr>
<tr>
<td>Software</td>
<td>3-10</td>
</tr>
<tr>
<td>Buildings</td>
<td>10-50</td>
</tr>
<tr>
<td>Other Improvements</td>
<td>3-50</td>
</tr>
</tbody>
</table>

9. **Recording Assets.** Departments are responsible for reporting all capital assets acquired by purchase, construction, donation or leases to the Auditor’s Office.

The Auditor’s Office is responsible for the maintenance of an accurate capital asset system based on the information provided.

The asset system shall include the following information, if available, about a specific asset:

- Description
- Serial number
- Model number
- Asset tag number
- Funding source (grants)
- Purchase date, and/or in service date for constructed assets
- Purchase price, or construction cost
- Location
- Estimated useful life
- Fund code
- Department number

10. **Tagging/numbering of Assets.** All assets shall be tagged or identified with a number. In the case of buildings, land and certain improvements, a "ghost tag" number will be assigned to the item; it will not be physically tagged.

11. **Ownership of Assets.** Capital assets are usually owned by the fund and department that purchased the asset, but there can be exceptions.

12. **Transferring Assets between funds/departments.** Is allowed by mutual agreement of the funds/departments. It is the responsibility of transferring fund/department to report all asset transfers to the Auditor’s Office to ensure proper record keeping.

Assets will be transferred between funds/departments at book value, meaning the original cost and accumulated depreciation will both be transferred to the receiving fund/department.
When an asset originally purchased with restricted resources is transferred between funds/departments the receiving fund/department must pay the transferring fund/department a reasonable market price for the asset. This may create other revenue and expenditure entries to the funds/departments where the market price paid is more, or less than the amount paid for the asset transfer.

13. Disposition of Assets includes selling, donating, trading-in, surplusing, junking or otherwise removing the asset from use

- When an asset is surplus to the County’s needs or not functional, an Asset Disposition Form must be completed by the department surplusing or disposing of the asset. The asset will be retired in the asset system

14. Annual Physical Inventory Plan

- The Auditor’s Office will annually:
  - Provide departments with an updated list of department assets
  - Instructions for inventory completion

- County departments conduct an annual physical inventory of the department’s capital assets. The Elected Official, Department Head, or designee shall verify in writing the following:
  - Assets have been physically located and verified
  - Missing assets are properly explained and noted as “missing”, “surplused” or “transferred”
  - Incorrect or incomplete information is corrected
  - Items not included on the inventory sheet, but physically located, are added to the exceptions list

15. Missing or Stolen Assets. Departments must report missing or stolen assets as soon as discovered to the Auditor’s Office. If after 90 days the equipment has not been recovered, an Asset Disposition Form must be completed by the department owning the asset and sent to the Auditor’s Office. The Auditor’s Office will notify the State Auditor’s Office per RCW 43.09.185

16. Updating Fixed Asset Information. Fixed asset information shall be updated on a regular basis as information is received in the Auditor’s Office and all files shall be updated at the time of the annual physical inventory and/or audit

17. Departmental Asset Custodians. Departmental Asset Custodians shall be assigned by the Elected Official or Department Head

(Res. 01-205, 12-18-01; RESCINDED WITH 18-066, 7-24-18)
7.4 PROFESSIONAL SERVICES PROPOSALS

7.4.1 Policy.

The Board of Cowlitz County Commissioners established procedures for general, personal, engineering and architectural services proposals to allow for negotiating contracts on the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices.

7.4.2 Procedures.

7.4.2.1 General and/or Personal Service.

Departments are to use one of the following three procedures when obtaining general proposals.

A. Formal Process:
   1. Utilize the formal process (similar to bid process) after publicly advertising for proposals.

B. Informal Proposal Process:
   1. Department head will advise Board of County Commissioners of upcoming project prior to initiating request for proposals.
   2. Appropriate department will obtain proposals from at least 3 firms (unless a sole source situation) and evaluate each proposal. Evaluation process shall be a selection committee consisting of a minimum of three Cowlitz County employees, all of which will not be related, by blood or marriage, or have a financial interest to the direct contact person, owner and/or manager of the firms submitting proposals. There shall be documentation of who was on the committee and why the firm was selected and submitted to the Board.
   3. All three proposals will be submitted to the Board for review along with department recommendation.
   4. Board will discuss any concerns and advise department head how to proceed.
   5. At the time the contract is submitted for Board's agenda, all three original proposals, along with pertinent paper work also be submitted for the record.

C. Emergency Informal Proposal Process:

1. An emergency for the purposes of this procedure is defined as an item that could not reasonably have been foreseen and requires immediate attention.
2. In the event a department does not have the time to go through all of the procedures listed under the informal proposal process, due to the emergency nature of the project, the following procedures shall be followed:
3. Department head will advise Board of County Commissioners of need for emergency project and obtain Board approval.
4. Department head will proceed with obtaining three proposals (unless sole source situation), evaluating, deciding which proposal to accept and developing contract.
5. At the time the contract is submitted for Board's agenda, it will be accompanied by information of all three proposals and a memo describing the emergency nature of the project and outlining why the particular proposal was chosen.
Note: Professional Service contracts pertaining to direct treatment of service or professional consultation for mentally ill or juveniles may be considered sole source.

7.4.2.2 Engineering and Architectural Services.

Submit annually to the Board of County Commissioners a tally of "Statement of Qualifications and Performance Data" as submitted by the various firms per RCW 39.80.030 (2). Follow procedures as outlined in RCW 39.80.

The department head shall keep the Board informed regarding all projects, selection of professional firms, and if there is an emergency situation. Evaluation process shall be a selection committee consisting of a minimum of three Cowlitz County employees, all of which will not be related, by blood or marriage, or have a financial interest to the direct contact person, owner and/or manager of the firms submitting proposals. There shall be documentation of who was on the committee and why the firm was selected and submitted to the Board.

At the time the contract is submitted for the Board action, the following items must be included if RCW 39.80.030 (1) is utilized:

A. A copy of the public announcement (RCW 39.80.030)
B. (Daily News Affidavit of Publication is sufficient)
C. Project specifications
D. Design qualification list
E. Qualification points allotment tabulation of various professional firms considered
F. Tally of proposals and a written proposal from selected firm OR written proposals from all firms that were considered.

At the time the contract is submitted for Board action, the following items must be included if RCW 39.80.030 (2) is utilized:

A. Memo listing the firms to be considered and criteria
B. Scope of work
C. Tally of proposals and written proposal from selected firm OR written proposals from all firms that were considered.

(Adopted October 11, 1993; Res. 04-120, 6-8-04)

7.5 PROPERTY AND EQUIPMENT PURCHASES

7.5.1 Policy.

Departments shall have authority to make property and equipment purchases with a cost less than Five Thousand and no/100 Dollars ($5,000.00), per item, excluding sales tax and shipping, provided the purchase can be made within the approved appropriations. No Board action for such purchases will be required.

Property and equipment purchases with a cost of Five Thousand and no/100 Dollars ($5,000.00), or more, per item, excluding sales tax and shipping, will require Board approval. Requests for such property and
equipment shall be submitted to the Commissioners’ Office as a regular agenda item. Items previously
approved during budget deliberations are excluded from this requirement.

This policy shall become effective January 1, 2002.

(Res. 02-002, 1-2-02)

### 7.6 PROPERTY MANAGEMENT

#### 7.6.1 Policy.

**Purpose; Authority, Title; “Board”**

RCW 36.34.005 authorizes counties to establish comprehensive procedures for the management of county
property consistent with the public interest. Upon adoption of such procedures, a county is exempt from
the requirements of RCW 36.34, although it retains all powers granted by that chapter. Cowlitz County is
adopting this resolution as its comprehensive procedures for the management of county property. These
procedures are not exclusive, however, and the county may exercise any authority granted by, or follow
any procedure prescribed by, RCW 36.34 or any other provision of law.

This resolution, together with any amendments, shall be known as the Cowlitz County Property
Management Policy.

The term “Board” means the Board of County Commissioners of Cowlitz County.

#### 7.6.1.1 Sale of Property.

**Authority – Property Management**

The Board shall have authority to manage county property and to purchase, sell, exchange, dispose, lease,
improve, encumber or divide such property, whether real, personal or mixed, including tax title land, in
any manner consistent with the public interest and the provisions of this policy.

When selling real property owned by the county, the county may sell timber, minerals or other resources
on county land separate and apart from the land in the same manner and upon the same terms and
conditions as provided herein for the sale of real property. However, any such timber, mineral or other
resources having a value of $2,500 or less may be sold as personal property in the manner provided herein.

Whenever the procedures of a grant agency having an interest in county real or personal property require
disposition in a manner different from the procedures set forth herein, the property shall be disposed of in
accordance with the procedures set forth herein, unless the grant agency specifically requires otherwise.

#### 7.6.2 Procedures.

**7.6.2.1 Notice and Hearing.**

Before authorizing the sale of any county property, the Board shall hold a public hearing to effect an
advantageous sale. Notice of the public hearing shall be given by publication in the official county
newspaper. The notice shall specify the date, time, location, and purpose of the hearing, and shall
generally describe the property being considered for sale. When real property is to be sold, the
advertisement must contain both the street address, if available, and the legal description of the part and
parcel. The notice shall be published once, at least 10 days but no more than 25 days before the hearing. If the provisions of RCW 39.33.020 apply, notice provisions specified in RCW 39.33.020 shall supersede the notice provisions of this section. After the hearing is closed, the Board shall determine whether it is in the best interest of the county to sell or otherwise dispose of the property.

7.6.2.2 Exemptions from Notice and Hearing Requirements

Sales of county property are exempt from the requirements of Section 3 in the following circumstances:

1. When selling property to any governmental unit;

2. When selling property with an established or depreciated value of $5,000.00 or less;

3. When trading-in personal property in connection with a purchase of personal property;

4. When selling residential real property at fair market value to the current tenant of that property, if that tenant has resided on the property and satisfactorily performed the rental agreement for at least six months;

5. In the event of an emergency when the public interest or property of the county would suffer material injury or damage. The Board must declare the existence of such emergency and recite the facts constituting the same. Such exemption shall only apply to property having a value of less than $50,000. Within 30 days after the sale is concluded the results of the sale shall be reported to the Board; or

6. When selling no more than one-half acre of real property at fair market value to an owner of adjoining property. If, according to the records of the County Assessor, more than one person owns adjoining property, the Board shall send written notice to all such owners informing them that a sale of the county property is being considered, and inviting them to send the Board a written notice of their interest in purchasing the property. If more than one owner sends such notice of interest in purchasing the property within 15 days of the date of the Board’s notice, the Board shall sell the property only by public auction or sealed bids.

If the Board determines that it is in the best interest of the county to sell any property in any of the circumstances described herein, it may proceed to sell the property, or have it sold, in accordance with any of the sale methods described in Section 5. The Board, at a public meeting, shall consider all documents necessary to complete sales transactions. All such documents executed by the Board will be placed in the official County record by the Clerk of the Board.

7.6.2.3 Sale or Disposal Methods.

If the Board authorizes the sale of any county property, it shall direct that the property be sold by any of the following methods:

(i) Public Auction. Property may be sold at public auction to the highest, most qualified, responsive and responsible bidder. The auction shall be conducted by or through the County Treasurer or such other person as the Treasurer may designate. The Treasurer or Board may contract with another government agency or official, or with a private party, to
conduct the auction. Advance written notice of the sale shall be provided by publication in the official county newspaper, by posting on a public bulletin board in the County Administration Building, and/or such other means as the Treasurer or Treasurer’s designate deems appropriate. The Board, the Treasurer or Treasurer’s designate, may set a minimum acceptable sale price. If real property is offered for sale on other than a cash basis, the terms must be stated in the advertisement.

(ii) **Sealed bids.** Property may be sold by sealed bids to the highest, most qualified, responsive and responsible bidder. The sale shall be conducted by or through the County Treasurer or such other person as the Treasurer may designate. Advance written notice of the sale shall be provided by publication in the official county newspaper, posting on a public bulletin board in the County Administration Building, and/or such other means as the Treasurer or Treasurer’s designate deems appropriate. The Board, the Treasurer, or the Treasurer’s designate may set a minimum acceptable sale price. The County may reject all bids, postpone, withdraw the property from sale or cancel the sale at any time, or it may waive irregularities in the bids if such irregularities are deemed immaterial to the outcome. The determination of whether or not a sale will ever be made as the result of an advertisement shall be at the sole discretion of the County. All decisions of the County are final. The county may then renegotiate the sale of withdrawn property, providing the negotiated price is higher than the highest rejected bid.

(iii) **Consignment.** Property may be placed for sale with a dealer experienced in the nature and kind of property being disposed of or to be sold on consignment. The Board may establish a minimum acceptable sales price for the property.

(iv) **Broker.** The Board may list property for sale with a broker who deals in the kind and nature of property being disposed of, and who has all licenses and credentials required by law. The broker shall submit to the Board all written offers received by the broker from those offering to purchase all or any portion of the listed property. The Board may accept any offer that it determines is in the best interest of the county, even if that offer does not represent the highest monetary return of the offers submitted. The Board may reject all offers. Final action selling the property shall be taken at a public meeting of the Board.

(v) **Donation or Negotiated Sale to Bona Fide Non-profit Organizations.** The Board may, when it is in the best interests of the county, authorize the donation or authorize a negotiated sale of either county surplus personal property or real property, or both, to a bona fide non-profit organization that serves or benefits the poor and infirm and/or low-income persons or persons with disabilities. Prior to receiving the donated property, the organization must complete a donation form and must provide the county with its mission statement, proof of its non-profit status and confirmation that it does not discriminate in provision of services on any basis prohibited by RCW 49.60. Such transactions shall be exempt from the requirements of fair market value and appraisal.

All donations or negotiated sales to bona fide non-profit organizations must adhere to section three (3), Notice of Public Hearing, of this policy.

(vi) **Other Methods.** Property may be sold or disposed of through other methods that the Board determines are in the best interest of the county in order to have the property sold or disposed of in a timely manner for its fair market value.
7.6.2.4 Payment of Purchase Price.

When county property is sold, the purchase price must be paid in full before title to the property is transferred to the purchaser.

The Board may determine whether county property should be sold under a contract. The contract terms will be determined by the Board in the best interest of the county.

7.6.2.5 Trade-ins.

In calling for bids for the purchase of personal property by the county, the Board may include in its call for bids a provision describing one or more items of county property that the Board proposes to trade in as partial payment for the property to be purchased. The Board shall state whether it is optional or mandatory for bidders to accept the proposed trade-in. In determining the lowest responsible bidder for the property the county seeks to purchase, the Board may consider, among other things, the net cost to the county, after trade-in allowances have been deducted from the proposed sales price. The county may accept the bid of any bidder without trade-in of county property, but may not require any such bidder to purchase the county property without awarding the bidder the purchase contract. Nothing in this section shall bar anyone from making an offer for the purchase of used equipment independent of a bid on new equipment and the county shall consider such offers in relation to the trade-in allowances offered to determine the net best sale and purchase combination for the county.

7.6.2.6 Leases for Terms Longer than Three Years.

If it appears in the best interests of the county, the county may lease any county real property and its appurtenances in the manner herein provided:

(i) The Board may lease county property, including real property, personal property, and tax title property for terms longer than three years as it determines in the best interest of the County.

(ii) Before entering into a lease for a term longer than three years, the Board shall hold a public hearing. Notice shall be given and the hearing shall be conducted in accordance with the requirements of this policy. After the hearing is closed, the Board shall determine whether it is in the best interest of the county to lease the property as proposed.

(iii) If the Board authorizes such a lease, it shall direct that the property shall be offered for lease by one of the following methods:

1) Sealed Bids. If it is found desirable to lease property, the Board shall issue a call for sealed bids and give advance written notice of such lease by publication in the official county newspaper, posting on a public bulletin board in the County Administration Building and/or such other means as the Board determines to be appropriate. The notice must specify the date, time, location and purpose of the hearing; must include a description of the property to be leased, and may include other details of the terms of the lease including, among other things, a minimum acceptable rent. The notice shall be published once, at least 10 days but not more than 25 days before the hearing. After the hearing is closed, the Board shall determine whether it is in the best interest of the County to lease the
property and shall determine the highest most responsible bidder. The Board may reject all bids.

2) **Broker.** The Board may list property for lease with a broker who deals in the kind and nature of property considered for lease, and who has all licenses and credentials required by law. The Board may set a minimum rent. The broker shall submit to the Board all written offers to lease all or any portion of the listed property. The Board may reject all offers, or accept the highest responsible offer. Final action leasing the property shall be taken at a public meeting of the Board.

3) **Request for Proposals.** The Board may issue a request for proposal, inviting interested persons to submit proposals to lease the property. The request for proposals shall describe any required elements that proposals must contain, including, but not limited to date, time and location for receiving proposals and minimum rent. Notice of the request for proposals shall be provided by publication in the official county newspaper, posting on a public bulletin board in the County Administration Building, and/or such other means as the Board deems appropriate. The Board may reject all proposals, or accept the proposal that it determines is in the best interest of the county, even if that proposal does not provide the highest monetary return to the county.

**7.6.2.7 Leases or Sales with Non-profit Organizations or Governmental Agencies**

The county may enter into agreements for the use or sale of county property with bona fide non-profit organizations or with another governmental agency if the property is to be used by the non-profit organization or governmental organization to provide services that will benefit the public. Such agreements are exempt from the requirements of fair market value.

**7.6.2.8 Leases for Terms of Three Years of Less**

The Board may lease county property for terms of three years or less, including month-to-month rental agreements, under terms it determines are in the best interest of the county. No public hearing is required. The Board may select a lessee using sealed bids, a broker, or request for proposals or any other method it determines will result in a lease at fair market rental.

**7.6.2.9 Exchanging Real Property**

The Board may exchange county-owned real property for privately-owned real property when the Board determines that: (a) the county-owned real property is not necessary for the county’s foreseeable needs, (b) the county has a foreseeable need for the privately-owned real property, and (c) the fair market value of the privately-owned real property is at least substantially equal to the value of the county-owned real property.

**7.6.2.10 Intergovernmental Transactions**

The Board may dispose of, lease, or exchange property with, any other governmental agency and may acquire property for the county from another governmental agency by negotiation, upon such terms as may be agreed upon and for such consideration as may be deemed by the county to be adequate subject to the provisions of RCW 39.33. This section applies to personal property, real property, and tax title property.
7.6.2.11 Property Purchased with Referendum 37 Grant Funds (RCW 43.99C)

If the county owns real property purchased with Referendum 37 grant funds, and if the county has leased such property to a private non-profit organization, the Board may, before the expiration of the lease, agree to transfer the property to the tenant at the conclusion of the lease, so long as the tenant performs its responsibilities under the lease to the Board’s satisfaction. No other provisions of this policy apply to such transfers, except that the Board shall comply with RCW 39.33.020 if it is applicable.

7.6.2.12 Compliance with RCW 39.33.020 (Intergovernmental Disposition of Property) and RCW 43.09.210 (Local Government Accounting—Separate Accounts for Each Fund or Activity—Exemption for Agency Surplus Personal Property).

The county shall comply with RCW 39.33.020 and RCW 43.09.210 in any transactions to which the statutes apply.

7.6.2.12 Supplemental Procedures and Requirements.

The Board may establish supplemental procedures and requirements to govern any proposed sale or lease of county property. Such supplemental procedures and requirement shall not be inconsistent with this policy.

DOCUMENTATION OF NON-PROFIT STATUS

Donation or Negotiated Sale to Bona Fide Non-profit Organizations

Provide Cowlitz County with the following information and documentation. If not applicable, please indicate “NA”.

☐ Copy of Articles of Incorporation (if not available, provide the following information):
  Name of Corporation
  Effective Date of Incorporation
  Tenure (perpetual existence or specific term of existence)
  Purpose for which the Non-profit is organized
  In the event of a voluntary dissolution, how will net assets be distributed?
  Name and address of each incorporator
  Name and address of each current director
  Name and address of Washington state Registered Agent

☐ Proof of registration with the Charities Program of the Washington Secretary of State

☐ Date of filing last Annual Report with the Washington Secretary of State

☐ IRS documentation of Public Charity Status

☐ Mission Statement
Statement or copy of policy that states the organization does not discriminate in provision of services on any basis prohibited by RCW 49.60

Federal Tax Identification Number

State of Washington UBI (Uniform Business Identifier)

(Res. 16-176, 12-20-16; Res. 92-148; 9-21-92)

7.7 PROPERTY MANAGEMENT COMMITTEE

7.7.1 Policy.

The Board of Commissioners is responsible for, among other things, the care and management of property held in the name of the County. It is the objective of the Board to retain only those properties that are necessary to carry out the County's official business, to dispose of surplus county real property and return tax-title property to the tax rolls as soon as practical. The Board of Commissioners recognizes the need for active management of County-owned real property and that such management requires collaboration of a variety of officials with expertise in property management.

7.7.2 Procedures.

The Board of Commissioners hereby establishes a Property Management Committee to inform and guide its decisions regarding management of real property owned or leased by the County, including tax title property. A standing committee to accomplish the purposes of this policy shall include, and the following are hereby appointed to serve on the Cowlitz County Property Management Committee:

- Purchasing Manager, who shall serve as Chair of the Committee
- Assessor
- OFM Director
- Public Works Director
- Treasurer
- Facilities Director
- Chief Civil Deputy (resource)
- Citizen at Large with a background in management or transfer of real property

The Chair of the Property Management Committee may, from time-to-time, appoint Ad Hoc Members to serve on the Property Management Committee when it is determined that additional expert analysis or assistance is required in order to make a more informed recommendation.

The following tasks are assigned to the Property Management Committee:

(a) develop long-range real property management goals for adoption by the Board of Commissioners;
(b) identification and evaluation of potential uses for each property owned by the County utilizing the following categories:
   a. County has definite use in the future;
   b. County might use in the future;
   c. Land has no potential value as county-owned public land;
   d. Land may have public access potential;
   e. Land may have future recreational value; and
   f. Other as determined appropriate by the Committee.

(c) identification of excess public rights-of-way;

(d) analysis of whether such property should be maintained, vacated, rented, leased, or sold;
(e) develop procedures for disposition of property deemed by the Board as surplus;
(f) develop procedures for disposition of tax title property;
(g) prepare recommendations for the Board of Commissioners concerning real property dispositions;
(h) furnish a report concerning matters contained in this policy to the Board of Commissioners quarterly or from time-to-time, as may be requested by the Board;
(i) such other similar or related duties as may, from time to time, be assigned to the Committee by the Board of County Commissioners.

7.7.3 Definitions

Board means Board of Cowlitz County Commissioners.

Tax title property means any tract of land acquired by the County for lack of other bidders at a tax foreclosure sale. See RCW 36.35.020

(Res. 14-036, 4-15-14)

7.8 REAL PROPERTY LEASING

7.8.1 Policy.

Whenever the Board determines that it is in the best interest of the County to lease any privately or publicly owned real property, it may do so in accordance with this policy.

7.8.2 Procedures.

A. All proposals to lease real property shall be submitted to the Board. If the lease is deemed to be in the best interests of the County, the Board will direct the elected official, department head or designee to proceed with negotiations with the property owner.
B. When the terms of the lease, including price, are determined, the elected official, department head or designee will obtain a signed Lease Agreement from the property owner or property owner’s agent. Such Lease Agreement shall specifically state that it is not binding on Cowlitz County until executed in writing by the Board.
C. The Lease Agreement shall be submitted to the Board of County Commissioners for approval and the Clerk of the Board will keep an approved original Lease Agreement in the official record.
D. Once both parties have signed a Lease Agreement, the Auditor, upon receipt of the signed Lease Agreement, has the authority to draw a warrant in the amount specified in the Agreement.

(Res. 04-069, 4-13-04)
7.9 **REAL PROPERTY PURCHASES**

7.9.1 *Policy.*

Whenever the Board determines that it is in the best interest of the County to purchase any property, it shall do so in accordance with this policy. This applies to all privately and publicly owned property, including real property, personal property, and tax title property.

7.9.2 *Procedures.*

7.9.2.1 **Real Property Acquired for Other Than Road Purposes.**

This section applies to the acquisition of property for other than road purposes.

A. All proposed acquisitions of property will be submitted to the Board. If the acquisition is deemed to be in the best interests of the County, the Board will direct the elected official, department head or designee to proceed with negotiations with the property owner.

B. An appraisal of the property shall be obtained, if necessary. When the price to be offered is determined, the elected official, department head or designee will draw up a Purchase and Sale Agreement or Earnest Money Agreement and present it to the property owner or property owner’s agent. Such Purchase and Sale Agreement or Earnest Money Agreement shall specifically state that it is not binding on Cowlitz County until executed in writing by the Board.

C. The Purchase and Sale Agreement or Earnest Money Agreement, shall be submitted to the Board of County Commissioners for approval.

D. Once a Purchase and Sale Agreement or Earnest Money Agreement has been signed by both parties, the transaction will then enter the escrow process and the Auditor, upon receipt of the signed Purchase and Sale Agreement or Earnest Money Agreement, has the authority to draw a warrant in the amount specified in the Purchase and Sale Agreement or Earnest Money Agreement.

E. After the escrow process is complete, deeds, title reports and closing papers shall be submitted to the Clerk of the Board for official record.

7.9.2.2 **Acquisition of Real Property for Road Purposes.**

This section applies to the acquisition of real property for road purposes, regardless of whether the interest acquired is fee title or an easement.

A. All proposed acquisitions of easements or real property for road purposes will be submitted to the Board of County Commissioners. If the acquisition is deemed to be in
the best interest of the County, the Board will direct the Department of Public Works Director or designee to proceed with negotiations with the property owner.

B. The Department of Public Works will negotiate with the property owner, prepare a deed including purchase price and obtain the property owner’s signature on the deed. The signed deed will then be presented to the Board of County Commissioners for acceptance.

C. The deed will be signed by the Board and/or Chair of the Board and forwarded to the Auditor for recording.

D. The Auditor, upon receipt of the approved deed, is then authorized to record the deed and draw a warrant to pay the property owner directly.

E. Alternatively, once the Board has authorized negotiations, the procedure set forth in the preceding section may be followed in acquiring real property for road purposes.

(Res. 89-115, 7-17-89)

7.10 RIGHT OF WAY RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION

7.10.1 Policy.

The Board of County Commissioners of Cowlitz County Washington will ensure that every reasonable effort will be made to acquire expeditiously real property by negotiation, pursuant to R.C.W. 8.26.180 and W.A.C. 365-24 when re-locating persons displaced by such real property acquisition in connection with any Department of Public Works program or project.

7.10.1.1 Definitions.

A. Board: means the Cowlitz County Board of County Commissioners
B. Department: means the Cowlitz County Department of Public Works or its agents
C. Director: means the Director of Public Works
D. Staff: means an employee or agent of the Department of Public Works

The definitions of RCW 8.26.020 and WAC 356-24-110 are by this reference incorporated into these procedures.

7.10.2 Procedures.

7.10.2.1 Construction of these Procedures.

No provisions of these procedures shall be construed to give any person a cause of action in any court.
These procedures create no rights or liabilities and shall not affect the validity of any property acquisitions by purchase or condemnation.

Nothing in these procedures shall be construed as creating in any condemnation proceedings brought under the power of eminent domain, any element of value of damage not in existence prior to adoption of the procedures.

7.10.2.2 Conflicts.

In the event of any conflict between these procedures and the provisions of RCW chapter 8.26 or any other applicable law, the statutory provisions are controlling.

In the event of any conflict between these procedures and the State Guidelines, as incorporated in the “Local Agency Guidelines” of the Office of Community Development, and in the “Right of Way Manual” of the Washington State Department of Transportation; the State Guidelines are controlling, subject to statutory provisions.

7.10.2.3 Coverage and Exceptions.

All right of way, acquired for a project which is financed in whole or in part by federal expenditures, shall be acquired according to these procedures.

Right of Way obtained through normal zoning and subdivision procedures requiring the donation or dedication of strips of land shall be exempt. Acquisition of right of way from other governmental agencies may also be exempt.

7.10.2.4 Responsible Department.

The Department of Public Works shall be responsible for the implementation of these procedures.

Qualified staff shall generally perform relocation assistance and right of way acquisition. During periods of heavy workloads, or in cases that require specialized expertise, the Department may contract with the Washington State Department of Transportation or with qualified independent practitioners to provide relocation assistance or acquisition services.

7.10.2.5 Personnel and Duties.

To meet the property acquisition relocation assistance requirements and to implement these procedures, the Department has the following expertise and personnel capabilities or will contract for the same:

   A. Director of Public Works/County Engineer: Directs all activities of the right of way function, including support to the Prosecutor's Office in litigation, environmental law compliance, and all property acquisition for the Department. Assures compliance with
appropriate County ordinances and resolutions, state statutes, rules and regulations, which pertain to real property acquisition and relocation assistance.

B. Land Management Supervisor: Administers all right of way activities, including estimates of right of way costs, fair market value appraisals, appraisal review, acquisition documents preparation, negotiations, relocation assistance, condemnation preparation and property management; reviews appraisals to determine the adequacy and reliability of supporting data; serve as Property Management Agent.

C. Staff Appraiser: Prepares estimates of right of way costs. Researches and analyzes real estate transactions. Conducts fair market value appraisals working as an independent agent. Provides court testimony on appraisals for condemnation. Maintains permanent files on all appraisals.

D. Right of Way Agent (Negotiator): Advises owners of need for project, of impact upon their property and of their rights under Public Law RCW Ch. 8.26. Reviews project plans appraisals and instruments for adequacy as to real property considerations. Actively negotiates with owners to acquire real property in conformance with all laws, rules and regulations. Requests condemnation procedures when necessary. Sets up escrows and instructions. Assists with property management functions.

E. Relocation Agent/Title Examiner: In compliance with state and federal law and appropriate policies and procedures, gives notice of relocation assistance at the time of, or subsequent to, initiation of negotiations according to time limits determined by the funding agency. Prepares letter to property owner explaining entitlements. Prepares appropriate relocation claims. Is knowledgeable in state guidelines for relocation assistance and real property acquisition policies. If the project does not require relocation, prepares letter disclaiming necessity to prepare relocation plan. Prepares Relocation Assistance Program Plan for projects requiring relocation assistance. Makes field inspections of available substitute housing to insure decent, safe and sanitary qualifications. Meets with, and interviews, all displaced as to their needs, offering services and advice on a continuing basis. Prepares all legal descriptions, right of way acquisition documents, and excise tax affidavits. Transmits all deeds and easement documents to the Board. Indexes all deeds. Handles all right of way inquiries of the public.

7.10.2.6 Rotation of Specific Assignments.

The above described duties may be rotated among the staff of the Department or its agents; however, different individuals must carry out the separate functions of appraisal, appraisal review, and negotiations.

In a settlement at the amount set forth in the firm offer letter, any person authorized to do so by the Board may make payment. However, in an administrative or stipulated settlement, the person who negotiated the settlement may not make payment.

7.10.2.7 Implementation of the Federal-Aid Requirement Checklist.

NOTE: The underlined statement represents the federal requirement; the paragraph following represents Cowlitz County's implementation plan.
Real Property must be appraised before initiation of negotiations with the owner.

A qualified staff or fee appraiser will appraise property acquired by Cowlitz County for Public Works projects with appropriate appraisal review before initiation of negotiations with the owner.

Owners must be given an opportunity to accompany each appraiser during his inspection of the property.

The appraiser will contact the owner and extend invitation for the owner or his designated representative to accompany the appraiser during his inspection of the property. Appointments should be made at the owner's convenience.

The acquiring agency must establish just compensation before initiation of negotiations with the owners.

Cowlitz County will establish just compensation from the Review Appraiser’s estimate of value before negotiating with any owner. Any amounts paid over just compensation for the property will be administrative settlements and will be so documented in the acquisition file as to the justification used in arriving at the amount of the settlement. However, in an administrative or stipulated settlement, the person who determined the settlement will not make payment.

No increase or decrease in the fair market value due to the project except physical deterioration, is to be considered in the valuation of the property.

Any decrease or increase in the fair market value of the real property to be acquired prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property.

Appraisals are not to give consideration nor include any allowance for relocation assistance benefits.

Cowlitz County will not consider relocation assistance benefits in the appraisal process and in establishing the fair market value offer for the property to be acquired.

The owner is not to be left with an uneconomic remnant that the acquiring agency did not offer to acquire.

Pursuant to RCW 8.26.180, Paragraph 9, during acquisition of a portion of the owner's property, Cowlitz County will not leave an uneconomic remnant without offering to acquire the entire property from the owner.
The owner is to be given a written statement of the amount established as just compensation, a summary of the basis for the amount of just compensation and, where appropriate, the just compensation for real property acquired, and damages are to be separately stated in the written statement.

At the initiation of negotiation, Cowlitz County will provide the owner with a written statement known as the “Firm Offer Letter”. The letter will state the amount of just compensation based on a review and analysis of one or more appraisals made by qualified appraisers. The letter will identify the real property and the estate or interest to be acquired. The letter will give a summary of the appraisal. When appropriate, the letter will show separately the portion of just compensation based on damages.

Cowlitz County's "Firm Offer Letter" will be patterned after the form letters in Chapter 6 of the Washington State Department of Transportation Manual.

No owner shall be required to surrender possession before the agreed purchase price has been paid or the approved amount of compensation has been paid into the court.

Cowlitz County will not require the owner or tenant to surrender possession of the property before ninety (90) days after the agreed purchase price has been paid or the approved amount of compensation has been paid into court. The ninety (90) day notice may be reduced in the event the property being acquired is unimproved, contains no personal property and is not being utilized by the owner or tenant.

All displaced persons must be given a ninety (90) day notice in advance of the date they are required to move.

Construction within the right of way will be scheduled in such manner that, to the greatest extent practical, no person who lawfully occupies property will be required to move from a dwelling or to move his business for farm operation without at least ninety (90) days written notice. The rental amount charged to owners and/or tenants permitted to occupy the property subsequent to acquisition must not exceed the fair market rental value to a short-term occupant.

If an owner or tenant is permitted to occupy the real property acquired on a rental basis for a short-term or subject to termination on short notice, the amount of rent charged by Cowlitz County will not exceed the fair rental value of the property to a short-term tenant.

No action must be taken to advance condemnation, defer negotiations or condemnation or take any other action coercive in nature in order to compel an agreement on the price to be paid for the property.

Every reasonable effort will be made to acquire expeditiously real property by negotiations without exercising the right of Eminent Domain. No action will be taken to advance condemnation, defer negotiations or condemnation or take any other action coercive in nature in order to compel an agreement on the price to be paid for the property.
The acquiring city/County must acquire an equal interest in all Buildings, etc., located upon the real property acquired.

When any interest in real property is acquired by Cowlitz County, at least an equal interest will be acquired in all buildings, structures, or other improvements located upon the real property so acquired.

The acquiring City/County must pay recording fees, transfer taxes, etc., penalty costs for pre-payment of a pre-existing mortgage and the pro-rata share of real property taxes paid subsequent to vesting title in the acquiring city/County.

Cowlitz County will pay directly, or reimburse the owner, for expenses necessarily incurred for:

A. Recording fees, transfer taxes, and similar expenses, incidental to conveying such real property to Cowlitz County
B. Penalty costs for full or partial prepayment of any pre-existing recorded mortgage entered into in good faith, encumbering such real property
C. The pro-rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting title in Cowlitz County, or the effective date of possession of such real property by Cowlitz County, whichever is the earlier.

No property owner can voluntarily donate his property prior to being informed of his right to receive just compensation.

A donation or gift of real property will be accepted only after the owner has been fully informed of his right to receive just compensation, and waives such right in writing.

Provisions have been made for rodent control should it be necessary.

If rodent control with acquired rights of way should become necessary, Cowlitz County will make provisions to control or eradicate the rodents.

No owner was intentionally required to institute legal proceedings to prove the fact of the taking of his real property.

Cowlitz County will not intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his real property.

### 7.10.2.8 Appraisal Report, Review, Negotiation, and Documentation Standards

**Appraisal Report Standards.**

An appraisal report is a written document, which, as a minimum, contains the following:

A. The purpose of the appraisal that includes a statement of the value to be estimated and the rights or interests being appraised.
B. Identification of the property and its ownership.
C. A statement of appropriate contingent and limiting conditions, if any.
D. An adequate description of the neighborhood, the property, the portion of the property or interest therein being acquired, and the remainders if any.
E. Identified photographs of the subject property including all principal above ground improvements or unusual features affecting the value of the property to be acquired or damaged.
F. An identification or listing of the buildings, structures, and other improvement on the land as well as the fixtures, which the appraiser considered to be a part of the real property, acquired.
G. The estimate of just compensation for or resulting from the acquisition, where appropriate, either in the report or in a separate statement, a reasonable allocation of the estimate of just compensation for the real property to be acquired and for damages to remaining real property should be incorporated.
H. The data and analysis (or reference to same) to explain substantiate and thereby document the estimate of just compensation.
I. The date(s) on which and/or as of which (as appropriate) the just compensation is estimated.
J. The certification, signature, and date of signature of the appraiser.
K. Other descriptive material (maps, charts, plans, photographs).
L. The Federal-aid project number and parcel identification.

7.10.2.9 Appraisal Review Standards.

The reviewing appraiser should field inspect the property appraised and the comparable sales considered by the appraiser(s) in arriving at either or both, as appropriate, the fair market value of the whole property and of the remainder(s). If a field inspection is not made, the file shall contain the reason(s). The reviewing appraiser shall examine the appraisal reports to determine that they:

A. Are complete in accordance with the Local Agency Guidelines.
B. Follow accepted appraisal principles and techniques in the valuation of real property in accordance with existing state law.
C. Contain or make reference to the information necessary to explain, substantiate and thereby document the conclusions and estimates of value and/or just compensation contained therein.
D. Include consideration of compensable items, damages and benefits, and do not include compensation for items non-compensable under state law.
E. Contain an identification or listing of the buildings, structures and other improvements on the land as well as the fixtures, which the appraiser considered to be a part of the real property to be acquired.
F. Contain the estimate of just compensation for, or resulting from, the acquisition. Include also where appropriate, in the case of a partial acquisition, either in the report or in a separate statement, a reasonable allocation of the estimate of just compensation for the real property acquired and for damages to remaining real property.
Prior to finalizing his estimate of just compensation, the reviewing appraiser shall request and obtain corrections or revisions of appraisal reports, which do not substantially meet the requirements, set forth in the appraisal report standards. These revisions shall be documented and retained in the parcel file.

The reviewing appraiser may supplement an appraisal report with corrections of minor mathematical errors where such errors do not affect the final value conclusion. He may also supplement the appraisal file where the following factual data has been omitted:

- A. Project and/or parcel number
- B. Owner’s and/or tenant’s name
- C. Parties to transaction, date of purchase and deed book reference on sale of subject property and comparables.
- D. Statement that there were no sales of subject property in the past 5 years.
- E. Location, zoning or present use of subject property or comparables.

The reviewing appraiser shall initial and date corrections and/or factual data supplements to an appraisal report.

The reviewing appraiser shall place in the parcel file a signed and dated statement setting forth:

- A. An estimate of just compensation including, where appropriate, the allocation of compensation for the real property acquired and for damages to the remaining real property, and an identification or listing of the buildings, structures and other improvements on the land as well as the fixtures which were considered to be a part of the real property to be acquired, if such allocation or listing differs from that of the appraisal(s).
- B. That the Review Appraiser has no direct or indirect present or contemplated future personal interest in such property or in any monetary benefit from its acquisition.
- C. That the estimate has been reached independently, without collaboration or direction, and is based on appraisals and other factual data.

7.10.2.10 Negotiation Standards.

Negotiators shall take all reasonable efforts to personally contact each state resident property owner or their designated representatives to explain the acquisition and make the offer in writing. If all reasonable efforts for personal contact have failed, the owner may be contacted by certified or registered mail. This method may also be used for out-of-state owners.

7.10.2.11 Documentation Standards.

The Department shall retain a file copy of appraisal reports. Signed records of negotiations shall be maintained for each parcel. When negotiations are complete, the negotiator shall file a signed statement including statements that:
A. The written agreement embodies all considerations agreed to between the negotiator and the property owner.
B. The negotiator understands the acquired property is for use in connection with a Federal-aid project.
C. The negotiator has no direct or indirect presently or contemplated future personal interest in the property or in any monetary benefit from the acquisition of the property.
D. The agreement was reached without coercion of any type.

The department should maintain enough records of the right-of-way actions necessary to document sound and prudent discharge of its responsibilities.
Records Identification:

To promote more convenient administration of Federal-aid projects, all right-of-way plans, contracts, deeds, appraisals, options, vouchers, correspondence and all other documents to which the Federal Highway Administration needs to refer will carry the Federal-aid project number for ready identification.

7.10.2.12 Relocation Assistance Procedures
Review of Determinations.

Any determination by the Department as to payments under this policy shall be subject to review by the Director of Public Works; otherwise, no provision of this policy shall be construed to give any person a cause of action in any court.

7.10.2.13 Displacement and Relocation Expenses-Payments.

Whenever the acquisition of real property for a program or project undertaken by the department will result in the displacement of any person, the department shall make a payment to any displaced person, upon proper application as approved by the department, for:

A. Actual, reasonable expenses in moving himself, his family, business, farm operation, non-profit organization, or other personal property.
B. Actual direct losses of tangible personal property as a result of moving or discontinuing a business, farm operation, or non-profit organization, but not to exceed an amount equal to the reasonable expenses that would have been required to relocate such property, as determined by the department; and,
C. Actual, reasonable expenses in searching for a replacement business or farm.

Any displaced person eligible for payments under the prior sub-section of this section who is displaced from a dwelling and who elects to accept the payments authorized by this subsection in lieu of the payments authorized above may receive a moving expense-allowance, determined according to a schedule established by the State Transportation Commission, not to exceed three hundred dollars; and a dislocation allowance of two hundred dollars.

Any displaced person eligible for payments under the prior subsection of this section who is displaced from his place of business or from his farm operation and who elects to accept the
payment authorized by this subsection in lieu of the payments authorized above, may receive a fixed payment in an amount equal to the average annual net earnings of the business or farm operation, except that such payment shall be not less than two thousand five hundred dollars nor more than ten thousand dollars. In the case of a business, no payment shall be made under this subsection unless the department is satisfied that the business:

A. Cannot be relocated without a substantial loss of its existing patronage, and
B. It is not a part of a commercial enterprise having at least one other establishment not being acquired, which is engaged in the same or similar business. For the purposes of this subsection, the term "average annual net earnings" means one-half of any net earnings of the business or farm operation, before federal or local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired for such project, or during such other period as the department determines to be more equitable for establishing such earnings, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such period.

7.10.2.14 Relocation Assistance Advisory Services.

Whenever the acquisition of real property for a Department program or project will result in the displacement of any person, the department will provide a relocation assistance advisory program, which shall offer the services, described in the following subsection. If the department determines that any person occupying property immediately adjacent to the real property acquired is caused substantial economic injury because of the acquisition, the department may offer such person relocation advisory services under this policy.

Each relocation assistance advisory program by the above section shall include such measures, facilities, or services as may be necessary or appropriate in order to:

A. Determine the need, if any, of displaced persons, businesses, farms, or non-profit organizations, for relocation assistance.
B. Provide current and continuing information on the availability prices, and rentals, of comparable, decent, safe and sanitary sales and rental housing, and of comparable commercial properties and locations for displaced businesses.
C. Assist an eligible person displaced from his business or farm operation in obtaining and becoming established in a suitable replacement location.
D. Supply information concerning federal and state housing programs, disaster loan programs, and other federal or state programs offering assistance to displaced persons.
E. Provide other advisory services to displaced persons in order to minimize hardships to such persons in adjusting to relocation.
F. Assure that prior to displacement, there will be available, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe and sanitary dwellings, equal in number to the numbers of such displaced persons who require such dwellings and reasonably accessible to their places of employment.
G. Secure, to the greatest extent practicable, the coordination of relocation activities with other project activities and other planned proposed governmental actions in the community or nearby area, which may affect the carrying out of the relocation program.

Relocation assistance advisory services information will be available to the public. The department will ensure that all interested parties and persons to be displaced are fully informed, at the earliest possible time, of the specific plans and procedures for assuring that replacement housing will be available for home owners and tenants in advance of displacement; available relocation payments and assistance; the eligibility requirements and procedures for obtaining such payments and assistance; and the right of administrative review by the Director of Public Works, as provided by Chapter 8.26.130 RCW.

7.10.2.15 Relocation Assistance Program.

The department will give a written notice of the initiation of negotiation with the owner of the property to be acquired to tenants and other persons occupying such property, advising:

A. Eligibility for relocation assistance and benefits which could become available after acquisition of the property by the department, can be lost if the owner or any tenant moves either before the property is acquired, prior to receiving a written notice to vacate from the department for its program or project, or otherwise fails to meet the legal requirements for such assistance or benefits.

B. Neither the owner nor any tenant should move or make any financial commitment for replacement housing or facilities until he has received a determination from the department concerning his eligibility and amounts of relocation payments; the requirements which must be satisfied before such payments or benefits, if any, can be provided by the department if it purchases the property; and until receipt of a written authorization or notice to vacate the premises from the department.

C. The department land purchase intentions and plans are subject to change and even cancellation until the acquisition is closed.

D. Where he can obtain full information concerning relocation assistance, eligibility for relocation payments and the requirements, which must be satisfied before such payments, can be made.

A written notice to vacate will be given to each individual, family, business, non-profit organization, or farm operation to be displaced; and all notices will be served personally or delivered by certified or registered first class mail.

A. A displaced person who makes proper application for a payment authorized for such displacement will be paid promptly after a move, or, in hardship cases, be paid in advance.

B. Application for benefits are to be made within eighteen (18) months of the date on which the displaced person moves from the real property acquired or to be acquired; or on the date on which Cowlitz County makes final payment of all costs of that real property, whichever is the later date. The department may extend this period upon a proper showing of good cause.
Any displaced person (including one who conducts a business, farm operation, or non-profit organization) will be eligible to receive a relocation payment for moving expenses. A person who lives on his business or farm property may be eligible for payments for both moving and related expenses as a dwelling occupant, as well as for displacement of a business, farm operation or non-profit organization. Payments will be made in accordance with WAC 365-24-410 to WAC 365-24-540, inclusive.

The department, if it deems necessary, may enter into contracts with any individual, firm, association or corporation for services in connection with such program, or may carry out its functions through any federal, state or local governmental agency or instrumentality having an established organization for conducting relocation assistance programs; however, responsibility, control and authority for compliance with RCW Chapter 8.26 and these regulations remain with the head of the department.

Pursuant to RCW 8.26 and WAC 365-24, the department will not proceed with any phase of property acquisition until there is a relocation plan approved by the Washington State Department of Transportation and relocation services can be provided.

7.10.2.16 Displacement and Relocation Expenses - Additional Payments to Displaced Homeowner.

In addition to payments otherwise authorized by this policy, the department shall make an additional payment not in excess of fifteen thousand dollars to any displaced person who is displaced from a dwelling actually owned and occupied by such displaced person for not less than one hundred eighty days prior to the initiation of negotiations for the acquisition of the property. Such additional payment shall include the following elements:

A. The amount, if any, which when added to the acquisition costs of the dwelling acquired, equals the reasonable cost of a dwelling adequate to accommodate such displaced person, reasonably accessible to public services and places of employment and available on the private market. All determinations required to carry out this subsection shall be made in accordance with standards established by the Washington State Department of Transportation.

B. The amount, if any, which will compensate such displaced person for any increased interest costs which such person is required to pay for financing the acquisition of any such comparable replacement dwelling. Such amount shall be paid only if the dwelling acquired by the department was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than one hundred eighty days prior to the initiation of negotiations for the acquisition of such dwelling. Such amount shall be equal to the excess in the aggregate interest and other debt service costs of that amount of the principal of the mortgage on the replacement dwelling which is equal to the unpaid balance of the mortgage on the acquired dwelling, over the remainder term of the mortgage on the acquired dwelling, reduced to discounted present value. The discount rate shall be determined by regulations issued pursuant to RCW 8.26.110.
C. Reasonable expenses incurred by such displaced person for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

The additional payment authorized by this section shall be made only to such a displaced person who purchases and occupies a replacement dwelling which is decent, safe and sanitary not later than the end of the one year period beginning on the date on which he receives final payment on all costs of the acquired dwelling, or on the date on which he moves from the acquired dwelling, whichever is the later date.

Computation of replacement housing payment for an owner-occupant will be in accordance with WAC- 365-24-260.

7.10.2.17 Replacement Housing for Tenants and Certain Others.

In additions to amounts otherwise authorized by this policy, the department will make a payment to or for any displaced person not eligible to receive payment under the previous section, if the person is displaced from a dwelling which was actually and lawfully occupied by such displaced person for not less than ninety days prior to the initiation of negotiations for acquisition of such dwelling. Such payment shall be either:

A. The amount necessary to enable such displaced person to lease or rent for a period not to exceed four years, a decent, safe and sanitary dwelling of standards adequate to accommodate such person in areas not generally less desirable in regard to public utilities and public and commercial facilities, and reasonably accessible to his place of employment, but not to exceed four thousand dollars, or

B. The amount necessary to enable such person to make a down payment (including incidental closing costs, but not including prepaid expenses) on the purchase of a decent, safe and sanitary dwelling of comparable quality and utility, and of standards adequate to accommodate such person in areas not generally less desirable in regard to public utilities and public and commercial facilities, but not to exceed four thousand dollars, except that if such amount exceeds two thousand dollars, such person must equally match any such amount in excess of two thousand dollars, in making the down payment.

7.10.2.18 Computation of Replacement Housing Payment for Certain Others.

Replacement rental housing payments for displaced owner/occupants who do not qualify for replacement housing payments under WAC 265-24-610 because of the 180-day occupancy requirement and who elect to rent will be computed in the manner provided in WAC 365-24-720.

EXCEPT that the department shall determine the amount necessary to rent a comparable property by analyzing the probable rental rates of three or more comparable replacement properties.

Replacement housing-payments for displaced owner/occupants who do not qualify for replacement housing payments under WAC 365-24-610 because of the 180 day occupancy
requirement but who actually and lawfully occupied for a period of 90 days or more the dwelling unit to be acquired and who elect to purchase a replacement dwelling shall be computed in the manner provided in WAC 365-24-720(2).

EXCEPT that the department shall determine the amount necessary to rent a comparable replacement property by analyzing the probable rental rates of three or more comparable replacement properties.

7.10.2.19  Housing Replacement as Last Resort.

If a project cannot proceed to actual construction because comparable replacement sale or rental housing is not available, and the department determines that such housing cannot otherwise be made available, the department will enter into an agreement with any federal agency to obtain financial or other assistance as may be authorized by Section 206 (a) of Public Law 91-646 and take such further action as is necessary or appropriate to provide such housing by use of funds authorized for such work.

Pursuant to RCW 8.26.080, any local public body is authorized to move housing onto any lands surplus to its needs; lands, which are otherwise suitable for residential housing or to rehabilitate existing housing for the purpose of providing replacement housing.

7.10.2.20  Assurance of Availability Of Dwellings Prior To Displacement.

Whenever the acquisition of real property for a program or project undertaken by the department will result in the displacement of any person, the department will assure that, within a reasonable period of time, prior to displacement theme will be available, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within financial means of the families and individuals displaced, decent, safe and sanitary dwellings, equal in number to the number of and available to such displaced persons who require such dwellings and reasonably accessible to their places of employment.

7.10.2.21  No Person Required to Move Unless Replacement Housing Assured.

No person shall be required to move from his dwelling on account of any project of the department unless the department is satisfied that replacement housing is available.

7.10.2.22  Review.

Any person aggrieved by a determination as to his eligibility for, method of determination, or the amount of a payment authorized by this policy, may have his application reviewed and reconsidered by the Director of the department.

In order to insure consistent and uniform administration of the relocation assistance program, the department will, if necessary, establish an administrative review board for a preliminary review of appeals. In the event that the administrative review board cannot settle the matter, the department will appoint a qualified hearing officer under terms of WAC 365-24-850. His duties
will be to administer the appeal of the aggrieved in an impartial and orderly manner in accordance with Chapter 365-24 WAC.

7.10.2.23 Acquisition Funds Available to Carry Out Policy.

Funds appropriated or otherwise available to the department for the acquisition of real property or any interest therein for a particular program or project shall be available also for obligation and expenditure to carry out the program or project.

7.10.2.24 Delivery of Payment.

The person determining the amount of the additive payment shall not be the same person delivering the payment to the recipient.

(Res. 80-304A, 9-11-80)
COWLITZ COUNTY POLICIES

Subject: SAFETY

Chapter: 8

Sections:

8.1 BLOODBORNE PATHOGENS
8.2 BOMB THREAT POLICY
8.3 ERGONOMICS
8.4 FALL PROTECTION POLICY
8.5 HEAT RELATED ILLNESS
8.6 INDEMNIFICATION AND DEFENSE POLICY
8.7 CLARIFYING INDEMNIFICATION AND DEFENSE POLICY
8.8 NOTARIZING CLAIMS
8.9 SAFETY COMMITTEE
8.10 SAFETY MANUAL
8.11 VACCINATION
8.12 VEHICLE USE

8.1 BLOODBORNE PATHOGENS

8.1.1 Policy.

In accordance with the WISHA Bloodborne Pathogens standard WAC 296-62-08001 Cowlitz County has developed the following exposure control plan to eliminate or minimize employee occupational exposure to blood or other potentially infectious materials as detailed in the Bloodborne Pathogens standard.
It is the policy of Cowlitz County to establish a safe and healthy work environment for employees that have a potential exposure to bloodborne pathogens.

8.1.1.1 Department Applicability.

The following departments shall maintain individual policies addressing site-specific procedures:

A. Cowlitz County Corrections
B. Facilities Maintenance
C. Fairgrounds – Expo Center
D. Health Department
E. Juvenile Department
F. Law Enforcement Records
G. Coroner’s Office
H. Public Works – Water and Sewer
I. Sheriff’s Office
J. Parks
K. Clerk
L. District Court
M. Drug Court
N. Motor Pool

8.1.1.2 Definitions.

A. Blood: Means human blood, human blood components, and products made from human blood.

B. Bloodborne Pathogens: Means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).

C. Contaminated: Means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

D. Contaminated Laundry: Means laundry that has been soiled by blood or other potentially infectious materials or may contain sharps.

E. Contaminated Sharps: Means any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.

F. Decontamination: Means the use of physical or chemical means to remove, inactivate, or destroy Bloodborne pathogens on a surface or item to the point where
they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

G. **Director**: Means the Director of Labor and Industries; the State designee for the Washington State Plan.

H. **Engineering Controls**: Means controls (e.g. sharps disposal container, self-sheathing needles) that isolate or remove the Bloodborne pathogens hazard from the workplace.

I. **Exposure Incident**: Means a specific eye, mouth, other mucous membrane, on-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

J. **Hand Washing Facilities**: Means a facility providing an adequate supply of running potable water (drinkable), soap and single use towels or hot air drying machines.

K. **HBV**: Means Hepatitis B Virus.

L. **HIV**: Means Human Immunodeficiency Virus.

M. **Occupational Exposure**: Means reasonably anticipated skin, eye, mucous, membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

N. **Other Potentially Infectious Materials (OPIM)**:

1. Means the following human body fluids: Semen, vaginal secretions, breast milk, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, and body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between types of body fluids.

2. Any unfixed tissue or organ (other than intact skin) from a human (living or dead);

3. HIV – containing cell or tissue cultures, organ cultures, and HIV – or HBV – containing experimental animals infected with HIV or HBV.

O. **Parenteral**: Means piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts and abrasions.

P. **Personal Protective Equipment (PPE)**: Is specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g. uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard are not considered to be PPE.
Q. **Regulated Waste**: Means liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

R. **Source Individual**: Means any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee. Examples include, but are not limited to, hospital and clinic patients; clients in institutions for the developmentally disabled; trauma victims; clients of drug and alcohol treatment facilities; residents of hospices and nursing homes; human remains; and individuals who donate or sell blood or blood components.

S. **Standard Precautions**: Established by the Center for Disease Control to reduce the risk of transmission of bloodborne Pathogens regardless of an individual's diagnosis or presumed infection status.

T. **Sterilize**: Means the use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

U. **Work Practice Controls**: Means controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two handed technique; wearing gloves when doing laundry even though there is no visible blood on it).

### 8.1.2 Procedures.

#### 8.1.2.1 Administration and Compliance.

Each Elected Official/Department Head is responsible for program implementation in their respective departments including:

A. Assurance that written housekeeping protocols are developed and assure effective disinfectants are purchased.
B. Assurance that all medical actions required are performed and that appropriate medical records are maintained, in compliance with HIPAA standards.
C. Assurance that employees receive the required training that it is documented and that a copy of the plan is accessible to employees.
D. Assure that required personal protective equipment (PPE), engineering controls (e.g.: Sharps containers), labels and red bags are available and used.
E. Update the plan at least annually and whenever necessary to include new or modified tasks and procedures.
Employees who are identified as having occupational exposure are required to comply with the procedures and work practices outlined in this exposure control plan. Failure to follow these procedures can result in discipline up to and including termination.

8.1.2.2 Exposure Determination.

WISHA requires employers to perform an exposure determination to identify employees who have occupational exposure to blood or other potentially infectious materials. Departments affected by this policy shall make the required identifications in respective policy addendums to the master policy.

8.1.2.3 Standard Precautions.

A. General

The Centers for Disease Control (CDC) recommend the following practices for the prevention of bloodborne pathogens. These standards are designed to reduce the risk of transmission from both recognized and unrecognized sources of infection.

“STANDARD PRECAUTIONS” EXPANDS THE CONCEPT OF “UNIVERSAL PRECAUTIONS” BY RECOGNIZING THAT ANY BODY FLUID OR RESPIRATORY SECRETION MAY CONTAIN CONTAGIOUS MICROORGANISMS.

Use “Standard Precautions” when contact with any of the following is anticipated:
1. Blood
2. All body fluids
3. Secretions and excretions irregardless whether they contain visible blood
4. Non-intact skin
5. Mucous membrane exposure

B. Hand Hygiene
1. Wash hands with soap and water frequently
2. Use alcohol-based hand rubs whenever hand washing is not possible
3. Avoid chapped and cracked hands if possible. Use a water-based hand lotion frequently. Petroleum-based products and Vaseline break down latex.
4. Individuals with open or draining lesions should not work directly with other people while lesion is open or draining.
5. Proper hand hygiene is required in the following situations:
   a. After touching blood, body fluids, secretions, excretions and contaminated items, whether or not gloves are worn.
   b. After removing gloves
   c. Between patient contacts
   d. Between procedures on the same patient - to prevent cross-contamination
   e. Anytime microorganisms might be transferred to other patients, staff, or environments
C. Protective Barriers - Gloves
Gloves are required in the following situations:
1. When touching body fluids, secretions, excretions and contaminated items
2. When performing vein puncture and other vascular procedures
3. Before touching mucous membranes and non-intact skin, put on clean gloves.
4. Change gloves when changing tasks and procedures on the same patient to prevent cross contamination
5. Remove gloves before touching non-contaminated items and before going to another patient.

D. Eye Protection
1. Protect your eyes, nose, and mouth during procedures that are expected to generate splashes or sprays of blood, body fluids, secretions and excretions.
2. Use mouthpieces, resuscitation bags, or other ventilation devices as an alternative to mouth-to-mouth resuscitation.

E. Gowns, Scrubs, Lab Coats
A gown must be worn to protect skin and to prevent soiling of clothing whenever splashes or sprays of blood, body fluids, secretions, or excretions are expected.

F. Patient-Care Equipment
Equipment that has been soiled with blood, body fluids, secretions, and/or excretions must be decontaminated to prevent transfer of microorganisms to others and the environment. Any equipment that is being sent for repair or service should be cleaned with a hospital approved-disinfectant.

G. Laundry
Linens that have been soiled with blood, body fluids, secretions, and/or excretions must be handled in a manner that prevents skin or mucous membrane exposure, contamination of clothing, and/or transfer of microorganisms to others and the environment. NEVER PLACE SOILED LINEN ON THE FLOOR OR ON ANY CLEAN SURFACES.

H. Sharps
1. Needles, dental explorers and other sharp instruments must be disposed of promptly!
2. Never recap used needles, or use any other technique that involves directing the point of a needle or sharp toward any part of the body. Do not remove used needles from disposable syringes by hand.
3. Do not bend, break, or otherwise manipulate used needles by hand.
4. Do not pick up broken glass with bare hands. Wear utility gloves, tongs or sweep it up. Dispose broken glass in container that does not allow others to be cut.

Standard precautions will be observed by all Cowlitz County departments in order to prevent contact with blood or other potentially infectious materials. This means that all blood or
other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.

8.1.2.4 Engineering Controls.

WISHA requires employers to implement engineering controls for occupational exposure to blood or other potentially infectious materials. Departments affected by this policy shall make the required identifications in respective policy addendums to the master policy.

8.1.2.5 Work Practice Controls.

The following work rules apply where there is a potential for contact with blood or other infectious materials.

A. Hand and Body Washing
   1. Hand washing facilities shall be made available to employees who are exposed to blood or other potentially infectious materials. WISHA requires that these facilities be readily accessible after exposure. Respective departments shall list in their programs the locations of these washing facilities.
      1. After removal of personal protective gloves, employees shall wash hands and any other potentially contaminated skin area immediately or as soon as possible with soap and water.
      2. If blood or other potentially infectious material contacts mucous membranes then those areas shall be washed or flushed with water as appropriate as soon as possible following contact.

B. Other Work Practices
   1. Wash your hands after all known or suspected contacts with Other Potentially Infectious Materials.
   2. Needles shall not be recapped, bent or broken off. Shearing or breaking of contaminated needles is prohibited. They must be deposited in a sharps container immediately after use.
   3. Sharps containers must be closed prior to removal or replacement to prevent spilling or protrusion of the contents during handling or storage.
   4. Eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas where there is a reasonable likelihood of occupational exposure.
   5. Food and drink must not be kept in refrigerators, freezers, shelves, and cabinets or on countertops or bench tops where blood or other potentially infectious materials are present.
   6. All procedures will be conducted in a manner, which will minimize splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious materials.
   7. Mouth pipetting/suctioning of blood or other potentially infectious materials is prohibited.
8. Specimens of blood or other potentially infectious materials must be placed in a biohazard labeled shipping containers
9. Potentially infectious waste material must be placed in a plastic biohazard labeled red bag
10. Equipment that may be contaminated with blood or infectious materials must be examined after use and labeled with a biohazard-warning label if not completely decontaminated. The equipment must be bagged or marked if the potential to spill or make contact with contaminated material exists while handling the equipment. This is to prevent exposure to other employees during transport or handling.

8.1.2.6 Personal Protective Equipment (PPE).

All personal protective equipment used at Cowlitz County facilities will be provided without cost to employees. Personal protective equipment will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used. Employees will receive training on the appropriate use of PPE provided for specific tasks.

If required PPE is not available, contact your respective department supervisor.

A. Gloves
1. Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, non-intact skin, and mucous membranes.
2. Disposable gloves are not to be washed or decontaminated for use and are to be replaced as soon as practical when they become contaminated or as soon as possible if they are torn, punctured, or when their ability to function as a barrier is compromised.
3. Utility gloves may be decontaminated for reuse provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

B. Latex Gloves and Allergies
1. Latex gloves that become hydrated will often be more susceptible to tearing or puncture and feel "tacky." Employees should realize that latex gloves, though appearing to be intact, may, over time and while in use, lose some of their effectiveness against stopping the penetration of viral transmissions. Employees are advised to change latex gloves every 40 - 50 minutes if remaining in a bloodborne environment over an extended period of time. (American Academy of Allergy and Immunology; 52nd Annual Meeting; March 15-20, 1996; New Orleans, LA.)
2. Employees should also advise their supervisor if they have latex allergies which requires the use of an alternative protective glove.
C. Other Personal Protective Equipment

1. Appropriate face and eye protection must be worn when splashes, sprays, spatters, or droplets of blood or other potentially infectious materials pose a hazard to the eyes, nose or mouth.

2. All garments that are penetrated by blood shall be removed immediately or as soon as possible. All personal protective equipment will be removed prior to leaving the work area.

8.1.2.7 Housekeeping.

A. Work surfaces must be decontaminated with an appropriate disinfectant as soon as possible after there is a spill of blood or other potentially infectious material.

B. Decontamination of areas that have been contaminated with blood or other potentially infectious materials will be accomplished by effective cleaning materials.

8.1.2.8 Handling of Waste Material.

A. Used sharps containers are to be closed and transported to a specific holding area for contaminated materials and containers.

B. Never manually open, empty or clean reusable contaminated sharps disposal containers.

C. Remove and replace protective coverings such as plastic wrap and foil on equipment and surfaces when they become contaminated.

D. Always use mechanical means such as tongs, forceps or a brush and dustpan to pick up contaminated broken glassware. Never pick up with hands - even if gloves are worn!

8.1.2.9 Laundry.

In the event that an employee's normal uniform, clothing or personal protective equipment becomes contaminated, these garments shall be cleaned by a professional laundry service. The clothing which is to be decontaminated must be handled properly by the department employees to ensure no employee becomes exposed to blood or other infectious materials. Contaminated laundry shall be handled as follows:

A. Contaminated laundry shall be cleaned by a professional laundry service at no cost to the employees.

B. Any contaminated laundry shall be handled as little as possible with a minimum of agitation.

C. Contaminated laundry shall be bagged or containerized at the location at which it was used and shall not be sorted or rinsed at this location.

D. Contaminated laundry shall be placed and transported in bags or containers, which are, leak proof, red or orange in color, labeled as containing biohazard materials, and displaying the biohazard symbol in accordance with WAC 296-62-08001.

E. Employees who have contact with contaminated laundry shall wear protective gloves and other appropriate personal protective equipment.
8.1.2.10 Decontamination Procedures for Vehicles and Facilities.

All Cowlitz County facilities, vehicles and offices, contaminated with biological hazards will be thoroughly cleaned as soon as possible with an approved decontaminate (a one-to-ten bleach/water solution, disinfectant, virucide) before continuation of or return to service. Bleach solution should remain on area for five (5) minutes.

Employees decontaminating small bio-hazardous areas must utilize the following safety procedures:

A. Latex gloves and face shields must be worn.
B. Utilize disinfectant or 1:10 bleach and water solution. A 1:10 bleach and water solution when mixed has a shelf life of about eight hours. The bleach solution should remain on the area for five (5) minutes.
C. Apply disinfectant solution and allow to set a minimum of one minute.
D. Utilize cleaning equipment to clean spill.
E. Place non-reusable cleaning equipment into approved bio-hazardous waste containers.
F. Decontaminate reusable cleaning equipment with soap and water or disinfectants.
G. Dispose of personal protective equipment in bio-hazardous waste containers.
H. Wash hands for at least 15 seconds with hot soap and water.

8.1.2.11 Large Contaminated Areas.

If the decontaminated area is too large for employees to clean, a private company may be contacted to clean the area.

8.1.2.12 Communication of Hazards to Employees.

To provide safety for the employees of Cowlitz County and prevent accidental exposure to regulated waste, all containers of regulated waste shall be clearly marked as required by WAC 296-62-08001. All bags or containers shall be red or orange in color and labeled with the universal "BIOHAZARD" symbol in black lettering. All department employees should advised what this warning means: that the contents of these containers includes blood or other potentially infectious materials and shall be handled with caution.

Labels are required to be affixed as close as possible to the container by string, wire, adhesive, or other methods that prevents loss or unintentional removal. Regulated waste that has been decontaminated need not be labeled or color-coded.

8.1.2.13 Hepatitis B Vaccine.

All employees who have been identified as having exposure to blood or other potentially infectious materials through the exposure determination described in this plan, will be offered the Hepatitis B vaccine series at no cost to the employee within 10 days of initial assignment unless:

A. The employee has previously received the series;
B. Antibody testing reveals that the employee is immune;
C. Medical reasons prevent taking the vaccination; or
D. The employee chooses not to participate
Employees will be provided with information on Hepatitis B vaccinations addressing its safety, benefits, efficacy, and methods of administration and availability. All occupationally exposed employees are strongly encouraged to receive the Hepatitis B vaccination series. However, if an employee chooses to decline Hepatitis B vaccination, the employee must sign a copy of the declination statement. The copy will be kept in the employee's medical file. Employees who decline may request and obtain the vaccination at a later date at no cost.

### 8.1.2.14 Employee Post Exposure Care and Procedures.

#### A. Blood/OPIM on Clothing: Indirect Exposure

1. Change clothing
2. Utilize protective gloves
3. Clothing should be carefully removed and placed into red bio-hazardous bag. Bag should be closed with twist or knot. Transport clothing at earliest convenience to contracted laundry service.
4. Take a shower if necessary.
5. Utilize clean uniform or coveralls for remainder of the shift.
6. Clean and disinfect restroom/shower area following guidelines in this policy.
7. Notify a supervisor.
8. Complete the department's Communicable Disease Report form.

#### B. Blood/OPIM on Intact Skin: Indirect Exposure

1. Immediately wash with disinfectant wipes and follow-up with soap and water. Wash for at least 30 seconds.
2. Report the incident to a supervisor.
3. If exposure to intact skin is substantial, shower in the restroom/shower area may be necessary.
4. Clean and disinfect restroom/shower area following guidelines in this policy.
5. Complete the Communicable Disease Report form.

#### C. Blood/OPIM Introduced Through Skin or Mucus Membrane: Direct Exposure

1. Initiate immediate self care
2. Wash wound with disinfectant or soap with water for 30 seconds
3. Flush eyes, nose, or mouth exposures with water. Blow nose without squeezing passages
4. Clean fingernail and nail beds
5. Report incident to a supervisor
6. Seek immediate medical attention
7. Complete the department's Communicable Disease Report Form
8. Forward all exposure incident forms as required for treatment of an occupational exposure incident to the supervisor.
### 8.1.2.15 Exposure Summary Table: Reportable Conditions; Medical Treatment/First Aid.

<table>
<thead>
<tr>
<th>Situation</th>
<th>Exposure?</th>
<th>First Aid?</th>
<th>Seek Professional Medical Attention</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small amounts of spilled blood on intact skin (no abrasions)</td>
<td>Yes</td>
<td>Report it</td>
<td>Wash area</td>
</tr>
<tr>
<td>Large amounts of blood soaked through clothing to intact skin</td>
<td>Yes</td>
<td>Report it</td>
<td>Wash area</td>
</tr>
<tr>
<td>Blood spilled on non-intact skin (scratched, cut, abrasions, chapped skin)</td>
<td>Yes</td>
<td>Report it</td>
<td>Wash area</td>
</tr>
<tr>
<td>Blood splashed into eyes, mouth</td>
<td>Yes</td>
<td>&quot;Milk&quot; the wound and wash</td>
<td>Yes</td>
</tr>
<tr>
<td>Needle stick or cut with contaminated object</td>
<td>Yes</td>
<td>Report it</td>
<td>&quot;Milk&quot; the wound and wash</td>
</tr>
<tr>
<td>Bite - Skin not broken</td>
<td>Yes</td>
<td>Report it</td>
<td>Wash area</td>
</tr>
<tr>
<td>Bite - skin broken</td>
<td>Yes</td>
<td>Report it</td>
<td>Wash area</td>
</tr>
</tbody>
</table>

### 8.1.2.16 Responsibilities in the Event of Exposure.

**A. Employee responsibilities**

1. Employees must recognize that they have responsibilities for their own health and safety, and encourage other employees to work in a safe manner. Consistent with the circumstances presenting themselves, employees shall always use appropriate personal protective equipment consistent with these policies and procedures.
2. Initiate immediate self care and seek immediate medical attention and follow-up treatment as prescribed by standard medical practices and as outlined in the Employee Post Exposure Care and Procedures.
3. If treatment is required for an occupational exposure, proceed immediately to a medical facility. Provide detailed information of the circumstances of the exposure to the attending health care personnel and contact a supervisor.
4. If the blood or other potentially infectious materials comes in contact with clothing or intact skin as an indirect exposure, follow the procedures as outlined in the Employee Post Exposure Care and Procedures guidelines in this policy.
5. Make an immediate verbal report of the exposure to supervisor and complete the Cowlitz County Accident Report/Personal Injury Form.

**B. Supervisor responsibilities**

1. The supervisor will ensure the exposed employee will begin immediate self-care.
2. Direct the employee to follow the direct or indirect exposure procedures in the Employee Post Exposure Care and Procedures guidelines.

3. Arrange for immediate medical care of the employee and act as the department's liaison for the health care representative.


5. Complete the Cowlitz County Accident Report/Personal Injury form, and make available to the employee the department Communicable Disease Report form. These forms shall include documentation of the route(s) of exposure, and the circumstances under which the exposure occurred.

6. Forward a copy of the Communicable Disease Report form to the medical facility or health care representative where the employee was taken for treatment.

7. Provide to the health care representative all medical records relevant to the appropriate treatment of the employee including vaccination status which are the department's responsibility to maintain.

C. Department Manager Responsibilities

In the event of a Bloodborne Pathogen Exposure Incident, department management shall:

1. Arrange for initiation of follow-up treatment as prescribed by standard medical practices.

2. Determine that required medical evaluations and procedures including the Hepatitis B vaccine and vaccination series and post-exposure evaluation and follow-up, including prophylaxis, are made available to the employee. Evaluations and procedures shall be consistent with current department regulations and applicable regulations of the Cowlitz County Health Department. Required laboratory testing will be conducted by an accredited laboratory.

3. Provide for the confidentiality of all reports and for the screening of any release of related information.

4. Provide the health care professional evaluating an employee after an exposure incident, a description of the exposed employee's duties as they relate to the exposure incident, Immunization/History form and Supervisor's Report of the Cowlitz County Accident Report/Personal Injury form, and all medical records relevant to the appropriate treatment of the employee including vaccination status.

5. Obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation. The health care professional's written opinion for Hepatitis B vaccination shall be limited to whether Hepatitis B vaccination is indicated for the employee, and if the employee has received such vaccinations. The health care professional's written opinion for post exposure evaluation and follow-up shall be limited to the following:
   a. That the employee has been informed of the results of the evaluation.
   b. That the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.
   c. All other findings or diagnoses shall remain confidential and shall not be included in the written report.
6. Ensure that employees who decline Hepatitis B vaccinations sign a Participation/Declination form.
7. Forward to the Department of Human Resources records of all reportable exposures for retention in employee’s confidential medical files along with immunization histories and copies of the Supervisor's Report of the Cowlitz County Accident Report/ Personal Injury forms.
8. Maintain the confidentiality of the employee's medical records and ensure that they are not disclosed or reported without the employee's expressed written consent to any person within or outside the work place except as required by law.

8.1.2.17 Medical Follow-up Source Testing – Special Considerations.

If a health care worker, law enforcement or corrections officer has a percutaneous (needle stick or cut) or mucous membrane (splash to eye, nasal mucosa, or mouth) exposure to body fluids or has exposure to blood when the worker's skin is chapped, abraded, or otherwise non-intact, the source patient, client, or inmate shall be informed of the incident and tested for HIV and HBV infections, after consent is obtained.

If Sources Refuses:
If consent is refused, HIV testing of the source can be requested in accordance with WAC 248-100-206(10) by the local health officer if:

A. Such request is made within seven days of the exposure;
B. The exposed person belongs to a specific employment category (health care provider, law enforcement officer, corrections officer, staff of health care facilities);
C. The exposure fits the criteria of the definition of a "substantial exposure" as defined in WAC 248-100-206(1)(f).

8.1.2.18 Review of Exposure Incidents.

Cowlitz County Safety Committees will review the circumstances of all exposure incidents to determine:

A. Why the exposure incident occurred;
B. If procedures were being followed; and
C. If procedures, protocols, and/or training need to be revised.
D. If it is determined that revisions need to be made, the Elected Official/Department Head will ensure the recommendations for changes to this exposure control plan are forwarded to Risk Management.
E. Documentation of this evaluation should accompany the exposure report.
F. Incident review will also serve to initiate study in technological advancements that may reduce or eliminate bloodborne exposures. For example, introduction of retractable needle syringes.
8.1.2.19 Contaminated Sharps Log.

Pursuant to WISHA regulations regarding Bloodborne Pathogens, a "Contaminated Sharps Injury Log" will be maintained by Risk Management. The log shall record the following information:

A. The type and brand of device involved in the incident.
B. The department or work area where the incident occurred.
C. A description how the incident occurred.

8.1.2.20 Employee Training.

All employees who have occupational exposure to bloodborne pathogens shall receive training.

Training will include:

A. Information on the epidemiology, symptoms, and transmission of bloodborne pathogen diseases.
B. A copy and explanation of the standard.
C. An explanation of the County’s exposure control plan and how to obtain a copy.
D. An explanation of methods to recognize tasks and other activities that may involve exposure to blood and OPIM, including what constitutes an exposure incident.
E. An explanation of the use and limitations of engineering controls, work practices, and PPE.
F. An explanation of the types, uses, location, removal, handling, decontamination, and disposal of PPE.
G. An explanation of the basis for PPE selection.
H. Information on the Hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine will be offered at no cost to the employee.
I. Information on the appropriate actions to take and persons to contact in the event of an incident involving blood or OPIM an explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the incident and the medical follow-up that will be made available.
J. Information on the post-exposure evaluation and follow-up that the employer is required to provide for the employee following an exposure incident.
K. An explanation of the signs and labels and/or color coding required by the standard and used by the County.
L. An opportunity for interactive questions and answers with the person conducting the training session.

Training records will be completed for each employee. Upon completion of training these documents will be kept with the employee's records and will include:

A. Dates of the training sessions (required annually)
B. Contents or a summary of the training sessions
C. Names and qualifications of persons conducting the training
D. Names and job titles of all persons attending the training sessions
Training records will be maintained for a minimum of three (3) years from the date on which the training occurred.

Employee training records will be provided upon request to the employee or the employee's authorized representative within 15 working days.

8.1.2.21 Medical Records.

The Human Resources Department is responsible for maintenance of the required medical records.

Medical records are maintained for each employee with occupational exposure in compliance with WAC 296-62-O52, "Access to Employee Exposure and Medical Records" and will include:

A. The name and social security number of the employee
B. A copy of the employee's Hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination
C. A copy of all results of examinations, medical testing, and follow-up procedures as required by the bloodborne pathogens standard
D. A copy of all health care professional's written opinion(s) as required by the bloodborne pathogens standard

All employee medical records will be kept confidential and will not be disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by this policy or the law. Copies of employee medical records will be provided upon written request of the employee, or to anyone having written consent of the employee, within 15 working days of receipt of the request.

Employee medical records shall be maintained for at least the duration of employment plus 30 years.

8.1.2.22 Confidentiality.

The County shall maintain the confidentiality of all medical information as provided by law.

The healthcare professional’s written opinion for post-exposure evaluation and follow-up as described above shall be limited to a report stating ONLY that testing has been completed and that an employee has been told of the results and any medical conditions that need further evaluation or treatment.

_Even results of such tests are confidential and will be provided ONLY to the employee._

A breach of this confidentiality is illegal. If such a breach results in any adverse action by management, supervisors or employees towards any person and/or patient legal action can be taken.

Any person and/or patient may then have legal recourse against the person violating this confidentiality if this medical information is revealed without the person’s consent.
Medical information may only be exchanged between health care providers when it is for the care, treatment and benefit of the patient and **NOT** for the infection control of the health care providers (WAC 248-100-016, Feb. ’90). Release of Medical Information must be in accordance with the HIPAA law.

### 8.1.2.23 Harassment.

Harassment is illegal. Employees shall not harass a person who is HIV positive, perceived to be HIV positive, symptomatic HIV infected, or who has AIDS. Any employee who engages in harassing behaviors or discriminatory actions against an HIV infected employee shall be disciplined.

### 8.1.2.24 Additional Sources of Information.

A. Chapter 70.24.105(6) RCW, the codified AIDS Omnibus Bill.
B. SBOH: State Board of Health rules implementing the AIDS Omnibus Bill.
C. Chap. 49.60 RCW, Human Rights Laws of Wash. State.
D. Sec. 504, Office of Civil Rights, Health & Human Services.
E. WRD 92-6, WISHA Regional Directive - Enforcement for Occupational Exposure to HIV and HBV.
F. CDC: MMWR, Universal Precaution in a Health Care Setting.

### 8.1.2.25 Reports and Forms.

The following reports and forms in Appendix A-C are presented to assist each department in the management of Bloodborne Pathogens.
### RISK OF EXPOSURE DETERMINATION
**Bloodborne Pathogens Management Program**

<table>
<thead>
<tr>
<th>Job Classification</th>
<th>Duties which may cause occupational exposure:</th>
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<tbody>
<tr>
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<td></td>
</tr>
</tbody>
</table>

**Occupational Risk of Exposure?**  
Circle One:  YES  NO

<table>
<thead>
<tr>
<th>Job Classification</th>
<th>Duties which may cause occupational exposure:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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**Occupational Risk of Exposure for this job classification?**  
Circle One:  YES  NO

<table>
<thead>
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<th>Job Classification</th>
<th>Duties which may cause occupational exposure:</th>
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**Occupational Exposure Risk of Exposure for this job classification?**  
Circle One:  YES  NO

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<th>Duties which may cause occupational exposure:</th>
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</thead>
<tbody>
<tr>
<td></td>
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</tbody>
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**Occupational Risk of Exposure for this job classification?**  
Circle One:  YES  NO

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<thead>
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<th>Department/ Name</th>
<th>Date:</th>
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Appendix A-2

Health History/Immunization Record  
Cowlitz County  
Bloodborne Pathogens Management Program

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<thead>
<tr>
<th>Employee Name:</th>
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<tr>
<td>Department:</td>
<td>Work Area:</td>
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<tr>
<td>Communicable Disease History:</td>
<td>Yes</td>
</tr>
<tr>
<td>Varicella Zoster (Chickenpox)</td>
<td></td>
</tr>
<tr>
<td>Rubeola (Measles)</td>
<td></td>
</tr>
<tr>
<td>Mumps</td>
<td></td>
</tr>
<tr>
<td>Rubella (German Measles)</td>
<td></td>
</tr>
<tr>
<td>Hepatitis B</td>
<td></td>
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<tr>
<td>Tuberculosis</td>
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<table>
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<td>N/A</td>
<td>N/A</td>
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<td>Tetanus/Diphtheria</td>
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<td></td>
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<table>
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<th>Lot Number:</th>
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<td>Circle One: Postexposure Preexposure</td>
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<td>Dose 2:</td>
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<tr>
<td>Dose 3:</td>
<td>Date/Time: By:</td>
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<td>Post HBV Antibody Status:</td>
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<th>Date:</th>
<th>Initial:</th>
<th>Annual/if neg</th>
<th>Annual/if neg</th>
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<th>Annual/if neg</th>
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<td>Chest X-Ray date if skin test is positive:</td>
<td>Test Administered by:</td>
<td></td>
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<td>Comments:</td>
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<td>Employee Signature:</td>
<td>SSN#:</td>
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</tbody>
</table>
Appendix A-3

Hepatitis B Vaccine Participation/Declination
Cowlitz County
Biologic Agents
Bloodborne Pathogens Management Program

WAC 296-62-08050:

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B Vaccine, at no charge to myself. However, I decline Hepatitis B vaccination at the time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. I in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I may receive the vaccine series at no charge to me.

After evaluating the advantages and disadvantages of the vaccine program, based on the training provided, I elect to: (check one)

__________ Participate
__________ Not Participate

in the Cowlitz County ________________________________ Hepatitis B immunization Program. My choice not to participate in no way affects my employment status.

Dated this ________ day of ___________, 20_____

Employee Name:______________________________________________ SS#___________

Employee Signature:____________________________________________________________

Witness:____________________________________________________________________
Appendix A-4  Work Station/Vehicle PPE Inventory

Date: ___/___/_____ Supervisor: 
Vehicle #:_____ Facility: 
Column A: Check if item is present Column B: Date Item Supplied Column C: Quantity Needed (*) = Required in Vehicles

<table>
<thead>
<tr>
<th>A</th>
<th>B Inventory</th>
<th>C</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>*Puncture Resistant Sharps Containers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Bio-hazardous bags/twists</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Bio-hazardous emblems</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Tongs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Germicidal hand soap</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Germicidal wipes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Disposable/Latex gloves</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*CPR Micro Shields</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Eye Protection</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Respirator</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Facial mask</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Shoe/Boot coverings</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Gowns</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Fire Extinguisher</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*DOT Manual</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*First Aid Kit (Examine Contents)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Blanket</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Saline Solution</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Dust Pan/Whisk Broom</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Seat Covers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Large Red Bio-hazardous Waste Container</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Self Contained Breathing Apparatus</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Disinfectant Cleaner</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rolled Paper – 36”</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Large Red Sharps Containers</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spill Cleaner Kit</td>
<td></td>
</tr>
</tbody>
</table>
Appendix B-1

Post Exposure Procedure Form
Cowlitz County
Bloodborne Pathogens Management Program

Name, please print)________________________________________SS#____________________
Date:____________________  Time:____________________

When an employee has had an exposure to blood or other potentially infectious material the employee:
1. Shall initiate immediate self care; wash wound with disinfectant, soap and hot water, flush eyes, nose or mouth exposures with water or a sterile (IV) solution, and clean fingernails and nail beds, scrubbing no less than 15 seconds, but not to the extent that the skin's integrity is broken.
2. Shall seek immediate medical attention and follow treatment protocol as prescribed.
3. Shall make an immediate verbal report of the exposure to my on-duty supervisor, initiate a Communicable Disease Report, and Request for Mandatory Testing Form (if the source person has been arrested or is anticipated to be arrested and/or refused testing).
4. If the exposure occurred while performing job duties but does not involve a crime and/or the source person refused testing, contact your personal health care provider immediately. The law requires that it be no later than seven (7) days after the exposure.
5. If treated, I shall forward all Department forms as required for treatment of an occupational incident to _________________________________.

(Job Position which will handle program record-keeping duties)

Employee Signature:________________________________________________________

Supervisor Signature:_______________________________________________________
Supervisors are responsible for the employee's use of appropriate personal protective equipment unless the supervisor is aware that the employee temporarily and briefly declined to use personal protective equipment due to emergency or exigent circumstances.

When an employee makes this judgment, the circumstances should be investigated and documented by a supervisor in order to determine whether changes can be instituted to prevent such occurrences in the future. This report shall be forwarded to the Bloodborne Program manager within the department.

<table>
<thead>
<tr>
<th>Department:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of incident:</td>
</tr>
<tr>
<td>Location:</td>
</tr>
<tr>
<td>Employees involved:</td>
</tr>
</tbody>
</table>

### Incident Synopsis

- [ ]
- [ ]
- [ ]
- [ ]
- [ ]

### Recommendations

- [ ]
- [ ]
- [ ]
- [ ]
- [ ]

**Signature:**
Appendix B-3 Request for Mandatory Testing Due to Substantial Exposure

Cowlitz County
Biologic Agents
Bloodborne Pathogens Management Program
Law Enforcement and Corrections Personnel Only

Employee Information:

<table>
<thead>
<tr>
<th>Name: (Last, First, Middle):</th>
<th>Job Title:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Phone:</td>
<td>Incident Identification:</td>
</tr>
<tr>
<td>Incident Date:</td>
<td>Date of Birth:</td>
</tr>
<tr>
<td>Name of Exposure Source:</td>
<td>Phone Number:</td>
</tr>
<tr>
<td>Address:</td>
<td>Description of Incident:</td>
</tr>
</tbody>
</table>

Substantial Exposure: A specific eye, nose, mouth, or other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

Procedures: Upon an exposure incident, complete this form and route to appropriate person. If an exposure occurs which is on duty, but is not related to a crime, employees are instructed to contact their personal health care provider. Notification of Exposure must be made no later than seven (7) days after exposure. Employees may also be referred to Kaiser Industrial Clinic or Workplace Wellness for Bloodborne Pathogen Percutaneous (Needlestick) injuries for follow-up.
Appendix B-4

Source Person's Rights
Information For Persons Requested To Be Tested For HIV
As A Result Of An Occupational Exposure

A Summary of Selected Provisions of WAC 296-62-08001 and RCW 70.24.105

Reason for Request for Testing

Washington Administrative Code (WAC) 296-62-08001 (6)(c)(ii)(A) requires employers to request HIV testing of the source patient whenever an occupational exposure to a bloodborne pathogen occurs. This WAC further directs that the test results will be provided to the following individuals: the exposed employee; and the health care professional evaluating the employee after the exposure incident. The employer is required to maintain a confidential medical file on the incident which would include a copy of all test results. Under Washington law, the employer, employee, and health care professional evaluating the employee after the exposure incident, are all prohibited from further disclosure of the HIV test results.

The purpose of testing you is to provide necessary health care to the exposed employee. Of course, those test results may also be of benefit in maintaining your own health.

Requirements of State Law Concerning HIV Testing

Except as specifically provided in Washington State law you have the right to refuse HIV testing. Under certain circumstances, a state or local health officer may order testing in cases of occupational exposure.

Unless authorized in state law, HIV tests results may not be shared with others without the specific written consent from the person tested. RCW (Revised Code of Washington) 70.24.105 is reprinted on the reverse of this form.

Finally, prior to HIV testing, state law requires that you receive pretest counseling. Pretest counseling means counseling provided prior to HIV testing and aimed at helping an individual to understand ways to reduce the risk of human immunodeficiency virus (HIV) transmission: the nature, purpose and potential ramifications of HIV testing; the significance of the results of the HIV testing; the danger of HIV infection; and assessing the individual's ability to cope with the results of HIV testing.
Appendix B-5  Communicable Disease Report Form  
Cowlitz County  
Biologic Agents  
Bloodborne Pathogens Management Program

Employee Information

<table>
<thead>
<tr>
<th>Name (last, First, middle):</th>
<th>Phone (Home):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Address:</td>
<td>Phone (work):</td>
</tr>
<tr>
<td>Incident Date/Time:</td>
<td>Incident Number:</td>
</tr>
<tr>
<td>Supervisor Receiving Report:</td>
<td>Date/Time of Verbal Report:</td>
</tr>
<tr>
<td>Supervisor's Department:</td>
<td>Supervisor's Phone:</td>
</tr>
<tr>
<td>Describe Exposure:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Employee received treatment from (doctor/nurse):</th>
<th>Employee referred to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Describe Follow-up Treatment:</td>
<td></td>
</tr>
</tbody>
</table>

Source Individual (Carrier) Information:

<table>
<thead>
<tr>
<th>Name:</th>
<th>Date of Birth:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>Phone Number:</td>
</tr>
<tr>
<td>Patient taken to (location):</td>
<td>Exposure report phoned to:</td>
</tr>
<tr>
<td>Patient consented to: HIV testing? Y N</td>
<td>Date/time of Report:</td>
</tr>
<tr>
<td>TB testing? Y N</td>
<td>Hepatitis B testing? Y N</td>
</tr>
<tr>
<td>If no consent, Supervisor Informed? Name:</td>
<td>Date/Time supervisor informed:</td>
</tr>
</tbody>
</table>

NOTE: This form shall be treated as a confidential department record. Complete records of testing and treatment shall be maintained by the attending physician and the Human Resources Department for release only as authorized by law.
Appendix C

Training Record
Cowlitz County
Biologic Agents
Bloodborne Pathogens Management Program

<table>
<thead>
<tr>
<th>Contents of Session:</th>
<th>Date:</th>
</tr>
</thead>
</table>

Instructor: Qualifications:

<table>
<thead>
<tr>
<th>Attendees</th>
<th>Job Position:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Manual, 11-20-95; Res 04-138, 6-22-04)
8.2  BOMB THREAT POLICY

8.2.1  Policy.

Cowlitz County is committed to taking all reasonable steps to ensure that the employees work in a safe environment. Occasionally an employee may face a threat of violence from someone outside the workplace. Bomb threats to County employees and property must be taken seriously and the following procedures must be followed.

8.2.2  Procedures.

8.2.2.1  Receiving a Threat.

Nearly all bomb threats are made by telephone. The person receiving the bomb threat should try to remain calm. Take the threat seriously and listen carefully to the caller. Fill out the Bomb Data Program card located under your phone. Try to obtain as much information as possible from the caller. Ask the following questions:

A. When is the bomb going to explode?
B. Where is the bomb right now?
C. What does the bomb look like?
D. What kind of bomb is it?
E. What will cause the bomb to explode?
F. Did you place the bomb?
G. Why did you place the bomb?
H. What is your address?
I. What is your name?

Review the items listed on the back of the Bomb Data Program card. Attempt to determine the gender, race, length of call, voice characteristics, background sounds and language style of the caller. Immediately write down all you have heard during the conversation so that no details are forgotten.

8.2.2.2  Response to Bomb Threat

Immediately after completing the Bomb Data Program card:

A. **DIAL 9-1-1** and provide information about the Bomb Threat to the dispatcher.
B. DO NOT PULL THE FIRE ALARM BOX.
C. If advised to evacuate, follow the Evacuation Procedures for your building.
D. If evacuating the building DO NOT SHUT AND LOCK DOORS when leaving.
E. DO NOT USE THE ELEVATOR when evacuating the building.

(Res. 04-122, 6-8-04)
8.3 ERGONOMICS

8.3.1 Policy.

The goal of this policy is to minimize the impact of work intensity and repetition for employees whose regularly assigned duties are based at workstations.

8.3.2 Procedures.

8.3.2.1 Work Station Standards

Chairs.

Cowlitz County shall provide user-adjustable workstation chairs for operators who may be expected, because of the employee’s regularly assigned duties, to routinely perform repetitive keyboard motions four (4) or more hours per shift, inclusive of breaks.

Seating for the work station shall conform to the provisions of the American National Standard for Human Factors Engineering of Visual Display Terminal Work Stations, ANSI/HFS Standard No. 100-1988, Section 8.7 “Seating” or meet the following minimum requirements, as now enacted, or hereinafter amended:

A. Seat pans and backrests of chairs shall be upholstered with a moisture absorbing material. The upholstery shall be compressible of a minimum in the range of approximately one-half to one inch.
B. Seat pans shall be adjustable for height and angle.
C. The adjustment mechanism for adjustable chair seat pans shall be operable from the seated position by the operator. The adjustment mechanism or the backrest shall be easily operable by the user.
D. Backrests shall be adjustable for height and to positions behind and forward of vertical.
E. Chairs shall be capable of being swiveled by the user

8.3.2.2 Video Display Terminals (VDT’s).

Cowlitz County shall provide user-adjustable workstation video display terminals for operators who may be expected, because of the employee’s regularly assigned duties, to routinely perform repetitive keyboard motions four (4) or more hours per shift, inclusive of breaks.

Such VDT’s shall meet the following minimum standards:

A. The VDT support shall be adjustable so the entire primary viewing area of the terminal is between zero and sixty degrees below the horizontal plane passing through the eyes of the operator.
B. The terminal keyboard, in combination with the seating and work surface, shall be adjustable so that the operator, while seated in a normal upright position, is able to operate the keyboard with his/her forearms, wrists and hands in a position approximately parallel to the floor.
C. The height of the work surface shall be such as to provide adequate clearance under the work surface to accommodate the operator’s legs in a normal upright, seated position with both feet flat on the floor.
D. Video display screens shall be clean, clear and free of perceptible flicker to the operator.

8.3.2.3 Lighting.

Cowlitz County shall provide user-adjustable workstation lighting for operators who may be expected, because of the employee’s regularly assigned duties, to routinely perform repetitive keyboard motions four (4) or more hours per shift, inclusive of breaks.

Such lighting shall meet the following minimum standards:
A. Workstations shall be illuminated with lights arranged to avoid visual glare and discomfort.
B. The illumination level shall be within 200-500 lux.
C. Task lighting shall be made available upon request of the operator.
D. Glare shall be eliminated through methods that include, but are not limited to, shielding windows with shades, curtains or blinds; positioning the video display so the screen is at a right angle to the window producing the glare; and/or providing keyboards with tops finished in a manner so as to minimize reflection.

8.3.2.4 Miscellaneous.

Cowlitz County shall provide miscellaneous user-adjustable workstation tools with the approval of the Risk Manager for operators who may be expected, because of the employee’s regularly assigned duties, to routinely perform repetitive keyboard motions four (4) or more hours per shift, inclusive of breaks.

Such miscellaneous items shall meet the following minimum standards:
A. Arm rests, wrist rests and footrests shall be provided upon request of the operator. Wrist rests shall enable the operator to maintain a neutral position of the wrist while at the keyboard, and shall be padded without sharp edges.
B. The keyboard shall be detachable from the terminal.
C. A document holder adjustable for placement angle and height shall be provided upon request of the operator when a document holder is appropriate for the performance of the operator’s duties.
D. Direct noise from impact printers shall be reduced to improve ease of communication by placing covers over the printers or by isolating the printers from the rest of the work environment.

8.3.2.5 Work Routine.

As used in this policy “routinely perform repetitive keyboard motions” shall not be interpreted to include only brief, intermittent keyboard motions that are ancillary to the employee’s performance of other work tasks.
8.3.2.6  **Alternative Work.**

For operators who may be expected, because of the employee’s regularly assigned duties, to routinely perform repetitive keyboard motions four (4) or more hours per shift, inclusive of breaks, Cowlitz County shall provide a minimum of a fifteen (15) minute aggregate alternative work break during or immediately after every two (2) hours of routinely performing repetitive keyboard motions, except where reasonable alternative work cannot be practicably provided.

The term “alternative work break” as used in this section includes, but is not limited to, performance of work other than operation of a VDT, a rest break from work, a lunch break, or any combination of the above. Nothing in this section shall be construed to in any way modify, increase or decrease any requirement for rest breaks or lunch breaks from work provided for by any federal or state law or regulation, or to require alternative work breaks inconsistent with the terms of pertinent collective bargaining agreements or other employment contracts in effect.

8.3.2.7  **Other Tasks.**

There will be other tasks performed by County employees, which may require repetitive motions for long periods of time. This policy, with heavy emphasis on VDTs, is not exclusive to these tasks. Such other tasks should be brought to the attention of the Risk Manager and will be addressed on an individual basis.

8.3.2.8  **Training.**

As new tasks and new technology develop, every attempt will be made to maintain VDT workstations in compliance with current regulations and state of the art technology. Cowlitz County has a commitment to provide training that will keep affected employees apprised of current state of the art technology and regulation developments in relation to ergonomics and anthropometrics.

(Res. 92-118, 8-31-92)

8.4  **FALL PROTECTION POLICY**

8.4.1  **Purpose.**

Establishment of guidelines to protect all employees engaged in work activities that expose them to potential falls from elevations. Compliance with WISHA guidelines.

8.4.2  **Policy.**

The County is committed to provide a safe workplace. Employees and contractors are expected to follow all rules and regulations related to this policy. Failure to comply with this policy may lead to disciplinary action up to and including termination. This program includes all Cowlitz County employees and contractors engaged in work activities that expose them to: falls from
heights of six (6) feet or more when engaged in construction activities; falls from four (4) feet or more performing general activities, or falls of 10 feet or more from ladders.

8.4.3 Definitions.

Anchor Point: A secure point of attachment for a lifeline, lanyards, or deceleration devices. An anchor point must be capable of supporting at least 5,000 pounds (3,600 pounds if engineered/certified by a qualified person) per person and must be independent of any anchorage being used to support or suspend platforms.

Authorized Person: A person approved or assigned by the Director/Manager/Supervisor to perform a specific type of duty or to be at a specific location or job site (e.g., building maintenance, roof repair.).

Competent Person: A person capable of identifying existing and predictable hazards in the surroundings or working conditions that could be hazardous or dangerous to employees or contractors. A person who has the authorization to take prompt corrective action to eliminate such hazards.

Connector: A device that is used to couple (connect) parts of the personal fall arrest system.

Deceleration Device: Any mechanism, including but not limited to a rope grab, rip-stitch lanyard, a specially woven lanyard, tearing or deforming lanyard, automatic self-retraction lifeline/lanyard, which serves to dissipate a substantial amount of energy during a fall arrest.

Deceleration Distance: The additional vertical distance a falling employee travels excluding lifeline elongation and free fall distance, before stopping, from the point at which the deceleration device begins to operate. It is measured at the distance between the location of the employee’s body harness attachment point at the moment of activation of the deceleration device during a fall, and the location of that attachment point after the employee comes to a full stop.

Free Fall: The act of falling before a personal fall arrest system begins to apply force to arrest the fall.

Free Fall Distance: The vertical displacement of the fall arrest attachment point on the employee’s body harness between the onset of the fall and just before the system begins to apply force to arrest the fall. Free fall-distance must not exceed six (6) feet. This distance excludes deceleration distance and lifeline/lanyard elongation distance.

Full Body Harness: Webbing/straps which are secured about the body in a manner that will distribute the fall arrest forces over the thighs, pelvis, waist, chest and shoulders. This harness includes the ability to attach it to other components of a personal fall arrest system, preferably at the shoulders and/or middle of the back.
**Guardrail System:** A barrier erected to prevent employees from falling to lower levels. This system includes a toe board, mid-rail, and top-rail able to withstand 200 pounds of force applied in any direction.

**Lanyard:** A flexible line of rope or strap that has self-locking snap-hook connectors at each end for connecting to a body harness, deceleration device, and anchor points.

**Leading Edge:** The edge of a floor, roof, or other walking/working surfaces, which change location as additional floor, roof, or other walking/working surface, is placed or constructed. A leading edge is considered an unprotected side or edge when not under active construction.

**Lifeline:** A component consisting of a flexible line for connection to an anchorage at one end to hang vertically (vertical lifeline) or for connection to anchorage at both ends to stretch horizontally (horizontally lifeline). This serves as a means for connecting other components of a personal fall arrest system to the anchorage.

**Personal Fall Arrest System:** A system used to arrest (catch) an employee in a fall from a working level. It consists of an anchorage location, connectors, and a body harness. It may also include a lanyard, deceleration device, lifeline, or any combination of the before-mentioned items.

**Qualified Person:** An individual, who by possession of a recognized degree, certificate, or professional standing or who by extensive knowledge, training, and experience, has successfully demonstrated his/her ability to resolve problems relating to the subject matter, work, or project.

**Rope Grab:** A deceleration device, which travels on a lifeline and automatically, by friction, engages the lifeline and locks to arrest the fall.

**Snap-hook:** A connector comprised of a hook-shaped member with a closed keeper which may be open to permit the hook to receive an object and, when released, automatically closes to retain the object. Snap-hooks must be self-closing with a self-locking keeper which remains closed and locked until unlocked and pressed open for connection or disconnection, thus preventing the opportunity for the object to roll out of the snap-hook.

**Toe Board:** A low protective barrier that will prevent the fall of materials and equipment to a lower level, usually four (4) inches or greater in height.

**Total Fall Distance:** The maximum vertical change in distance from the bottom of an individual’s feet at the onset of a fall to the position of the feet at the fall arrest. This includes the free fall distance and the deceleration distance.

**Unprotected Sides and Edges:** Any side or edge of a walking or working surface (e.g., floor, roof, ramp, and runway) where there is no guardrail at least 39 inches high.
8.4.4. Discussion.

8.4.4.1 Types of Fall Protection Systems.

1. An articulating man lift provided with a restraint system and full body harness to an anchor point below the waist (preferably at floor level).
2. Guardrail with a toe board, mid-rail and top-rail.
3. Personal fall arrest systems.
   a. Anchor points (rated at 5,000 pounds per person).
   b. Full body harness.
   c. Restraint lanyard.
   d. Retractable lanyard.
   e. Rope grabs.
4. Engineer lifelines.
5. Warning lines (signal).
7. Safety monitors systems.

8.4.4.2 Fall Protection Locations.

Fall protection is required wherever the potential exists to fall six (6) feet or more when involved in construction activities; four (4) feet when involved in general activities; and 10 feet when on a ladder. Examples include:

1. All flat and low sloped roof locations, when within six (6) feet of the roof edge or during roof repair/maintenance (4:12 pitch or less).
2. All exterior and interior equipment platforms, catwalks, antennas/towers, etc.
3. All exterior and interior fixed ladders above 20 feet.
4. All mezzanine and balcony edges.
5. All open excavations or pits (greater than four (4) feet).
6. All tasks requiring use of articulating man lifts.
7. All tasks requiring employees or contractors to lean outside the vertical rails of ladders (e.g., painting, stairwell light bulb replacement).
8. Scaffolding erection (ten (10) feet in height or greater).
9. Mezzanine/catwalk areas whenever an employee must step outside the catwalk; additional fall protection (e.g., six (6) foot lanyard to full body harness, self-retracting lanyard or rope grab system) must be used.
8.4.4.3 Fall Protection Guidelines.

1. **Engineered Controls**
   This should always be the first option selected whenever possible (e.g., light bulb, changing telescoping arm, changing valve, relocate at ground level) or utilizing a contractor in extremely hazardous areas.

2. **Guardrails**
   On all projects, only guardrails made from steel, wood, and/or wire rope are to be used. All guardrail systems must comply with WISHA standards, as now promulgated or hereinafter adopted, (i.e., contain a 42” high top-rail, a mid-rail and toe board that can withstand 200 pounds of force in any direction). These guardrails will be placed in the following areas if necessary or feasible based on job location or requirements:
   a. On all open sided floors.
   b. Around all open excavations or pits.
   c. On leading edges of roofs or mezzanines.

3. **Personal Fall Protection Systems**
   All authorized persons on any project who will be required to wear a personal fall arrest or restraint system must comply with the following.
   a. A fully body harness must be used at all times.
   b. Only shock absorbing lanyards or retractable lanyards may be used to keep impact forces at a minimum on the body.
   c. Only nylon rope or nylon straps with locking snap-hooks are to be used for restraints.
   d. All lanyards must have self-locking snap-hooks.
   e. The authorized person will inspect all personal arrest equipment once every year. Any deteriorated, bent, damaged or impacted equipment or harness showing excessive wear will be removed from service.

4. **Fall Distance**
   Consideration must be given to the total fall distance. The following factors can affect total fall distance:
   a. Length of connecting means (e.g., lanyard length, use of carabineers, snap-hooks).
   b. Position and height of anchorage relative to work platforms/area must be kept above the head whenever possible.
   c. Position of attachments and D-ring slide on the fully body harness.
   d. Deployment of shock absorber (maximum 42”)
   e. Movement in the lifeline.
   f. Initial position of worker before free fall occurs (e.g., sitting, standing, etc.).

5. **Calculating Total Fall Distance**
   The total fall distance is the total length of the shock absorbing lanyard + height of the person + the location distance at the end of the fall from the fall arrest point.
Authorized persons must always allow a minimum of six (6) feet of clearance above the ground, walking/working surfaces or equipment from the fall arrest point to the end of the fall.

6. **Engineered Lifeline**
   Lifeline systems must be designed and approved by an engineer or qualified person.

**8.4.5 Procedures.**

**8.4.5.1 Inspection of Fall Protection Systems.**

Fall Protection Systems will be maintained in good working conditions through regular inspections.

1. **Full Body Harness**
   a. Employee shall inspect before each use:
      i. Closely examine all of the nylon webbing to ensure there are no burn marks which could weaken the material.
      ii. Verify there are no torn, frayed, or broken fibers; pulled stitches; or frayed edges anywhere on the harness.
      iii. Examine the D-ring for excessive wear, pits, deterioration, or cracks.
      iv. Verify that the buckles operate correctly and are not deformed or cracked.
      v. Verify that additional punch holes have not been added.
      vi. All rivets should be tight and not deformed.
      vii. Check tongue/straps for excessive wear from repeated buckling.
   b. A competent person will complete and document an annual inspection of all harnesses. (See Appendix 1).
   c. Storage will consist of hanging the harness in an enclosed cabinet/shop to protect from damage and/or weathering.
   d. The competent person will inspect all harnesses that are involved in a fall. A determination will then be made as to whether to destroy the harness or to reuse the harness.

2. **Lanyards/Shock Absorbing Lanyards**
   a. Employee shall inspect before each use.
      i. Check lanyard material for cuts, burns, abrasions, kinks, knots, broken stitches, and excessive wear.
      ii. Inspect the snap-hook for deterioration in the hook, locks, and eye.
      iii. Ensure that all locking mechanisms seat and lock properly.
      iv. Verify once locked, locking mechanism prevents hook from opening.
      v. Visually inspect shock absorbing for any signs of damage, paying close attention to where the shock absorber attaches to the lanyard.
      vi. Verify that points where the lanyard attaches to the snap-hooks are free of defects.
b. A competent person will complete and documents an annual inspection of all lanyards. (See Appendix 2).
c. Storage will consist of hanging the lanyards in an enclosed cabinet and/or shop to protect from damage or weathering.
d. All lanyard involved in a fall will be destroyed.

3. Snap-hooks
   a. Employee shall inspect before each use.
      i. Inspect snap-hook for any hook and eye distortions.
      ii. Verify there are no cracks or pitted surfaces.
      iii. Verify the keeper latch is not be bent, distorted, or obstructed.
      iv. Verify that the keeper latch seats into the nose without binding.
      v. Verify that the keeper spring securely closes the keeper latch.
      vi. Test the locking mechanism to verify that the keeper latch locks properly.
   b. A competent person will complete an annual inspection of all snap-hooks. (See Appendix 3).
   c. All snap-hook involved in a fall will be destroyed.

4. Self-Retracting Lanyards/Lifelines
   a. Employee shall inspect before each use.
      i. Visually to ensure there is no physical damage.
      ii. Make sure all nuts and rivets are tight.
      iii. Ensure the entire length of the nylon strap/wire rope is free from any cuts, burns, abrasions, kinks, knots, broken stitches/strands and excessive wear, and retracts freely.
      iv. Test the unit by pulling sharply on the lanyard/life line to verify that the locking mechanism is operating correctly.
   b. A competent person will conduct and document a pre-use inspection of all self-retracting lanyards/lifelines. (See Appendix 4).
   c. Service per manufacturer specifications (1-2 years).
   d. Inspect for proper function after every fall. Any lanyard showing excessive wear or damage will be destroyed.

5. Tie-Off Adapters/Anchorages
   a. Employees shall inspect for integrity and attachment to solid surface.
   b. A competent person will complete and document an annual inspection.
   c. All tie-offs and/or anchorages involved in a fall will be destroyed.

6. Articulating Man Lift/Boom Lifts
   a. Employees shall inspect/service per manufacturer’s guidelines before use: forklift, scissor lifts, forklift basket, and safety nets.
   b. A competent person will complete and document an annual inspection of the aforementioned equipment.
7. **Horizontal Lifelines**
   a. Employees shall inspect before each use for structural integrity of line and anchors.
   b. A competent person will complete and document an annual inspection.

8. **Guardrails**
   a. Temporary – on a daily basis, a visual inspection will be completed by a competent person.
   b. Temporary systems – on a weekly basis, a complete structural inspection will be completed by a competent person.
   c. Permanent systems – annual structural inspections will be completed and documented by a competent person. Additional inspections may be required based on conditions/controls present.

**8.4.5.2 Storage and Maintenance of Fall Protection Equipment.**

1. Hang equipment in a cool, dry location in a manner that retains its shape.
2. Clean with mild, nonabrasive soap and hang dry.
3. Never use this equipment for any purpose other than personal fall arrest.
4. Once exposed to a fall, remove equipment from service immediately, until a competent person has inspected and had the equipment repaired, according to the manufactures specifications.

**8.4.5.3 Training.**

Supervisor/Risk Manager/Safety Coordinators will ensure that all employees engaged in fall protection will be trained annually and have knowledge to:

1. Recognize the fall hazard of/on their jobs.
2. Understand the hazards associated with working near fall hazards.
3. Work safety in hazardous areas by utilizing appropriate fall protection measures.
4. Understand and follow all components of this fall protection program.
5. Identify and understand the enforceable WISHA standards and American National Standards Institute (ANSI) standards that pertain to fall projection.

**8.4.5.4 Rescue Procedures.**

1. Rescue Methods/Options of Fallen Person
   In the event that a fall arrest occurs on-site, personnel with an articulating man lift, bucket truck, or ladders, will rescue employees when feasible. Emergency services should be immediately contacted for alternative rescue.
2. Communication Issue
   In the event of a fall, the following people will be notified as soon as possible:
a. Rescue personnel (Emergency services 911 if needed)
b. Director/Manager/Supervisor
c. Risk Manager

8.4.5.5 **Fall Investigation.**

The following documentation will be completed as part of the fall investigation:
   a. Interview with staff and witnesses.
   b. Cowlitz County Accident/Injury/Near Miss Report.

8.4.5.6 **Contractors.**

All contractors will be required to follow the Cowlitz County Fall Protection Policy or demonstrate that their own procedures meet WISHA standards.
# Full Body Harness
## Annual Inspection Checklist

<table>
<thead>
<tr>
<th>General Factors</th>
<th>Accepted/Rejected</th>
<th>Supportive Details/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1) Hardware:</strong> Includes D-Rings, buckles, keepers and back pads. Inspect for damage, distortion, sharp edges, burrs, cracks and corrosion.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>2) Webbing:</strong> Inspected for cuts, burns, tears, abrasions, frays, excessive soiling and discoloration.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>3) Stitching:</strong> Inspect for pulled stitches.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>4) Labels:</strong> Inspect, making certain all labels are securely held in place and are legible.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>5) Other:</strong></td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>6) Other:</strong></td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>7) Corrective Action Taken:</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Competent Person Signature:**

**Date Inspected:**
# Lanyards

**Annual Inspection Checklist**

<table>
<thead>
<tr>
<th>General Factors</th>
<th>Accepted/Rejected</th>
<th>Supportive Details/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) <strong>Hardware</strong>: Includes snap-hooks, carabiners, adjusters, keepers, thimbles, and D-rings. Inspect for damage, distortion, sharp edges, burrs, crack, corrosion and proper operation.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>2) <strong>Webbing</strong>: Inspected for cuts, burns, tears, abrasions, frays, excessive soiling and discoloration.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>3) <strong>Stitching</strong>: Inspect for pulled stitches.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>4) <strong>Labels</strong>: Inspect, making certain all labels are securely held in place and are legible.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>5) <strong>Synthetic Rope</strong>: Inspect for pulled or cut Yarns, burns, abrasions, knots, excessive soiling and discoloration.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>6) <strong>Energy Absorbing component</strong>: Inspect, making certain all labels are securely held in place and are legible</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>7) <strong>Corrective Action Taken</strong>: Competent Person Signature:</td>
<td></td>
<td>Date Inspected</td>
</tr>
</tbody>
</table>
# Appendix 3

**Snap-hooks/Carabineers**

**Annual Inspection Checklist**

## Harness Model/Name: ________________________________

## Serial Number: ___________________________Shop /Vehicle Location______________________

## Date of Manufacture: _______________________ Date of Purchase ___________________

<table>
<thead>
<tr>
<th>General Factors</th>
<th>Accepted/Rejected</th>
<th>Supportive Details/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1) Physical Damage:</strong> Inspect for cracks, sharp edges, burrs, deformities, and locking mechanism operations.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>2) Excessive Corrosion:</strong> Inspect for corrosion, which affects the operation and/or the strength.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>3) Stitching:</strong> Inspect for pulled stitches.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>4) Markings:</strong> Inspect and make certain markings(s) are legible.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>5) Other:</strong></td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>6) Other:</strong></td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td><strong>7) Corrective Action Taken:</strong></td>
<td>Competent Person Signature:</td>
<td>Date Inspected</td>
</tr>
</tbody>
</table>
## Self-Retracting Lanyard/Lifeline Annual Inspection Checklist

### Harness Model/Name: ______________________________________________________

### Serial Number: _______________________ Shop /Vehicle Location_______________

### Date of Manufacture: _______________________ Date of Purchase ___________________

<table>
<thead>
<tr>
<th>General Factors</th>
<th>Accepted/Rejected</th>
<th>Supportive Details/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) <strong>Impact Indicator</strong>: Inspect indicator for activation (rupture of red stitching, elongated indicator, etc.).</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>2) <strong>Screws/Fasteners</strong>: Inspect for damage and make certain all screws and fasteners are tight.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>3) <strong>Housing</strong>: Inspect for distortion, cracks and other damage. Inspect anchoring loop for distortion or damage.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>4) <strong>Lanyard/Lifeline</strong>: Inspect for cuts, burns, tears, abrasion, frays, excessive soiling and discoloration.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>5) <strong>Locking Action</strong>: Inspect for proper lock-up of brake mechanism.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>6) <strong>Retraction/Extension</strong>: Inspect spring tension by pulling lanyard out fully and allowing to retract fully (lifeline must be taut with no slack).</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>7) <strong>Labels</strong>: Inspect, making certain all labels are securely held in place and are legible.</td>
<td>Accepted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rejected</td>
<td></td>
</tr>
<tr>
<td>8) <strong>Corrective Action Taken</strong>:</td>
<td>Competent Person Signature:</td>
<td>Date Inspected</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Appendix 4**
8.5  HEAT RELATED ILLNESS (HRI)

8.5.1  Policy.

It is the policy of Cowlitz County to establish a safe and healthy work environment for employees.

In accordance with Washington Administrative Code (WAC) 296-62-09510 through 296-62-09560 Cowlitz County has developed a heat related illness policy to ensure that its supervisors implement and employees observe workplace practices designed to reduce or eliminate the risks of Heat Related Illness (HRI) resulting from outdoor exposure to temperature, humidity and other environmental factors.

8.5.2  Applicability.

This policy applies to all employees who are assigned duties outdoors from May 1 through September 30 annually and are exposed to heat in conditions described herein at or above the following temperatures:

a. Employees for more than 15 minutes in a temperature of 89 degrees Fahrenheit or greater.

b. Employees wearing double-layer woven clothes in temperatures of 77 degrees Fahrenheit or greater.

c. Employees wearing non-breathing clothes including vapor barrier clothing or chemical resistant suits in temperatures of 52 degrees Fahrenheit or greater.

This policy does not apply to employees who have an incidental exposure to environmental heat by occasionally stepping outside of air-conditioned facilities or vehicles.

8.5.3  Definitions.

Acclimatization: Means the body’s temporary adaptation to work in heat that occurs as a person is exposed to it over time.

Double-Layer Woven Clothing: Means clothing worn in two layers allowing air to reach the skin. For example, coveralls, jackets and sweatshirts would be considered double-layer clothing.

Drinking Water: Means potable water that is suitable to drink. Drinking water packaged as a consumer product and electrolyte-replenishing beverages (i.e., sports drinks) that do not contain caffeine are acceptable.

Engineering Controls: Means the use of devices to reduce exposure and aid cooling (i.e. air conditioning).

Environmental Risk Factors for HRI: Means working conditions that create the possibility that heat illness could occur, including air temperature, relative humidity, radiant heat from the sun and other sources, conductive heat sources such as the ground, air movement, workload severity
and duration, protective clothing and personal protective equipment worn by employees. These conditions will be considered when determining what control measures are necessary to reduce the potential for HRI.

**Heat Related Illness (HRI):** Means a serious medical condition resulting from the body’s inability to cope with a particular heat load, and includes heat cramps, heat exhaustion, heat syncope and heat stroke.

**Heat Cramps:** Means painful muscle spasms in the abdomen, arms, or legs following strenuous activity. Heat cramps are often caused by a lack of salt in the body. People who sweat a lot during strenuous activity may experience heat cramps because sweating depletes the body’s salt and moisture. Heat cramps may also be a symptom of heat exhaustion.

**Heat Exhaustion:** Means overexposure to sunlight or another heat source that results in dehydration and salt depletion, also known as heat prostration. Symptoms include severe headaches, weakness, dizziness, blurred vision and sometimes unconsciousness. Body temperature is not elevated as in heat stroke. The condition is usually temporary and rarely fatal if replacement fluids are provided.

**Heat Syncope:** Means sudden dizziness, feeling faint and sometimes fainting experienced after exercising in the heat. Symptoms include pale and sweaty skin, weak pulse, rapid heart rate and normal body temperature.

**Heat Stroke:** Means the body temperature rises rapidly, the sweating mechanism fails and the body is unable to cool down. Heat stroke can cause death or permanent disability if emergency treatment is not given. Symptoms include red, hot and dry skin with no sweating, rapid, strong pulse, throbbing headache, dizziness, nausea, confusion or unconsciousness.

**Outdoors:** Means an environment where work activities are conducted away from structures. Work environments such as inside vehicle cabs, sheds and tents or other structures may be considered an outdoor environment if the environmental factors affecting temperature are not managed by engineering controls.

**Personal Risk Factors for HRI:** Means factors such as an individual’s age, degree of acclimatization, health, water consumption, caffeine consumption, and use of prescription medications that affect the body’s water retention and other physiological responses to heat.

**Shade:** Means blockage of direct sunlight. Canopies, umbrellas and other temporary structures or devices are recommended to provide shade if none is readily available at the worksite.

**Vapor Barrier Clothing:** Means clothing that significantly inhibits or completely prevents sweat produced by the body from evaporating into the outside air. Such clothing includes encapsulating suits, various forms of chemical resistant suits and other forms of non-breathing clothing.
8.5.4 Procedures.

8.5.4.1 Supervisor Responsibilities.

Supervisors shall have the following responsibilities for employees they supervise:

a. Provide training regarding HRI and its prevention to all employees who may be exposed to HRI hazards. Employee training will cover the following topics:
   1. The environmental factors that contribute to the risk of HRI.
   2. Awareness of personal factors that may increase susceptibility to HRI.
   3. Procedures for identifying, evaluating and controlling exposure.
   4. The importance of removing personal protective equipment during all breaks.
   5. The importance of frequent consumption of small quantities of water. One quart or more over the course of an hour may be necessary when the work environment is hot and employees may be sweating more than usual in the performance of their duties.
   6. The importance of acclimatization.
   7. The different types of heat-related illness and the common signs and symptoms of HRI
   8. The importance of immediately reporting to the supervisor, signs and/or symptoms of HRI in themselves, or in others.
   9. Procedures for responding to the symptoms of possible HRI, including how emergency medical services will be provided should they become necessary.

b. Ensure safe drinking water is provided for employees working in locations where they cannot readily access water.

c. Encourage employees to drink at least one quart of water each hour. Water containers will be refilled when necessary. Drinking water and containers will comply with WAC 296-800-23005.

d. Encourage employees to frequently consume water or other acceptable beverages to ensure hydration.

e. Ensure shade producing devices are available prior to starting the work shift.

8.5.4.2 Employee Responsibilities.

Employees will:

a. Participate in training.

b. Stay hydrated.

c. Remove personal protective gear during breaks when weather dictates.

d. Immediately report any symptoms of HRI to the supervisor.

8.5.4.3 Supervisor Training.

Risk Management will provide training to Supervisors.
a. Training must be provided prior to outdoor work assignments presenting HRI hazards and at least annually thereafter.

b. Supervisors must have training on the following topics:
   1. Identification and evaluation of temperature, humidity and other environmental factors associated with HRI.
   2. Provisions to prevent, control and correct hazards associated with HRI.
   3. Procedures to follow when an employee exhibits signs or symptoms consistent with possible HRI, including emergency response procedures.
   4. Procedures for moving employees to a place where they can be reached by an emergency medical service provider if necessary.
   5. Process to provide clear and precise directions to an emergency medical provider who needs to find the work site.

8.5.4.4 Employee Training.
Supervisors will ensure that their employees attend training.

a. Information on the following topics will be provided to all employees who may be exposed to an HRI hazard.
   1. The purpose and requirements of the state regulation for controlling HRI.
   2. The environmental factors that contribute to the risk of HRI.
   3. Awareness of personal factors that may increase susceptibility to HRI.
   4. The county’s procedures for identifying, evaluating and controlling exposure.
   5. The importance of removing personal protective equipment during all breaks.
   6. The importance of frequent consumption of small quantities of water. One quart or more over the course of an hour may be necessary when the work environment is hot and employees may be sweating more than usual in the performance of their duties.
   7. The importance of acclimatization to the environment.
   8. The different types of HRI and the common signs and symptoms of HRI.
   9. The importance of immediately reporting to the supervisor any symptoms of HRI including how emergency medical services will be provided should they become necessary.

8.5.4.5 Responding to Signs and Symptoms of HRI.

a. Employees showing signs or symptoms of HRI must be relieved from duty and provided with sufficient means to reduce body temperature. Examples include, shaded rest areas or temperature controlled environments such as air-conditioning.

b. A supervisor must carefully evaluate employees who show signs or symptoms of HRI to determine the need for medical attention.

c. The supervisor will immediately call for advanced medical aid if symptoms are pronounced or are persistent.

d. An employee who has shown signs or symptoms of HRI must be fully recovered before the employee is allowed to return to work. If advanced medical aid was necessary a medical doctor’s release will be required before the employee may return to work.
8.5.4.6 First Aid for Signs and Symptoms of HRI.

1. Supervisors and employees must be able to recognize the signs and/or symptoms listed below and take immediate steps to minimize, reduce or prevent worsening of the illness.

   a. **Heat cramps:**
      1. **Signs:** Heavy sweating, moist and cool skin, pulse is normal or slightly raised, body temperature is mostly normal.
      2. **Symptoms:** Painful muscle spasms in the abdomen, arms, or legs following strenuous activity.
      3. **First Aid:**
         a. If victim has heart problems or is on a low sodium diet, get medical attention for heat cramps. If medical attention is not necessary, take the following steps:
         b. Stop all activity and sit quietly in a cool place.
         c. Remove heavy clothing or safety equipment.
         d. Drink clear juice or a sports beverage.
         e. Do not return to strenuous activity for an hour after the cramps subside, further exertion may lead to heat exhaustion.
         f. Seek medical attention if heat cramps do not subside within 1 hour.

   b. **Heat Exhaustion:**
      1. **Signs:** Heavy sweating, heavy thirst, panting or rapid breathing, rapid pulse.
      2. **Symptoms:** Severe headaches, weakness, dizziness, blurred vision and sometimes unconsciousness. Body temperature is not elevated as in heat stroke.
      3. **First Aid:**
         a. Move victim to a cool shaded area, do not leave them alone.
         b. Remove heavy clothing or safety equipment.
         c. Provide cool fluids to drink (about one cup every 15 minutes) only if victim is alert.
         d. Fan the victim and sponge skin with cool water.
         e. Call 9-1-1 if they do not feel better in a few minutes.

   c. **Heat Syncope:**
      1. **Signs:** Excessive sweating, fatigue, vomiting, fainting, skin appears pale and sweaty but usually moist and cool, pulse may be weakened, heart rate is usually rapid, body temperature normal.
      2. **Symptoms:** Sudden dizziness, feeling faint, dry mouth, excessive thirst, headache and nausea.
      3. **First Aid:**
         a. Move victim to cool shaded area, do not leave them alone.
         b. Remove heavy clothing or safety equipment.
         c. Keep victim lying down with feet elevated.
         d. Fan the victim and sponge skin with cool water.
e. Provide cool fluids to drink, only if the victim is alert.

d. **Heat Stroke:**
   1. **Signs:** Red, hot, and dry skin with no sweating, fever over 104 degrees Fahrenheit, rapid, strong pulse, vomiting, difficulty speaking and walking, difficulty breathing, convulsions, confusion and collapse.
   2. **Symptoms:** Throbbing headache, dizziness, nausea, weakness or fatigue, unconsciousness, irritability, hallucinations.
   3. **First Aid:**
      a. Call 9-1-1 and get medical attention immediately.
      b. Move victim to cool shaded area, do not leave them alone.
      c. Remove heavy clothing or safety equipment.
      d. Keep victim lying down with feet elevated.
      e. Fan the victim and sponge skin with cool water.
      f. Provide cool fluids to drink, only if the victim is alert.

(Res. 09-097, 6-16-09)

**8.6 INDEMNIFICATION AND DEFENSE POLICY**

**8.6.1 Policy.**

This Policy establishes a coordinated program for the processing, handling, and disposition of claims and lawsuits filed or brought against the County and/or its past and present officers and employees. The Policy also establishes conditions under which the County will defend, protect, and indemnify its past and present employees who, as a result of the good faith performance of their duties as County employees, are the subject of complaints or investigations, or against whom any action, claim or proceeding is instituted arising out of the performance, purported performance, or failure of performance of those duties. The intent is to hold such individuals harmless from any expenses connected with the defense, settlement or monetary judgments from such actions, claims or proceedings, excluding punitive damages that may be awarded. This policy also sets out the duties and responsibilities of County employees in order for this protection to apply.

**8.6.1.1 Defense of County Officials and Employees.**

Cowlitz County will defend, protect, hold personally harmless and indemnify present and former County officials, employees and volunteers from any action, claim or proceeding instituted against them arising out of the performance, purported performance, or failure of performance of duties for, or employment with the County.

This policy is adopted pursuant to the provisions of R.C.W. 4.96.041 and RCW 36.16.138 and shall comply with any other statutory requirements.
The County will also provide defense for its past and present professional employees who, as a result of their good-faith performance of lawful County business, are made the subject of complaints to or investigations by professional oversight entities and the County will pay any resulting monetary sanctions imposed, excluding punitive damages.

The provision of defense and payment of monetary judgments is contingent upon full cooperation of the employee, official or volunteer in accordance with this policy.

8.6.1.2 Definitions.

A. Claim: A formal demand for monetary compensation as a result of injury or damages allegedly caused by the County, its officers, employees or agents.
B. Claims Lawsuit: A lawsuit alleging that the County and/or its officers or employees, while acting within the scope of their official duties, have caused injury or damages to the plaintiff, and seeking redress.
C. County: Cowlitz County, a municipal corporation of the State of Washington.
D. Employees: the paid staff and workforce of Cowlitz County, whether regular full time, regular part time, seasonal or temporary.
E. Officers: any elected official or department head appointed by the Board of Commissioners to manage, direct and control a specific County Department.
F. Professional Employee: Employees of Cowlitz County devoting a substantial portion of time while performing duties on behalf of the County engaged in an occupation requiring advanced study and specialized training, degrees, licensure or certification.
G. Professional Oversight Entities: Regulatory authorities, including but not limited to the Washington State Bar Association, the Washington State Commission on Judicial Conduct and the Washington State Board of Registration for Professional Engineers and Land Surveyors, that have the power to investigate, discipline, or sanction, or institute disciplinary proceedings with respect to the members of a profession.
H. Regulatory Agencies: Bodies, including but not limited to, Washington Department of Ecology, Environmental Protection Agency, United States Occupational, Safety and Health Administration (OSHA), and the State of Washington Department of Labor and Industries and the Washington Industrial Safety and Health Act (WISHA).
I. Risk Management: A division of the Office of Administrative Services of Cowlitz County Government that manages a program for the identification, control, and financing of risk and exposure to loss.
J. Risk Management Committee: A group of County officials consisting the of Chief Civil Deputy Prosecutor, Director of the Office of Financial Management and the Risk Manager.
K. Volunteer: Any person working under the direction of the County and for the benefit of Cowlitz County without compensation.
8.6.2 Procedures.

8.6.2.1 Risk Management Committee.

The Board of Commissioners hereby establishes a Risk Management Committee to be organized as described herein and to fulfill the responsibilities assigned to it according to this policy.

A. A Risk Management Committee shall be composed of the following three members:
   1. The Director of the Office of Financial Management, who shall chair the Committee.
   2. The Chief Civil Deputy or appointed representative of the Cowlitz County Prosecuting Attorney’s Office.
   3. The Risk Manager.
   4. In the event that any one or more of the members shall be unable to serve or has a conflict of interest in any particular matter assigned to the Risk Management Committee, the Board of Commissioners shall appoint another Elected Official or Department Head to serve in place of such Committee member.

B. The Risk Management Committee shall have primary responsibility for coordination of the handling and disposition of Claims and Claims Lawsuits. The Committee shall investigate all such Claims and Claims Lawsuits. Where a Claims Lawsuit alleges a claim against a current or former County officer, employee or volunteer, the Committee shall make a determination whether the action arose from acts or omissions while acting in good faith and within the scope of such individual's official County duties, entitling the officer, employee or volunteer to defense at County expense. The Committee's determination shall be in writing and sent to the County officer or employee and the Board of County Commissioners. If a defense at County expense has been denied, the officer or employee shall have five days from the date of the Committee's determination to file a written appeal with the Board of County Commissioners. The Committee shall also make recommendations to the Board of Commissioners as to whether the employee shall be defended by a Deputy Prosecuting Attorney or outside counsel.

C. The Risk Management Committee shall in addition be the primary mechanism by which the County’s financial and legal managers coordinate the handling and, where appropriate under the terms of this Policy, defense of complaints to or investigations by Professional Oversight Entities and Regulatory Agencies relating to Professional Employees. The Committee shall investigate such complaints and make recommendation to the Board of Commissioners as to whether a Professional Employee is entitled to defense at County expense. The Committee shall also recommend to the Board of Commissioners as to whether any such complaint should be defended by a Deputy Prosecuting Attorney or outside counsel.

D. The Risk Management Committee shall have authority to settle Claims and Claim Lawsuits with a monetary value not exceeding Fifty Thousand dollars ($50,000.00).

E. The Committee shall meet at a regularly scheduled monthly meeting. In the event that there is no business to transact, a meeting may be canceled by giving notice to the members. Any member of the Committee may call a special meeting by giving twenty-four hours advance written notice to the remaining members. Such notice shall specify
the time, place, and purpose of the special meeting. All decisions of the Committee with respect to provision of defense or settlement of Claims and Claim Lawsuits shall require the unanimous agreement of all members. Any item with respect to which the Committee is unable to reach unanimous agreement shall be referred to the Board of County Commissioners for action.

F. An insurance carrier claims representative may also attend the Risk Management Committee meeting, but will not be a voting member.

G. The Risk Management Committee will provide regular reports to the Board of Commissioners concerning its activities.

8.6.2.2 Risk Management Program and Records.

A. The County shall maintain a Risk Management program that seeks to minimize financial loss through the identification, mitigation and/or transfer of risks that face the County.

B. The Risk Manager shall make periodic recommendations to the Risk Management Committee concerning insurance coverage, self-insurance, deductibles, loss prevention, and other techniques for the sound management of risk.

C. The Risk Manager shall develop and recommend to the Director of the Office of Financial Management programs for the reduction of risk and exposure to loss and shall be responsible to implement such programs as may be approved by the Director or the Board of Commissioners.

D. Insurance Information From Contractors and Third-Parties. The Risk Manager shall maintain records of all insurance policies in which the County is a named insured, including all riders and endorsements. The Risk Manager shall prepare and maintain a synopsis of all insurance policies, which shall include a description of the project and/or department requiring the insurance, the type of insurance, name of the insuring company, policy term, coverage limit, deductible, premium and the name, address and telephone number of the carrier’s agent.

E. Records. The Risk Manager shall maintain complete and accurate records regarding insurance purchased by the County for liability, property, error and omissions coverage, bonds, workers’ compensation, and any other insurance that may from time-to-time be purchased by the County.

The Risk Manager will also maintain complete and accurate records regarding Claims and Claim Lawsuits filed against the County, including disposition of the same; and complaints to or investigations of County Professional Employees by Professional Oversight Entities and Regulatory Agencies.

The Risk Manager shall maintain complete and accurate records regarding financial losses, accidents or incidents that may result or do result in liability on the part of the County.

The Risk Manager shall maintain a complete and accurate inventory of all property in which the County has an insurable interest. The Risk Manager may also use the records maintained by the County Auditor for this purpose.
Such records shall be maintained in a manner that allows statistical analysis of losses.

8.6.2.3 Claims Processing Procedure.

Claims against the County must be handled in accordance with R.C.W. 4.96.

A. Filing claims. Claims against the County or County officials must be filed with the Clerk of the Board of County Commissioners who shall note the date and time of filing on the face of the Claim.

B. Transmittal of claims. As soon as practicable upon the receipt of a Claim, the Clerk of the Board of County Commissioners shall transmit copies of the Claim to the following:

1. The County Auditor
2. Commissioners’ Record
3. Prosecuting Attorney
4. Director of the Office of Financial Management
5. Risk Manager
6. The Department affected by the Claim

C. Upon receipt of the Claim the Risk Manager shall conduct an investigation into the merits of the claim or assign the investigation to an outside person or entity. All investigations, whether conducted internally or by an outside person or entity, shall be conducted in anticipation of litigation and treated as Attorney work product and a privileged Attorney-client communication.

D. Upon receipt of a Claim, the Risk Manager shall immediately notify any insurance carrier whose policy may provide coverage.

E. The Risk Management Committee shall review the Claim at its next meeting.

F. Settlement Authority and Disposition of Claims.

1. The Board of Commissioners hereby delegates to the Risk Manager authority to settle claims with a monetary value of less than Fifteen Thousand Dollars ($15,000.00).
2. The Board of Commissioners hereby delegates to the Risk Management Committee authority to settle claims with a monetary value of less than Fifty Thousand Dollars ($50,000.00).
3. The Risk Management Committee shall refer all claims in excess of Fifty Thousand Dollars ($50,000.00) to the Board of County Commissioners together with a recommendation for disposition of the claim.

8.6.2.4 Claims Lawsuits Processing Procedures.

Lawsuits filed against the County or County officials will be handled in accordance with the following procedures:
A. Service of process for Claims Lawsuits shall be upon the County Auditor pursuant to RCW 4.28.080.
B. Transmittal by Auditor. Immediately upon receipt of a Claims Lawsuit the Auditor shall transmit a copy to the Clerk of Board of County Commissioners.
C. Distribution by the Clerk of the Board of County Commissioners. Immediately upon receipt of a Claims Lawsuit from the Auditor, the Clerk of the Board of County Commissioners shall distribute copies of all papers involving the Claims Lawsuit to the following:

1. Commissioners Record.
2. Prosecuting Attorney.
3. Director of the Office of Financial Management
4. Risk Manager.
5. The Department affected by the Claims Lawsuit.

Along with the copies distributed, the Clerk of the Board of County Commissioners shall attach a transmittal note indicating who was originally served with the Claims Lawsuit, and the date and time of such service.

D. Upon receipt of the Claims Lawsuit, the Risk Manager shall create a file. In anticipation of trial, the Risk Manager shall assist the assigned Deputy Prosecuting Attorney or outside counsel to investigate and prepare for trial.
E. Upon receipt of the Claims Lawsuit, the Risk Manager shall tender defense of the suit to any insurance carrier whose insurance policy may provide coverage. Claims Lawsuits for which the County has insurance coverage shall be disposed of pursuant to the terms of the contract of insurance. The Risk Manager shall work cooperatively with the insurance carrier, their agent or Attorney and the Chief Civil Deputy Prosecuting Attorney during the investigation, trial preparation and at the trial.
F. Upon receipt of the Claims Lawsuit, the Chief Civil Deputy Prosecuting Attorney shall create a file and shall file a notice of appearance.
G. The Chief Civil Deputy Prosecuting Attorney shall have primary responsibility for the Claims Lawsuits assigned by the Risk Management Committee.
H. The Chief Civil Deputy Prosecuting Attorney, or outside counsel if assigned, shall produce an initial written claims analysis and status reports at least quarterly thereafter or as requested.
I. The Risk Management Committee shall review the lawsuit at its next meeting following receipt of the Claims Lawsuit. The Committee may establish initial reserves for each suit and take whatever other action it deems proper.
J. The Risk Management Committee shall assign the defense of Claims Lawsuits to the Prosecuting Attorney or, upon approval of the Prosecuting Attorney, to outside counsel.

K. The Attorneys defending a Claims Lawsuit shall report the progress and significant developments to the Risk Management Committee as the Committee may from time to time require.
L. The Board of Commissioners hereby delegates to the Risk Management Committee authority to settle a Claims Lawsuit when monetary damages are less than Fifty
Thousand Dollars ($50,000.00). The Risk Management Committee shall obtain settlement authority from the Cowlitz County Board of Commissioners to settle Claims Lawsuits when monetary damages are more than Fifty Thousand Dollars ($50,000.00).

8.6.2.5 Defense of County Officials, Employees and Volunteers – Procedure.

The following procedure shall be used when a County officer, employee or volunteer becomes the subject of any action, claim or proceeding instituted against them arising out of acts or omissions while acting in good faith and within the scope of their official County duties.

A. Upon receipt of a summons and complaint with respect to a Claims Lawsuit, or notice of a complaint, action, proceeding or investigation by a Professional Oversight Entity, a past or present County official or employee who desires that the County provide legal defense and who seeks to be held harmless from any expenses connected with such Lawsuit, action, or proceeding, shall immediately make written application the Risk Management Committee requesting the defense be handled at County expense.

B. Upon receipt of an application for defense, the Risk Management Committee shall review the application at its next meeting, determine if defense should be provided at County expense, establish initial reserves for the case, investigate and take whatever other action it deems proper. The employee will be notified in writing of the Committee's decision.

C. Upon receipt of an application for defense, the Risk Manager shall immediately notify any insurance carrier or Risk Pool whose insurance policy may provide coverage.

D. If the Risk Management Committee determines that an action arises out of acts or omissions while acting in good faith and within the scope of the applicant's official County duties or during the conduct of lawful County business by the County official or employee, the County shall provide a defense. If the Committee approves a defense, the Committee will assign the matter a Deputy Prosecuting Attorney or outside counsel in accordance with applicable laws. The Committee may transfer the defense to outside counsel at any time when, in its judgment and with the concurrence of the Prosecuting Attorney, such transfer would be in the best interests of the County.

E. If the Risk Management Committee cannot determine if the actions alleged by the suit, complaint or investigation relate to the good-faith performance or failure of performance of duties within the scope of employment or lawful County business by the County official or employee, the County may provide a defense and/or pay a judgment, sanction or settlement provisionally. A determination by a court that the County official or employee was not acting in good-faith in the performance of lawful County business will result in withdrawal of any defense and indemnification that was provided by Cowlitz County.

F. With respect to any complaint against a Professional Employee or investigation instituted by a Professional Oversight Entity where the County has accepted responsibility to defend, the Risk Management Committee shall report its determination and recommendations for disposition to the Board of County Commissioners. The Professional Employee subject to such complaint or investigation and his/her supervisor shall have the right to provide a recommendation for disposition of the matter to the Board. The County Commissioners shall have sole authority to dispose of and/or settle a complaint against or investigation of a Professional Employee so long as a defense is
provided by the County, PROVIDED that where any such Professional Employee disagrees with the proposed disposition of the County Commissioners he/she shall retain the right to decline further defense at County expense.

8.6.2.6 Duties of County Officials and Employees.

A. All County officials and employees shall cooperate with the Risk Manager, Risk Management Committee, Chief Civil Deputy Prosecuting Attorney and assigned outside counsel in defending Claims, Claims Lawsuits, and proceedings and investigations by Professional Oversight Entities or Regulatory Agencies. Cooperation will include, but not be limited to the following:
   1. Providing information, testimony, exhibits and documents in a timely manner in preparation for defense of litigation by the County.
   2. Providing information that will assist in the implementation and/or operation of approved Risk Management programs.
   3. Issuing directives to subordinate officers or employees necessary to implement approved Risk Management Programs.
   4. Designating a department representative to assist the Chief Civil Deputy Prosecuting Attorney during discovery and preparations for trial in claims lawsuits.
   5. Reporting accidents and incidents immediately to Risk Management, including such incidents as may result in the filing of a Claim or Claims Lawsuit, or the initiation of an inquiry or investigation by a Professional Oversight Entity or Regulatory Agency.

B. Prohibited Acts. No County official or employee shall do any of the following without the prior authorization of the Risk Manager, Chief Civil Deputy Prosecuting Attorney, insurance carriers, Washington County Risk Pool, or assigned outside legal counsel.
   1. Encourage the filing of a Claim, action, proceeding or Claims Lawsuit against the County.
   2. Attempt to settle a Claim, action, proceeding, or Claims Lawsuit, or an investigation by a Professional Oversight Entity or Regulatory Agency with respect to a Professional Employee who is being defended by the County or promise payment of any kind.
   3. Make an admission of liability involving a Claim, a Claims Lawsuit or a complaint to or investigation by a Professional Oversight Entity or a Regulatory Agency.

C. Failure of a County Official or employee to cooperate during an investigation or trial or willful violation of these duties may result in the withdrawal of defense, a claim for reimbursement of costs of defense and any settlement or monetary damages paid on behalf of an official or employee. Failure to comply with these duties and this policy may also result in disciplinary action, up to and including termination.

(Res. 04-085, 5-4-04)
8.7 CLARIFYING INDEMNIFICATION AND DEFENSE POLICY

8.7.1 *Policy.*

Pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Cowlitz County has the care of County property and the management of County funds and business; and

the provisions of RCW 36.16.138, the Board of County Commissioners is authorized to purchase insurance to protect and personally hold harmless the Board of County Commissioners and other county officers, employees and agents from any action, claim or proceeding instituted against said individuals arising out of the performance, purported performance, or failure of performance, in good faith of duties for, or employment with, the County and to hold such individuals harmless from any expenses connected with the defense, settlement or monetary judgments from such actions, claims, or proceedings; and

pursuant to the provisions of RCW 48.62, Cowlitz County has the legal authority to individually self-insure, join a self-insurance program together with other entities and jointly purchase insurance or reinsurance with other entities for property and liability risks. Cowlitz County has joined the Washington Counties Risk Pool and the Washington Counties Risk Pool has purchased reinsurance. These insurance programs provide insurance coverage subject to certain exclusions which may vary from time-to-time; and

pursuant to the provisions of RCW 4.96.041, whenever any action or proceeding for damages is brought against any past or present officer, employee or volunteer of a local governmental entity in this state, arising from acts or omissions while performing or in good faith purporting to perform his or her official duties, such officer, employee, or volunteer may request the local governmental entity to authorize the defense of such action or proceeding at the expense of the local governmental entity; and

if such local government entity finds that the acts or omissions of the officer, employee or volunteer were, or in good faith purported to be, within the scope of his or her official duties, the request shall be granted and the necessary expenses of defending the action or proceeding shall be paid by the local governmental entity and the monetary judgment shall be paid by the legislative authority and furthermore, any judgment creditor shall seek non-punitive damages only from the local governmental entity; and

such legislative authority of a local governmental entity may, pursuant to a procedure set forth by ordinance or resolution, agree to pay any award for punitive damages; and

the Board of County Commissioners desires to establish by resolution, a procedure wherein the County will, in instances wherein there is no insurance coverage under Washington Counties Risk Pool Policy or reinsurance coverage, consider requests by any past or present officer, employee or volunteer of the County, for the County to authorize their defense in conjunction with an action or proceeding for damages brought against said individuals for acts or omissions.
while performing, or in good faith purporting to perform, his or her official duties; and to pay any monetary judgment; and additionally authorize payment of any punitive damages award.

8.7.2 Procedures.

By the Board of County Commissioners of Cowlitz County, pursuant to the provisions of RCW 36.16.138 and RCW 4.96.041, that in instances where neither the Washington Counties Risk Pool Policy or any reinsurance policy available to Cowlitz County provides defense in conjunction with any action of proceeding for damages brought against any past or present officer, employee or volunteer of Cowlitz County, nor such coverages provide for the payment of damages, that the Board shall provide such defense, indemnification and payment of damages upon compliance with the following procedures:

1. Any past or present officer, employee of volunteer of the County may request the County authorize defense of any action or proceeding for damages brought against said individual which is not included within coverage provided by the County’s Self Insured Retention policy, Washington Counties Risk Pool coverage or reinsurance policy. Such request shall be in writing and delivered to the Chair of the Risk Management Committee.

2. Upon receipt of a written request, as provided for in paragraph 1 herein above, the Chair of the Risk Management Committee shall bring the matter to the attention of the Risk Management Committee who shall make a finding as to whether or not the acts or omissions of the officer, employee or volunteer were, or in good faith purported to be, within the scope of his or her official duties. The Committee may make a finding, subject to reservation of the right to reconsider such finding subsequent to a determination by a Court in such litigation, as to whether or not the acts or omissions of the officer, employee or volunteer were, or in good faith purported to be, within the scope of his or her official duties. If such a finding is made, either with or without reservation, the request to authorize defense of such action or proceeding at the expense of the County shall be approved, as more fully set forth in section 6, below.

3. The Committee shall also make recommendations to the Board of Commissioners as to whether the county officer, employee or volunteer shall be defended by a Deputy Prosecuting Attorney or by outside counsel.

4. The Committee's determination shall be put in writing and sent to the county officer, employee or volunteer and to the Board of County Commissioners. If a defense at County expense has been denied, the officer, employee or volunteer shall have five (5) days from the date of receipt of the Committee's determination to file a written appeal with the Board of County Commissioners.

5. Upon such appeal, the Board of Commissioners shall make a finding as to whether or not the acts or omissions of the officer, employee or volunteer were, or in good faith purported to be, within the scope of his or her official duties. The Board may make a finding subject to reservation of the right to reconsider such finding subsequent to a determination by a Court in such litigation as to whether or not the acts or omissions of the officer, employee or volunteer were, or in good faith purported to be, within the scope of his or her official duties. Such action by the Board of County Commissioners may take place in an executive session as provided for in RCW 42.30.10(1)(i).
6. If approval to defend and indemnify was given under Sections 2 or 5, above, either by the Committee or by the Board, and subject to any reservation, the County shall protect, defend, hold harmless and indemnify for any damages, including court ordered attorney's fees, all current and past officers, employees and their respective marital communities against any and all claims or causes of action which arise as a result of alleged acts or errors and omission occurring within the scope of their duties and responsibilities or employment with the County.

7. If, subsequent to such approval, a Court hearing the action finds that the officer, employee or volunteer was acting within the scope of his or her official duties, and a judgment has been entered against the officer, employee or volunteer under RCW 4.96 or 42 USC Section 1981, et seq., said judgment creditor shall seek satisfaction for damages, including court covered attorney’s fees, only from the County, and such judgment for damages shall not become a lien upon the property of such officer, employee or volunteer.

8. The procedures set forth herein shall apply to all present or past officers, employees or volunteers of the County.

9. The procedures set forth herein shall supersede any presently existing resolution, ordinance or policy, if any.

10. Any present or past officer, employee or volunteer desiring to take advantage of the provisions of this procedure must do so within sixty (60) days of being advised in writing that there is no coverage under the Washington Counties Risk Pool Policy or reinsurance coverage for an act of omission which is the subject of such litigation which fact is communicated to such individual in writing by the Washington Counties Risk Pool or reinsurance policy.

(11-5-13 Resolution No. 13-119)

8.8 NOTARIZING CLAIMS

8.8.1 Policy.

Cowlitz County joined the Washington Counties Risk Pool in 1988 for liability insurance. The Risk Pool advised the Board that County employees must not notarize any claims filed against the County.

8.8.2 Procedures.

Cowlitz County employees will not notarize any claims filed against the County.

(Memo, 5-6-99; Res. 04-123, 6-8-04)
8.9 SAFETY COMMITTEE

8.9.1 Policy.

This policy is to help detect, reduce, mitigate and eliminate unsafe acts, conditions and work procedures. The committees’ goal will be to minimize the number of vehicle, equipment and injury accidents in order to reduce costs to the County and to prevent future accidents. Management and Labor will work together to reduce and eliminate accidents.

8.9.2 Procedures.

8.9.2.1 Safety Committee Composition.

A. Cowlitz County will have a Central Safety Committee composed of Public Works personnel and a General Safety Committee composed of County Department personnel.

B. The Safety Committees will be composed of employer-selected and employee-elected members. The number of employer-selected members shall not exceed the number of employee-elected members. An alternate employee-elected member should also be selected to replace the safety committee member that cannot attend a meeting. In the Public Works Department, the employees of each shop elect a safety committee member and an alternate member in January of each year, at the Shop Safety Meeting. In all other departments, the safety committee member and an alternate member are elected by the employees in that department, in January of each year, at a staff meeting.

C. The terms of employee-elected members shall be a maximum of one year. Should a vacancy occur on the committee, the employees in the department that the committee member represents prior to the next scheduled meeting shall elect a new member and alternate. Representatives can serve consecutive terms as long as they are re-elected each year.

D. Each Safety Committee shall have an elected chairperson and an alternate chairperson. The alternate chairperson will only preside over the meeting when the chairperson is absent. The chairperson and alternate will be nominated from the body of committee members and voted into office by the Safety Committee members in January of each year.

E. The Safety Committees shall be responsible for determining the frequency of their own committee meetings.

F. The Safety Committees shall be responsible for determining the date, hour and location of their meeting. Meetings will be held during normal working hours and only in County Facilities.

G. The length of each meeting shall not exceed one hour except by majority vote of the committee.

H. Minutes of each committee meeting shall be prepared and filed with the Risk Manager and kept in the Office of Administrative Services for a period of at least one year.

I. The Risk Manager will act as a non-voting adviser to the Safety Committees.

J. Departments having eleven or more employees must have an employee-elected safety committee member and may have an employer-selected member. A department is
defined as any section of the County that has a specific budget. The following departments with eleven or more employees must have a Safety Committee member and alternate: Assessor, Auditor, Building and Planning, Communications Center, Corrections – Jail, Corrections – Offender Services, Clerk, District Court, Health Department, Juvenile, Law Enforcement Records, and Facilities Maintenance.

K. Departments having less than eleven employees, or eleven or more employees where the employees are segregated on different shifts, or in widely dispersed locations in crews of ten or less employees, may elect to have foreperson-crew meetings in lieu of attending safety committee meetings. The Department Supervisor may also wish to appoint an employer-selected member to the Safety Committee regardless of the size of the department.

8.9.2.2 Foreperson-crew Safety Meetings.

Foreperson-crew safety meetings shall be held at least once a month, or more frequently, if an unsafe condition or incident occurs requiring a meeting to exchange safety information. Meetings shall be held to discuss safety problems as they arise. The flexibility of this schedule is to allow foreperson-crew meetings to take place in conjunction with staff meetings.

Foreperson-crew safety meetings shall at least address the following:

A. A review of safety and health inspection reports to assist in the correction of identified unsafe conditions or practices.

B. An evaluation of the accident investigations conducted since the last meeting to determine if the cause of the unsafe acts or conditions was properly identified and corrective actions have been taken.

C. An evaluation of the accident and illness prevention program with a discussion of recommendations for improvement where indicated.

D. Attendance and the subjects discussed at the meeting shall be documented in meeting minutes and submitted to the Risk Manager.

Safety Committee meeting minutes will be available upon request to assist foreperson-crew meetings. Requests must be forwarded to the Safety Committee Chairperson.

8.9.2.3 Duties of Safety Committees.

A. Prior to the regularly scheduled committee meetings, members will use the self-inspection form to assist in conducting a self-inspection of their respective work areas to determine what hazardous conditions and/or practices exist. This information will be shared with their supervisor.

B. Review all safety and self-inspection reports to assist in correction of identified unsafe conditions or practices.

C. Evaluate all County safety policies and accident prevention programs and discuss recommendations for improvement. Submit written recommendations to the Board of County Commissioners.

D. Document attendance, obtain the signatures of those attending and outline the
E. Annually establish performance goals and submit a year-end report on goal accomplishment to the Board of County Commissioners.

Review and evaluate all accident investigations conducted since the last meeting to determine if the cause of the unsafe acts or conditions was properly identified and corrective actions have been taken.

Upon reviewing each accident the Safety Committee will publish the results of their evaluation in the meeting minutes. Employees that were involved in accidents may be requested to attend Safety Committee meetings to answer questions about the accidents. Accidents will be evaluated using the following criteria:

A. Determine the severity of the accident: minor, moderate or major.
B. Determine the primary cause of the accident.
C. Determine if there were other causes of the accident.
D. Determine and prioritize corrective action for all accident causes.
E. Determine if there are additional actions needed to correct the hazard.

8.9.2.4 Definitions for Accident Review

A. Minor accident:
   1. Minor personal injuries with no medical treatment needed.
   2. Any moving citation that qualifies as an infraction, as the result of a motor vehicle accident while operating County equipment.
   3. Minor damage to a vehicle. (Less than $500 value according to RCW 46.52.030)

B. Moderate accident:
   1. Personal injury requiring medical treatment more than first aid.
   2. Moderate damage to vehicle. (Requiring more than $500 in repairs).
   3. Operation of equipment causing a potential risk to the public.
   4. Includes the definition for a minor accident, but not limited to that definition.

C. Major accident:
   2. Personal injury requiring hospital admittance.
   3. Driver charged with negligent or reckless driving.
   4. Any accident involving driving while intoxicated or under the influence of alcohol or drugs.
   5. Failure to stop and report a motor vehicle accident.
   6. Homicide, manslaughter, or assault arising out of the operation of a motor vehicle.
   7. Driving while license is suspended or revoked.
   8. Drag racing, a speed contest or attempting to elude an officer of the law.
8.9.2.5 Responsibility for Policy Compliance.

A. Each Department Supervisor shall be responsible for having a committee member attend the monthly meetings.
B. In departments where foreperson-crew meetings occur in lieu of Safety Committee, each Department Supervisor shall be responsible for conducting the monthly foreperson-crew meetings.
C. Employees must actively participate in identifying potential hazards in the workplace and reporting them to their supervisors.
D. Employees shall coordinate and cooperate with management and all other employees to attempt to reduce, mitigate and/or eliminate accidents.

(Res. 01-061, 4-9-01)

8.10 SAFETY MANUAL

8.10.1 Policy.

Cowlitz County recognizes that its employees are the most important assets involved in meeting the service needs of its citizens. The County also recognizes that safeguarding the health and welfare of its employees cannot be stressed too strongly. It is the policy of Cowlitz County that every reasonable effort will be made to provide and maintain a safe and healthy workplace and to establish and insist upon safe methods and practices at all times.

Department managers and supervisors must take steps to eliminate unsafe conditions and unsafe practices within their department or work areas under their control, to train their employees concerning the County’s safety rules, and to ensure proper equipment is provided and used correctly. It is the responsibility of every employee to observe rules of conduct and safety and to properly use the equipment that is provided.

The County's safety rules and regulations are intended to protect employees and citizens. These rules and regulations are to be considered directive in nature and are applicable to all employees. Prevention of accidents is the responsibility of all County employees.

8.10.1.1 Purpose.

Cowlitz County will maintain a safety and health program conforming to the best practices of organizations of this type and comply with federal, state and local laws regarding accident prevention and working conditions.

The objective is a safety and health program that will reduce the number of disabing injuries and illnesses to a minimum. The County’s goal is ZERO accidents and injuries.
The County Safety and Health Program will include:
   A. Providing mechanical and physical safeguards to the maximum extent possible;
   B. Conducting regular safety and health inspections to find and correct unsafe working conditions and practices; to control health hazards; and to comply with federal, state and local safety and health standards;
   C. Training all employees in good safety and health practices;
   D. Providing appropriate and necessary personal protective equipment; providing training on use and care of such equipment;
   E. Developing and enforcing safety and health rules; requiring all employees comply with those rules;
   F. Investigating, promptly and thoroughly, every accident to determine cause and to identify and implement measures to prevent recurrence.

This employee safety handbook contains general safety rules. It has been developed and written to assist in preventing accidents. While it is the goal to reduce accidents to zero, the County recognizes that accidents may occur. Therefore, this safety manual also contains information on what to do in the event an accident does occur. Violation of these safety regulations may result in disciplinary action up to and including termination.

8.10.1.2 Definitions.

A. **Affected Employee:** An employee whose job requires him or her to operate or use a machine or equipment on which service, maintenance or repair is being performed under Lockout-Tagout, or whose job requires him or her to work in an area in which such servicing, maintenance, or repair are being performed.

B. **Authorized Employee:** A person who has been certified to perform Lockout-Tagout on machines or equipment in order to perform service, maintenance, or repair.

C. **Lockout:** If an energy-isolating device is capable of being locked out, Cowlitz County employees must utilize lockout. Whenever major replacement or major repair, renovation, or modification of a machine or equipment is performed, and whenever new machines or equipment are installed, energy isolating devices for such machines or equipment shall be designed to accept a lockout device.

D. **Tagout:** If an energy-isolating device is not capable of being locked out, Cowlitz County employees must utilize a tag out system. In demonstrating that a level of safety is achieved in the tagout program which is equivalent to the level of safety obtained by using a lockout program, employees will fully comply with all tagout-related provisions of this program together with such additional elements necessary to provide the equivalent safety available from the use of a lockout device.

Additional means shall include the implementation of additional measures to reduce the likelihood of inadvertent energization such as:

1. The removal of isolating circuit elements, or
2. Blocking of controlling switches, or
3. Opening of an extra disconnecting device, or
4. Removing a valve handle.

8.10.2 Procedures.

8.10.2.1 Supervisor Responsibilities.
Supervisors are responsible for developing the proper attitudes toward safety and health in themselves and in those they supervise and for ensuring that all operations are performed with the utmost regard for the safety and health of all personnel involved. Supervisory personnel must enforce County safety rules, counsel individual employees in safety when appropriate and ensure their employees receive training in safe work practices.

The establishment of this policy charges each supervisor with the responsibility of aggressively promoting safe working conditions and practices and effectively controlling accidents within their work group. Supervisors must make the safety of their employees a part of their daily concern, and, as a basic responsibility of their job they shall:

A. Instruct each employee on hazards that may arise relative to the assigned work, and how to avoid such hazards.
B. Notify each employee that violations of established safety rules will not be tolerated.
C. Maintain safe working conditions within their department; being constantly alert to detect unsafe conditions, work habits or practices.
D. Take immediate action to correct unsafe conditions, work habits or practices to eliminate potential safety hazards and stop the use of any unsafe equipment or operations to protect employees and citizens where danger is imminent.
E. Ensure that only qualified operators are assigned to operate equipment.
F. Ensure that necessary safety equipment has been provided employees and employees have been instructed on its proper use.
G. Assist Risk Management to investigate and determine the cause of all accidents and provide for corrective action. The written report of the investigation will be filed with Risk Management for review within 24 hours of the accident.
H. Review with each employee involved the cause of the accident and the corrective action to be taken to eliminate the possibility of a similar recurrence.
I. Follow-up on every accident in which an injury results requiring medical attention and/or time loss from the job within 24 hours.

8.10.2.2 Employee Responsibilities.
Employees are responsible for wholehearted, genuine cooperation with all aspects of the safety and health program. Unsafe practices on the part of one employee may adversely affect the well being of another. Each employee has an important function in the accident prevention program and, by the direction of this policy, is required to cooperate fully in the measures taken for safety. All employees have a responsibility for safety of assigned work areas. It shall be the responsibility of each employee to:

A. Read and understand this safety manual. Discuss any concerns with your supervisor.
B. Work safely at all times.
C. Respect the safety of fellow employees.
D. Carry out each task utilizing every reasonable precaution to protect themselves and others from injury.
E. Report all injuries, accidents and unsafe practices and near-miss accidents to a supervisor immediately.
F. Respect all notices and barricades placed for employee and public safety.
G. Report all unsafe conditions to a supervisor and the department Safety Committee representative.
H. Keep work areas clean and orderly.
I. Always wear required personal protective safety equipment.
J. Operate only equipment you have been trained and authorized to use. Follow the instructions on how to use it safely.
K. Learn to lift and handle loads properly -- use your legs not your back. Grasp each load firmly, and keep your back as straight as possible while lifting.
L. Know how to use emergency fire extinguishing equipment and where that equipment is located.

8.10.2.3 In Case of Accident – Personal Injury.

A. If you or another employee need help because of injury call 9-1-1.
B. Report all work-related injuries to your supervisor.
C. The supervisor will arrange for emergency transportation if needed, and if necessary accompany the injured person to treatment facilities
D. The supervisor shall notify Risk Management.
E. The supervisor shall complete the required supervisor’s section of the Accident Report/Personal Injury form.
F. The employee shall complete the required employees section of the Accident Report/Personal injury form.
G. If medical treatment by a physician is required, the injured employee must fill out a Self Insured Workers Compensation form (SIF-2) as soon as possible after the accident. This form must be completed at the Office of Administrative Services.

All reports must be completed and submitted to Risk Management within 24 hours after the accident.

8.10.2.4 Motor Vehicle Accident.

A. In the event a County-owned vehicle is involved in a traffic accident, the driver shall immediately notify the appropriate police department and his supervisor. The supervisor shall immediately notify the Risk Manager (Telephone Number: 360-577-3065).
B. Do not move the vehicle from the accident scene until directed by law enforcement or if leaving the vehicle in the present location creates a greater hazard. (Example: do not leave it parked on the railroad tracks).
C. Do not move injured persons unless absolutely necessary.
D. Always cooperate with law enforcement. Give any information they require and help with their requests. Do not volunteer information to others at the accident scene because you may be misquoted later.

E. If a County Motor Pool vehicle is involved in an accident, contact the Motor Pool immediately. The Motor Pool will make arrangements for retrieval or emergency repairs.

F. All vehicular accidents must be reported within 24 hours on the State of Washington Motor Vehicle Collision Report Form 3000-345-161(1/93). These are available at the Office of Administrative Services.

8.10.2.5 Citizen Accidents and Serious Illness.

In the event of an accident or serious illness of citizens on our premises, the following procedures will be followed:

A. If the victim is unconscious or unable to give instructions call 9-1-1.
B. County personnel should NOT render first aid unless absolutely necessary.
C. County personnel should NOT transport an injured person for medical care.
D. No comments should be made as to the fault of the accident.
E. Any requests for information concerning the incident should be referred to Risk Management.
F. Notify Risk Management immediately.
G. Try to obtain the following information from the victim:
   1. Victim’s name
   2. Witnesses’ names, addresses and phone numbers
   3. Inspect the scene for cause of accident.
   4. Write down the information and forward it to Risk Management
H. If possible, photograph the accident scene as soon as possible after the accident and forward the information to Risk Management.

8.10.2.6 Disciplinary Action.

The following violations of County safety rules will be sufficient grounds for disciplinary action up to and including termination of employment:

A. Disregard of safety rules or common safety practice.
B. Horseplay, scuffling, or fighting during working hours.
C. Possession, or being under the influence of alcoholic beverages or illegal drugs during working hours.
D. Possession of prohibited weapons, explosives or property, during working hours.
E. Improper or unauthorized use of County vehicles or equipment.
F. Smoking in prohibited areas or where "NO SMOKING" signs are posted.
G. Failure to properly use required Personal Protective Equipment.
H. Illegal removal of tag outs.

8.10.2.7 Safety Rules on the Job - Heavy Equipment Operation.
A. All equipment must be inspected daily before use. Be sure that all parts, equipment, and accessories are free from defects and are in safe operating condition.

B. NEVER operate any heavy equipment without proper instruction and authorization.

C. NEVER leave the engine running while fueling equipment.

D. No operator shall back up heavy equipment with an obstructed view unless:
   1. The equipment has a reverse signal alarm audible above the surrounding noise level; and
   2. The equipment is backed up only when an observer signals that it is safe to do so, or;
   3. The operator has just personally inspected the area prior to backing. If in doubt, get out and look again.

E. No employee shall ride in the cargo compartment of any truck or on other equipment unless the equipment is designed for this purpose and authorization is given.

8.10.2.8 Forklift Operation.

A. All forklift operators will complete forklift training and certification every three years.

B. Mechanical or electrical deficiencies shall be reported to your supervisor.

C. Do not spin wheels or make reversal/skidding stops.

D. No passengers shall be allowed on forklift trucks.

E. Do not drive with wet or greasy hands.

F. Always face in the direction you are traveling.

G. Drive in reverse if the load impairs forward vision.

H. Keep feet inside the machine when moving.

I. Keep to the right when traveling and do not follow other vehicles too closely.

J. Slow down on wet or oily surfaces.

K. Forklifts shall never be left running unattended.

L. Slow down and sound horn at intersections.

M. Forklifts shall not be used as a personal elevator.

N. Forks shall be properly spaced to fit the load.

O. Forks shall be kept low and under the load

P. Forks shall be lowered to the ground when parked.

Q. When parking, the shift gear shall be placed in neutral, and the emergency brake set before leaving the seat.

8.10.2.9 Personal Protective Equipment

The County will make personal protective equipment available to employees working in areas where such equipment is required. Employees working in situations where personal protective equipment is required shall use that equipment. Employees who have been issued such equipment are responsible for its care and condition, and will be required to turn in old or defective equipment before new equipment is issued.

A. Eye Protection
   1. Approved, suitable safety glasses, goggles or face shields shall be worn when the work being performed may result in dangerous exposures to the eyes.
   2. Eye protection shall be kept in a sanitary and serviceable condition, and shall be replaced when no longer serviceable.

B. Head Protection
1. Approved hard-hat head protection shall be worn whenever working in or visiting areas where there is a possible danger of head injuries.
2. Supervisors and observers, as well as to employees actually performing the work shall comply with this requirement.

C. Hearing Protection
1. Appropriate hearing protection will be used in accordance with WISHA standards.

D. Clothing
1. Loose clothing or jewelry shall not be worn while working around or near moving equipment or machinery.
2. To prevent skin irritation, avoid wearing clothing soiled by oil or chemicals.
3. Gloves and long sleeves must be used when handling cement or other hazardous chemicals.
4. Gloves and long sleeves must be worn to protect against splashes and burns when working with hot asphalt or surfacing oil. Appropriate footwear and heavy trousers with close fitting cuffs or alternate protective clothing may be required as directed by supervision.
5. Employees shall wear appropriate footwear, which provides adequate protection for each given work situation. This includes appropriate footwear for inclement weather (e.g., boots with adequate traction during snowy or icy conditions).

8.10.2.10 Maintenance/Repair Shops.
A. Wear correct personal protective equipment and clothing at all times.
B. Floors in all shops shall be kept free of grease, oil tools, air hoses and parts.
C. All spills must be cleaned immediately. Oil and grease spills shall be covered with absorbent material, swept and picked up.
D. Oily rags and other debris shall be placed in covered metal containers for disposal.
E. Never keep gasoline or flammable solvents in open containers. Use suitably marked safety cans only.
F. Prevent skin irritation by washing hands with soap and water or hand solvents. Never use gasoline or other volatile substances for this purpose.
G. All fire extinguisher stations and electrical control panels shall be accessible at all times. Materials, tools, or other items shall not be allowed to cause an obstruction.
H. All electrical tools shall be properly grounded. Only grounded, heavy-duty industrial extension cords may be used.
I. Safety glasses shall be worn when operating power equipment.
J. All guards shall be in place before operating any equipment.
K. Repair shops shall be kept adequately ventilated to protect against exposure to carbon monoxide.
L. All compressed gas cylinders shall be stored in an upright position, lashed or chained to prevent falling. Caps shall be kept on all cylinders when not in use.

8.10.2.11 Welding Operations.
A. Wear correct personal protection clothing at all times.
B. Welding hood shall be in place before striking an arc, and at all times while welding.
C. Shields shall be in place at all times to protect other employees from the rays of the arc.
D. An appropriate fire extinguisher shall be near the welding operation at all times.
E. All compressed gas cylinders shall be treated as described in the above Section Maintenance/Repair Shops.
F. Welding should only be conducted in well-ventilated areas.

8.10.2.12 Hand Tools.
A. Hand tools shall be used only for the purpose for which they were designed. Always use the correct size and type of tool.
B. Inspect tools prior to use. Broken tools, or tool with broken handles, shall not be used. Turn them in for repair or replacement.
C. Never leave tools where they obstruct pedestrian or vehicle traffic.
D. Do not carry edged or pointed tools in pockets or belts, unless the edge or point is adequately protected.
E. All long handled tools (shovels, mauls, pitchforks etc.) shall have strong, smooth handles.
F. Long handled tools shall be stored in racks. Do not lean them against a wall without a toe board.

8.10.2.13 Lockout-Tagout Energy Control Procedure Required.
A. WAC 296-45-17505 requires that Cowlitz County develop, document, and utilize procedures for the control of potentially hazardous energy when employees are engaged in the activities covered by this program.

Exception: Specific Lockout-Tagout procedures are NOT REQUIRED for machines or equipment when ALL of the following elements exist:

1. The machine or equipment has no potential for stored or residual energy or re-accumulation of stored energy after shut down which could endanger employees;
2. The machine or equipment has a single energy source which can be readily identified and isolated;
3. The isolation and locking out of that energy source will completely de-energize and deactivate the machine or equipment;
4. The machine or equipment is isolated from that energy source and locked out during installation, servicing or maintenance;
5. A single lockout device will achieve a locked-out condition;
6. The lockout device is under the exclusive control of the authorized employee performing the installation, servicing or maintenance;
7. The servicing or maintenance does not create hazards for other employees; and
8. In utilizing this exception, Cowlitz County has had no accidents involving the unexpected activation or re-energization of the machine or equipment during installation, servicing or maintenance.

B. Specific procedures are required for each machine or piece of equipment that clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance. The procedures should include, but are not limited to, the following:
1. A specific statement of the intended use of the procedure;
2. Specific procedural steps for shutting down, isolating, blocking, and securing machines or equipment to control hazardous energy;
3. Specific procedural steps for the placement, removal, and transfer of lockout devices or tagout devices and the responsibility for them; and
4. Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

8.10.2.14 Protective Materials and Hardware.

A. Cowlitz County will provide: locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware for isolating, securing, or blocking machines or equipment from energy sources.
B. Lockout-Tagout devices will be singularly identified; will be the only device(s) used for controlling energy; will not be used for other purposes; and will meet the following requirements:

1. Durable.
   a. Lockout-Tagout devices must be capable of withstanding the environment to which they are exposed for the maximum period of time that exposure is expected;
   b. Tagout devices must be constructed and printed so that exposure to weather conditions or wet and damp locations will not cause the tag to deteriorate or the message on the tag to become illegible;
   c. Tags must not deteriorate when used in corrosive environments such as areas where acid and alkali chemicals are handled and stored.

2. Standardized and Identifiable.
   a. Lockout-Tagout devices must be standardized in at least one of the following criteria: Color; shape; or size; and additionally, in the case of tagout devices, print and format must be standardized.
   b. Lockout-Tagout devices must indicate the identity of the employee applying the device(s).

2. Substantial.
   a. Lockout devices will be substantial enough to prevent removal without the use of excessive force or unusual techniques, such as with the use of bolt cutters or other metal cutting tools.
   b. Tagout devices, including their means of attachment, must be substantial enough to prevent inadvertent or accidental removal. Tagout device attachment must be of a non-reusable type, attachable by hand, self-locking, and non-releasable with a minimum unlocking strength of no less than 50 pounds and having the general design and basic characteristics of being at least equivalent to a one-piece, all-environment-tolerant nylon cable tie.

B. Tagout devices must warn against hazardous conditions if the machine or equipment is energized and shall include a legend such as the following: DO NOT START, DO NOT OPEN, DO NOT CLOSE, DO NOT ENERGIZE, DO NOT OPERATE.

8.10.2.15 Periodic Inspection.
Cowlitz County will conduct periodic inspections of the energy control procedure at least annually to ensure that the procedure and the requirements of the Lockout-Tagout procedures are being followed and to correct any deviations or inadequacies identified.

A. An authorized employee other than the one(s) utilizing the energy control procedure being inspected must perform the periodic inspection.

B. Where Lockout-Tagout is used for energy control, the periodic inspection must include a review, between the inspector and each authorized and affected employee, of those employee's responsibilities under the energy control procedure. The periodic inspection should also include a review of compliance with the elements set forth in the Training and Communication section.

C. Cowlitz County has the responsibility to certify that the periodic inspections have been performed. The certification shall identify the machine or equipment on which the energy control procedure was being utilized, the date of the inspection, the employee(s) included in the inspection, and the person performing the inspection.

8.10.2.16 Training and Communication.

A. Cowlitz County will provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees. The training will be conducted annually by the department supervisor and will include the following:
   1. Each authorized employee will receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control.
   2. Each affected employee will be instructed in the purpose and use of the Cowlitz County Energy Control Program to include; Lockout-Tagout devices, General and Specific Lockout-Tagout Procedures, Shop’s Lockout-Tagout Log, required documentation, and training requirements.
   3. All other employees whose work operations are or may be in an area where energy control procedures may be utilized, will be instructed about the procedure, and about the prohibition relating to attempts to restart or reenergize machines or equipment which are locked or tagged out.
   4. Retraining will be provided for all authorized and affected employees whenever there is a change in their job assignments, a change in machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.
   5. Additional training will also be conducted whenever a periodic inspection reveals, or whenever the supervisor has reason to believe, that there are deviations from or inadequacies in the employee's knowledge or use of the energy control procedures.

B. When tagout systems are used, employees must also be trained in the following limitations of tags:
   1. Tags are essentially warning devices affixed to energy isolating devices, and do not provide the physical restraint on those devices that is provided by a lock.
   2. When a tag is attached to an energy isolating means, it is not to be removed without permission of the authorized person responsible for it, and it is never to be bypassed, ignored, or otherwise
defeated. Employees sabotaging a tag or lockout device will be subject to discipline up to and including termination.

3. Tags must be legible and understandable by all authorized employees and affected employees, in order to be effective.
4. Tags and their means of attachment must be made of materials which will withstand the environmental conditions encountered in the workplace.
5. Tags may evoke a false sense of security, and their meaning needs to be understood as part of the overall energy control program.
6. Tags must be securely attached to energy isolating devices so that they cannot be inadvertently or accidentally detached during use.
7. Cowlitz County will certify that employee training has been given and is being kept up to date. The certification will contain each employee's name and dates of training.

8.10.2.17 Notification to Affected Employees.

All affected employees must be notified by the Authorized Employee of the Lockout-Tagout and the devices used for any and all equipment in their work area. Notification must be given before the controls are applied, and after they are removed from the machine or equipment.

8.10.2.18 Lock-out – Tag-out Procedures.

A. The established procedures for the application of energy control (the lockout or tagout procedures) cover the following elements and actions and shall be done in the following sequence:
1. Preparation for shutdown. Before an authorized or affected employee turns off a machine or equipment, the authorized employee must have knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy.
2. Machine or equipment shutdown. The machine or equipment must be turned off or shut down using the procedures established for the machine or equipment. An orderly shutdown must be utilized to avoid any additional or increased hazard(s) to employees as a result of equipment stoppage.
3. Machine or equipment isolation. All energy isolating devices that are needed to control the energy to the machine or equipment must be physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s).
4. Lockout or tagout device application. Authorized employees must affix Lockout or Tagout devices to each energy isolating device.

NOTE: If an equipment’s power cord is the only energy source, and, when unplugged control of the cord’s plug is maintained 100% of the time by the technician performing servicing, maintenance, or repair on that equipment, then a Lock or Tag is not required.

5. Lockout devices, where used, must be affixed in a manner that will hold the energy isolating devices in a "safe" or "off" position.
6. Tagout devices, where used, must be affixed in such a manner as will clearly indicate that the operation or movement of energy isolating devices from the "safe" or "off" position is prohibited.
   a. Where tagout devices are used with energy isolating devices designed with the capability of being locked, the tag attachment must be fastened at the same point at which the lock would have been attached.
b. Where a tag cannot be affixed directly to the energy isolating device, the tag must be located as close as safely possible to the device, in a position that will be immediately obvious to anyone attempting to operate the device.

B. Stored energy.
1. Following the application of Lockout-Tagout devices to energy isolating devices, all potentially hazardous stored or residual energy must be relieved, disconnected, restrained, and otherwise discharged.
2. If there is a possibility of re-accumulation of stored energy to a hazardous level, verification of isolation must be continued until the servicing or maintenance is completed, or until the possibility of such accumulation no longer exists.

C. Shop’s Lockout-Tagout Log
1. Once Lockout-Tagout devices are in place, the stored energy is isolated, and the equipment is rendered safe, the authorized employee must write in the Shop’s Lockout-Tagout Log index page the following:
   a. The date the Lockout-Tagout was initiated.
   b. The machine or equipment affected.
   c. The Authorized Employee that did the Lockout-Tagout.
   d. Any remarks pertinent to the Lockout-Tagout.
2. If a Specific Tagout-Lockout Procedure is used for this isolation, the procedure will be placed in the “Active” section of the Shop’s Lockout-Tagout Log.

D. Verification of Isolation.
1. Prior to starting work on machines or equipment that have been locked out or tagged out, the authorized employee will verify that isolation and de-energization of the machine or equipment have been accomplished.

8.10.2.19 Release from Lockout or Tagout.

A. Before Lockout-Tagout devices are removed and energy is restored to the machine or equipment, procedures will be followed and actions taken by the authorized employee(s) to ensure the following:
1. The work area must be inspected to ensure that nonessential items have been removed and to ensure that machine or equipment components are operationally intact.
2. The work area must be checked to ensure that all employees have been safely positioned or removed.
3. After Lockout-Tagout devices have been removed and before a machine or equipment is started, affected employees must be notified that the Lockout-Tagout device(s) have been removed.
4. The employee who applied the device must remove each lockout or tagout device from each energy-isolating device.

EXCEPTION: When the authorized employee who applied the Lockout-Tagout device is not available to remove it, that device may be removed under the direction of the Supervisor, provided that a complete inspection is performed to ensure it is safe to remove the device and the following conditions have been met:
a. Verification by the supervisor that the authorized employee who applied the device is not at the facility;
b. Making all reasonable efforts to contact the authorized employee to inform him/her that his/her lockout or tagout device has been removed; and
c. Ensuring that the authorized employee has this knowledge before he/she resumes work at that location.

5. Shop’s Lockout-Tagout Log

a. Once the Lockout-Tagout is removed, and the machine or equipment is placed back in operation, the Authorized Employee that cleared the devices must write the date cleared on the Index page of the Lockout-Tagout Log.
b. If the equipment utilized a Specific Lockout-Tagout Procedure, the Authorized Employee must note the completed Specific Procedure in the “Cleared” section of the Shop’s Tagout-Log.

8.10.2.20 Additional Requirements.

A. Outside personnel (contractors, etc.).
1. Whenever outside servicing personnel are to be engaged in activities covered by the scope of this program, the on-site Cowlitz County Supervisor and the Outside Servicing Agency Supervisor must inform each other of their respective Lockout-Tagout procedures.
2. The Outside Servicing Agency Supervisor must assure that his/her employees understand and will comply with the restrictions and prohibitions of the Cowlitz County Energy Control Program.

B. Group Lockout-Tagout.
1. When servicing and/or maintenance is performed by a crew, craft, department or other group, they must utilize a procedure which affords the employees a level of protection equivalent to that provided by the implementation of a personal Lockout-Tagout device.
2. In addition to the Energy Control Procedure above, Group Lockout-Tagout devices and procedures must be used as follows:
   a. When more than one crew, craft, or department, is involved in the work, responsibility for the Lockout-Tagout control should be assigned to one authorized employee designated to coordinate affected work forces and ensure continuity of protection. The authorized employee must be informed of the names of all those working in the group prior to the start of work.
   b. Provision must be made for the authorized employee assigned to coordinate the work to ascertain the exposure status of individual group members with regard to the Lockout-Tagout of the machine or equipment.
   c. Each group member assigned to the project shall affix a personal Lockout-Tagout device to the group lockout device, group lockbox, or comparable mechanism when he or she begins work, and must personally remove those devices when he or she stops working on the machine or equipment being serviced or maintained, except as provided in the procedures described in the section “Release from Lockout or Tagout.”

C. Shift or personnel changes.
1. When machinery or equipment work, containing an active Lockout-Tagout application, is to be transferred from one work crew to another, the Lockout-Tagout control also must be transferred in accordance with the following steps:
   a. The off-going authorized employee that conducted the Lockout-Tagout, and the on-coming authorized employee who will be responsible for the Lockout-Tagout must discuss the entire
8.10.2.21 Ladders and Scaffolds.

A. Any elevated work 10 feet high or greater will require a site specific fall protection program by the respective department conducting the work. This will be in addition to the general guidelines given in this section.

B. Portable, straight, and extension ladders shall be of the approved industrial grade.

C. Use a ladder free from defects. Check portable ladders for damage. Report all defects to your supervisor.

D. Aluminum ladders shall not be used when working on or near electrical equipment.

E. Erect the ladder on secure footing. Make certain the surfaces are level. The top of the ladder shall be secured and the bottom of the ladder blocked.

F. Ladders shall be set up so that the distance from the base of the support to the foot of the ladder is approximately one-fourth of the length of the ladder.

G. Portable straight ladders, set to give access to a roof shall be extended beyond the roof edge a minimum of three feet.

H. Never work higher than the third rung from the top of a straight or stepladder.

I. Dry hands and feet before climbing.

J. Face the ladder when climbing up or down. Never hand carry materials or tools while climbing.

K. Post warnings and have help on the floor when a ladder or scaffolding is near a door or aisle.

L. Adequate warning signs and barricades shall be provided for overhead work in areas where foot traffic is present. Never walk under a ladder.

M. Do not overreach. Relocate the ladder as necessary.

N. Scaffolds shall be built to standard Construction Safety Regulations.

O. Guardrails and toe boards shall be used on all scaffolds over 10 feet in height.

P. Movable scaffolding shall be equipped with a minimum of two lockable swivel wheels.

Q. No movable scaffold or ladder shall be moved while persons or material are on it.

R. Keep scaffold platforms clear of unnecessary material. Do not overload platforms.

8.10.2.22 Excavations.

A. Before opening any excavation, check for underground utilities in the area. Locate and protect utilities during the excavation operation.

B. The walls and faces of all excavations and trenches deeper than four feet shall be guarded by a shoring system, sloping of the ground, or some other approved method approved by Department of Building and Planning.
C. Sides of trenches in hard or compact soil, including embankments, must be shored or otherwise supported when the trench is more than four feet in depth and eight feet in length.

D. Trenches more than four feet deep shall have ladders or steps located so as to require no more than twenty-five feet of lateral travel.

E. Cross braces or trench jacks shall be placed in true horizontal position, be spaced vertically, and be secured to prevent sliding, or kick outs.

F. Backfilling and removal of trench supports must progress together from the bottom of the trench. Jacks or braces must be released slowly and, in unstable soil, ropes must be used to pull out the jacks and braces from above after employees have cleared the trench.

G. In excavations where employees may be required to enter, excavated or other material shall be effectively stored and retained at a minimum of two feet from the edge of the excavation.

H. A supervisor shall make daily safety inspections of all excavations before additional work begins.

I. When excavations are made or manhole covers are removed, the work area shall be adequately protected with signs, barricades, cones or warning lights.

8.10.2.23 Material Handling and Storage.

A. When lifting heavy objects, keep the back as straight as possible, bend the knees and lift with the leg muscles.
B. Never attempt to lift objects that are too heavy. Get help or divide the load. Portable cranes, hand trucks, skids, hoists or power lift trucks, shall be used to move heavy objects when possible.
C. Work gloves shall be worn when handling rough or heavy objects.
D. When moving materials on hand trucks or dollies, push rather than pull whenever possible.
E. All employees while handling materials shall wear shoes that provide proper support and protection.
F. When power equipment is being used to maneuver materials, one person in clear view of the operator shall give standard hand signals.
G. Materials shall be stacked in a neat and orderly manner. Aisles in storage areas shall be clearly marked with painted lines. Materials must be kept clear of aisles at all times.
H. Do not stack damaged containers.
I. When handling chemicals, follow the manufacturer's instructions carefully. Chemical spills shall be cleaned up in accordance with the manufacturers instructions on the container or MSDS.

8.10.2.24 Power Mowers.

A. Correct personal protective clothing and equipment shall be worn at all times.
B. Read operating instructions carefully. Operators shall be familiar with all controls before operating.
C. The area to be mowed shall be inspected, and all foreign objects removed prior to starting mowing operations.
D. Slopes or inclines shall be mown across the incline, never up and down. Turn off power when going from one level to another.
E. Do not refuel a hot or running engine.
F. All body parts shall be kept away from the discharge area while the motor is running.
G. Machines without adequate guards shall not be operated.
H. Stand clear when starting motor. Have firm footing and keep hands and feet clear of all moving parts.
I. Power equipment shall not be left unattended.
J. When adjusting the level of the cutting blade, turn off the engine.

8.10.2.25 Electrical Hazards.

A. Access to circuit breakers, or electrical safety devices must be kept clear at all times. Circuit breakers shall only be reset by Building Maintenance personnel.
B. Junction boxes, control boxes and all electrical enclosures shall be kept closed or adequately guarded.
C. No extension cords shall be used as a substitute for fixed wiring of a structure.
D. Extension cords used with portable equipment tools and appliances shall be the three wire industrial type. Cords shall be used only in continuous lengths without splices.
E. Worn or frayed extension cords shall not be used.
F. Exposed bulbs on temporary lights shall be guarded to prevent accidental contact.
G. Metal ladders shall not be used when making electrical repairs.
H. Inspect all electric cords prior to use.
I. Use only industrial grade extension cords.

8.10.2.26 Office Safety.

A. All work areas shall be kept neat and orderly.
B. Open desk, file or cabinet drawers shall not be left unattended.
C. Heavier items shall be stored in the bottom of file cabinets to prevent tipping when upper drawers are opened.
D. All defective equipment and unsafe conditions shall be reported to a supervisor.
E. Aisles and walkways shall be kept clear at all times.
F. Electrical extension cords that cross a walkway shall be properly contained.
G. All electrical cords including extension cords shall be grounded.
H. All electrical equipment shall be grounded and/or double insulated.
I. Extension cords or electrical outlets shall not be overloaded.
J. Floor and wall fans must be UL approved.
K. Handrails shall be used for ascending or descending stairs.
L. Ladders or self-locking step stools of an approved design shall be used to gain access to high shelves. Never climb on chairs or file cabinets.

8.10.2.27 Forms.

The following forms have been included to assist employees report accidents resulting in personal injury or property damage. The Accident Report /Personal Injury form should be completed the same day the accident
or injury occurs or as soon as practical thereafter. The Report should be transmitted to Risk Management within 24 hours of the injury or accident.
COWLITZ COUNTY
ACCIDENT REPORT/PERSoNL Injury

Instructions: Fill out same day as injury. Employee, Supervisor and Department Head/Elected Official sign as indicated.

One copy must be transmitted to Risk Management within twenty-four (24) hours of injury or accident.

Injured or Ill Employee Name: ___________________________ Department:__________

Job Title: ___________________________ Date & Time of Injury/Exposure: ____________

Location of Accident:__________________________________

How did the accident or exposure occur? (Describe completely)

Describe the Injury or illness in detail:

Name of Witnesses (include telephone number)

What would you, as an individual, do to prevent this accident in the future?

If you have seen or will be seeing a physician, please provide the following:

Name & Address of Physician: _________________________________

Diagnosis of injury/illness: ______________________________

Time lost:__________________________

If hospitalized, name and address of hospital: _________________________________

How long? _________________.

_________________________________________ Date: _____

Employee Signature

_________________________________________ Date: _____

Foreman/Supervisor Signature

_________________________________________ Date: _____

Department Head/Elected Official Signature
COWLITZ COUNTY
SUPERVISOR’S ACCIDENT/PERSONAL INJURY INVESTIGATION REPORT FORM

Name of Injured Employee: ____________________________________________________

Department: ________________________________________________________________

Date/Time of Accident: ______________________________________________________

1. WHAT HAPPENED?
Tell what the employee was doing, how the accident occurred, and what thing directly injured the employee.

2. WHY DID IT HAPPEN?

3. WHAT SHOULD BE DONE?
What action(s) will prevent similar accidents in the future?

4. WHAT HAVE YOU DONE THUS FAR?
Take or recommend action, depending on your authority.

5. HOW WILL THIS IMPROVE OPERATIONS?
How will it help us meet our objective?

ACCIDENT PREVENTION

Supervisor: ___________________________________________________ Date: _____

Department Head/Elected Official: ______________________________ Date: _____

(Res. 98-083, 5-26-98; Res. 04-139, 6-22-04)
8.11 VACCINATION

8.11.1 Policy.

It is imperative to the health and safety of Cowlitz County employees that those employees at risk of infection due to contact with individuals or job responsibilities avoid contracting communicable diseases. It is also important to protect the general public from exposure to County employees who may be infectious with a communicable disease.

In order to promote the health and safety of Cowlitz County employees and the general public who come in contact with County employees, Cowlitz County hereby encourages its employees who are at risk of exposure to communicable diseases, as a result of their job duties, to obtain and maintain appropriate vaccinations in order to prevent contracting communicable diseases, or exposing others to diseases they themselves may be exposed to.

Any department of Cowlitz County where employees’ jobs involve potential exposure to body fluids, or person with communicable disease must implement this policy. These departments would include but are not limited to: Juvenile Detention; Jail; Health Department; Deputy Sheriffs; Coroner; Parks; Solid Waste; Water/Sewer; and Building Maintenance.

8.11.2 Procedures.

These procedures shall apply to all County employees whose work brings them in frequent contact with body parts, tissues or body fluids, or in contact with people with communicable diseases. Specific circumstances may require consideration of additional vaccines for either individual workers, or people in given locations with certain risks. The County Health Officer would determine these.

8.11.2.1 Immunizations.

Immunizations, at County expense, should be offered for the following diseases, if an employee has not already been inoculated. (This list may not be all-inclusive):

A. **Hepatitis A:** 2 shot series – Probable life-immunity
B. **Hepatitis B:** 3 shot series – Long-time immunity – booster may be necessary
C. **Twinrix:** Hepatitis A & B together in one shot – 3 shot series – lifetime immunity probable
D. **Tetanus Diphtheria** (Tetanus shot): Booster every 10 years
E. **Influenza** (Flu): annually
F. **MMR** (measles, mumps and rubella): 2 shots required - one after the first birthday with the second dose at least 4 weeks later. All subject employees born after 1957 who lack either documentation of physician diagnosed measles or laboratory evidence of measles immunity and do not have a medical contraindication will need documentation of 2 MMR’s at least 4 weeks apart. Subjects born before 1957 are recommended to have a second shot documented as an adult.
G. **Pneumococcal vaccine:** Recommended for: those with chronic illnesses, heart disease, lung disease, diabetes and immunosuppression, those undergoing treatment for cancer, and all over the age of 65. For healthy adults, if you have received one dose of pneumococcal vaccine before age 65, a second dose is recommended after the age of 65, if five years have passed and the individual was less than 65 years of age at
the time. For adults with any of the health conditions mentioned above, a one-time revaccination at least five years following the first dose is recommended regardless of age.

H. HIV: There is NO immunization for this disease; there is only prevention. A bloodborne pathogen class is required annually for those employees at risk for an occupational exposure to body parts, tissues, or body fluids. Washington State Law requires that the incident of exposure or suspected exposure to HIV be reported to the Health Department within 24 hours. The employees’ private provider will initiate medical follow-up and treatment.

I. TB skin test: A TB skin test is not a vaccine, but it is an important screening tool for those employed in congregate settings or in close contact with the public. Risk of exposure is greatest to those in enclosed areas without proper ventilation. Annual skin tests for high-risk employees shall be required to screen for exposure.

8.11.2.2 Reportability.

State law designates the Health Department as the responsible agency to collect information about certain diseases. To determine what information is reportable, review the Washington Administrative Code or the web sites listed below:

A. Washington Administrative Code Section 246-100 lists all diseases and conditions which are reportable to the Health Department. Some are reportable immediately, some within three days, and some within one month. To find this list, go to either www.co.cowlitz.wa.us/health or www.doh.wa.gov
B. The Center for Disease Control web site has additional information on vaccines, occupational diseases, prevention plans, and specific diseases at www.cdc.wa.gov
C. For additional information, contact the Health Department at 360-414-5599

(Res. 02-003, 1-2-02; Res. 04-121, 6-8-04; Res.04-161, 8-18-04)

8.12 VEHICLE USE

8.12.1 Policy.

The Board of Cowlitz County Commissioners believes that regulations governing the standard manner of operation of vehicles of Cowlitz County should be adopted to ensure the efficient and safe use of such vehicles for proper County purposes. The manner in which employees operate and utilize these identifiable public vehicles is under continuing observation of the public, and each employee must recognize the responsibility of prudent and proper operation of County vehicles assigned for official business or personal vehicles used for County business. That standard manner of operation should reflect respect, responsibility, and care for public property and should strive to ensure the continued safety and well being of County employees and the public.

8.12.1.1 Definitions.

A. Authorized volunteer: Any person working under the direction of the County and for the benefit of Cowlitz County.
B. County Vehicle: A motor vehicle that is owned by Cowlitz County.
C. Employee: Any person receiving wages from Cowlitz County for their labor.
D. **Vehicles:** Includes any automobile, motorcycle, airplane, boat, truck, tractor, heavy equipment or any other motorized vehicle which is owned, leased, or in the possession or control of Cowlitz County or personal vehicles while being driven on County business.

**8.12.2 Procedures.**

The following are the procedures adopted by the Board of County Commissioners governing the use of any and all County vehicles.

**8.12.2.1 Identification of County Vehicles.**

All County vehicles will be distinctly identified with a C-License Plate and an official insignia in accordance with RCW 46.08.065. Exceptions to this policy will include Sheriff’s detective and undercover vehicles.

Maintenance vehicles shall have standard County identification and insignia on the cab.

**8.12.2.2 Vehicle Operation.**

A. County vehicles shall be available for County business at all times. All County vehicles, excluding 24-hour assigned vehicles, shall be parked on County property after working hours.

B. County Vehicles may be assigned to an employee by a Department Head or Elected Official using the following criteria:

C. Travel requirements for the employee’s position demonstrate that assignment of a motor vehicle is the most cost effective and efficient manner of delivering County services.

D. The employee is on 24-hour call or may otherwise be expected to respond to emergencies outside regular business hours.

E. County vehicles may not be taken home overnight except under the following circumstances:

F. Employees designated by the Department Head or Elected Official to be on 24-hour call out for department emergencies or pre-approved assignments.

G. Employees attending out-of-area meetings that require travel outside normal working hours.

H. Any person who drives a County vehicle must possess a valid Operator's License, and "endorsements" or validation required for special equipment.

I. Employees, or authorized volunteers, shall operate all vehicles used for County business in a safe and economical manner.

J. Employees, or authorized volunteers, shall comply with all applicable motor vehicle laws.

Any fines or penalties assessed for traffic violations shall be the responsibility of the operator.

K. Vehicles must be safe to operate. Each employee, or authorized volunteer, driving a County vehicle shall inspect the vehicle to assure that it is in sound operating condition. A vehicle checklist (Exhibit A) is attached to this policy to assist with this responsibility.

L. County vehicles shall only be operated by County employees or authorized volunteers.

M. County vehicles shall be operated for official use only, never for personal business.

Prohibited County Vehicle use includes, but not limited to:

1. Transport of children to school or day care facilities.
2. Transport of personal household belongings.
4. Parades or public gatherings unless approved by the Board of County Commissioners.
N. Passengers who are not County employees will only be allowed to ride in a County vehicle when authorized, in advance, by the Department Head or Elected Official.

O. County vehicles may be used for travel to meals only when an employee, or authorized volunteer, is in a location where driving to obtain a personal vehicle would result in an extra and unnecessary expenditure of time and money.

P. County employees, or authorized volunteers, shall take adequate and appropriate precautions to protect the vehicle from damage or theft.

Q. County employees, or authorized volunteers, shall report any accident immediately to their supervisor, Risk Manager and the proper law enforcement agency having jurisdiction.

R. County employees, or authorized volunteers, shall report equipment problems/failures to the Motor Pool/ER&R staff as soon as practicable.

S. County employees, or authorized volunteers, shall keep the interior and exterior of the vehicle clean.

T. County employees, or authorized volunteers, shall keep records as required by the County that may include but are not limited to mileage, minor repairs, or gas usage.

U. With the exception of the Sheriff’s Office, all County employees, or authorized volunteers, are expected to pull off the road prior to receiving or making a cellular telephone call, or using other computerized devices.

8.12.2.3 Use of Personal Vehicles on County Business.

A. Employees, or authorized volunteers, shall use assigned departmental vehicles and/or Motor Pool vehicles while conducting County business. Personal vehicles may not be used on County business without prior approval of the Department Head or Elected Official.

B. Personal vehicles used for County business shall be subject to this policy.

C. Mileage reimbursement allotted for business use of a personal vehicle contains compensation for gas, insurance coverage and vehicle maintenance. The County liability insurance is secondary to the employee’s automobile insurance, which is the primary insurer.

D. It is recommended that County employees, or authorized volunteers who routinely drive personal vehicles on County business consult with their insurance agent to obtain appropriate insurance coverage. Employees should notify their insurance carriers as to the amount of business use for endorsement purposes.

8.12.4 Driver Training.

Employees, or authorized volunteers, who drive a County vehicle, or drive a personal vehicle on County business, must attend a County sponsored/approved defensive driving class at least once every three years. If there are special needs generated by a series of accidents or moving violations, additional classes may be required at the direction of the Risk Manager, Department head or Elected Official.

8.12.5 Use of Tobacco, Alcohol and/or Drugs in County Vehicles.

A. In addition to complying with Cowlitz County Smoking and Drug-Free Workplace policies, County employees shall not smoke in County vehicles nor drive on behalf of the County following the use of any alcohol or drugs that may affect their ability to operate a vehicle safely.
B. If alcohol, drug use, or impairment is demonstrated to be the contributing cause of a vehicle accident or violation, it shall be grounds for separate disciplinary action up to and including termination of employment.

8.12.2.6 Employee Driving Records.

A. Driving records will be checked at the beginning of employment with the County and bi-annually thereafter.
B. Information on driving records will be kept in the employee’s personnel file and considered confidential. This information may only be used by the County solely for the purpose of identifying valid drivers except if the information indicates that the employee is not in compliance with state or federal driving requirements.
C. The Office of Administrative Services will be responsible for checking driving records.
D. The Risk Manager will notify supervisors when an employee no longer meets the minimum requirements for operating a motor vehicle.

8.12.2.7 Penalty.

Failure to comply with regulations set out in this policy could lead to immediate suspension of vehicle use and constitutes grounds for disciplinary action, including suspension or dismissal from employment.
COWLITZ COUNTY VEHICLE CHECK LIST

Check Daily:

___ Tires – inflated
___ Under vehicle - Leaks or drips
___ Loose items – secure before driving
___ Windows – clear and clean – report any damage
___ Gas – at least ¾ tank full
___ Headlights
___ Turn signals
___ Windshield wipers
___ Emergency flashers
___ Horn

Check Weekly:

___ Engine oil
___ Fluid levels - check when fueling vehicle

Report any defects in the above items immediately to the Motor Pool at 577-3115

(Res. 04-054, 3-30-04)
Sections:

9.1 TRAVEL EXPENSES

Policy.

This policy addresses reimbursement of travel expenses incurred in the conduct of official County business.

Definitions.

The term employee defined as County elected and appointed officials, employees, quasi-employees, members of county boards, commissions and citizen advisory committees, are covered by this policy and are collectively referred to herein as "employees."

Procedures.

Authority and Approval – Getting Permission to Travel.

All travel by County employees shall be approved in one of the following methods: 1) travel/training approval forms, submitted and approved during the annual/biennial budget process; or 2) authorized by a Designee.

Via Travel/Training Budget Forms: The Board of County Commissioners, through the submittal of travel/training approval forms, shall approve travel for County employees during the annual/biennial budget process.

Designee Authorization: Reimbursement for travel expenditures and credit card charges shall be made pursuant to the Travel Expense Claim form duly verified by the claimant, and submitted for final approval by Designee, as listed below:

• County Commissioner shall be the Designee for Department Heads;
• Superior Court Judge shall be Designee for County Commissioners;
• E-Board Chair or Vice-Chair shall be Designee for Director of Communications Center 9-1-1;
• Department Head, Elected Official or their designee shall be Designee for all other County Employees.

What to do before travel commences

a. Travel Arrangements
When employees are making travel arrangements, it shall be the responsibility of the employee to obtain, whenever available, government discount rates. Employees are expected to make travel reservations in advance whenever possible and to take other actions to ensure that travel is secured at the most reasonable rate possible.

b. **Know what is an eligible travel expense**
The following travel expenses are allowable if incurred in conjunction with authorized travel for official County business.

**Registration:** Registration fees required for attendance at conventions, seminars, conferences and official meetings.

**Lodging:** Actual cost of hotel or motel accommodations. If a family member or guest accompanies the employee, the employee shall pay for the amount over that of a single accommodation. Employee shall always secure the most cost effective government or Internet rate available. Upon submission of receipts for hotel or motel accommodations, based on single occupancy, including parking fees itemized in any hotel or motel bill, actual costs will be reimbursed.

**Meals:** Meal and incidental expenses shall be allowed in accordance with current Washington State Per Diem rates (see [http://www.ofm.wa.gov/policy/10.40.htm#10.90.20](http://www.ofm.wa.gov/policy/10.40.htm#10.90.20)). Meals will only be reimbursed when travel is a part of the employee’s county-related business or training. Meal and incidental expense rates shall be based on the primary destination of the traveler. See County Intranet for the current reimbursement rates and Travel Expense Voucher form.

Meal Per Diem includes the following costs:

- The basic cost of the meal,
- Any incidental expenses (fees or tips for personal services received),
- Any applicable taxes,
- Any customary tip or gratuity.

**Overnight travel** is required to be eligible to receive the current State of Washington Office of Financial Management’s Per Diem Rate for meals, which includes taxes, tips and incidental expenses.

**For non-overnight** travel, eligible meal expenses shall be allowed and employees may receive reimbursement for meals based on an actual cost basis not to exceed the current State Meal Rates (see County Intranet for the current State of Washington Office of Financial Management’s reimbursement rates and the Cowlitz County Travel Expense Voucher form). Itemized receipts for actual expenses are required for reimbursement of meals.

Meals that are included in a convention seminar, lodging payment, or other registration fee are not eligible travel expenses.

**Transportation:** Actual costs for bus travel, train travel, taxi/shuttle (including a customary tip or gratuity), car rentals, parking fees, and air travel are eligible. Every effort will be made to obtain the most cost-effective rate for travel. Vehicle rentals shall be pre-approved by the Designee and shall be necessary for the most cost efficient travel (Example: vehicle rental is less expensive than alternative travel source such as taxi or shuttle to and from airport to hotel).
The mileage reimbursement allowed for County employees when using their personal vehicles in connection with County business shall be the allowable current State of Washington’s Office of Financial Management Standard Mileage Rate (see http://www.ofm.wa.gov/policy/10.90.htm #10.90.20). See the County Intranet for the current State reimbursement rates and Cowlitz County’s Travel Expense Voucher form. The following conditions must be met:

- Employee must receive permission from Designee to use their personal vehicle on County business if reimbursement is to be requested.
- Reimbursement for mileage shall not exceed the sum of the round trip coach airfare of a common carrier, needed local mileage/ground transportation, and other related costs for the destination.
- Actual reimbursement for mileage will be reimbursed point to point. The employee shall pay any additional costs due to side trips.
- Reimbursement for mileage shall be prohibited for travel between the usual place of residence and the usual place of work for normal commuting purposes.

Expenses incurred on a combined business/personal trip will be reimbursed to the extent of the business component. Airfare will be reimbursed based on the lowest applicable round trip coach fare from the traveler’s official work location to the business destination.

Telephone: Charges for telephone calls are eligible for reimbursement for County business. Employees traveling overnight may submit for reimbursement the cost of all telephone calls made while conducting County business.

**c. Know what is an ineligible travel expense**

Employees are expected to exercise prudent judgment in incurring travel expenses. Excessive or unnecessary expenses will not be approved or reimbursed. The following are ineligible travel expenses:

- Travel paid for by any other individual or organization
- Liquor
- Valet Services (unless mandatory at lodging or business location)
- Any expenses for spouse or guest
- Tour bus fees for sightseeing tours
- Mileage if traveling as a passenger in a privately owned car
- Trip insurance
- Hosting
- Any personal expenditure for entertainment or other purposes
- Personal phone calls
- Internet Connections for Personal Use
- Fines for parking violations or traffic violations
- Meals for employees while conducting routine business at local restaurants when such business could reasonably be conducted at County facilities or other site
- Personal mileage incurred at the business destination such as sightseeing
- Damage to personal vehicle used on county business.
Travel expenses will be reimbursed during the length of time that the employee is on County business. Travel expenses incurred during additional travel days relating to any personal component of the trip are the expense of the employee. In instances where additional travel days result from the employee’s decision to use a personal vehicle rather than air travel, no reimbursement will be allowed for meals, lodging or parking associated with the additional days unless approved in advance by the Designee.

**How is Travel Paid for?**

There are three methods the County pays for authorized travel:

- County credit card
- Accounts payable
- personal funds to be reimbursed at completion of travel

**County credit card:** Department Heads, Elected Officials and regular full-time County employees may hold a County credit card for the sole purpose of covering expenses incidental to conducting County official business pursuant to the County’s Credit Card Policy.

Employees using a County-owned vehicle for travel shall secure a County credit card and use that for purchases of gasoline, oil, emergency repairs, etc.

Credit card reconciliation of the expenses shall require the completion of a Travel Expense Claim form. Each expense shall be itemized separately with the original corresponding itemized credit card receipt attached. This reconciliation must be submitted no later than 15 days after the return from travel.

Disallowing charges or charges not properly identified will be paid by the employee before the charge card billing is due. Failure to do so will render the employee personally liable for the unpaid amount plus interest at the rate charged by the bank that issued the credit card. If, for any reason, disallowed charges are not repaid before the credit card billing is due and payable, the County shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the employee in the amount of the disallowed charges, plus interest.

**Accounts payable process:** Employees are expected to plan ahead for travel expenses, such as conference or seminar pre-registration fees, that can normally be billed to the County or paid through the regular accounts payable system.

**Reimbursement of personal funds:** Request for reimbursement of allowable travel expenses shall be prepared by the employee claiming reimbursement on the Travel Expense Claim form with all of the required receipts. Reimbursement will not be made if the required receipts are not attached. The Travel Expense Claim form will then be processed through the next accounts payable cycle. If registration fees were a part of the travel, an agenda/itinerary must be submitted with the travel expense claim form.

**What documentation should I keep?**
Receipts: Each claim for reimbursement must be accompanied by a Travel Expense Claim and be supported by all original, itemized receipt(s) or acceptable substitute, **except** for the following expenses:

- Meals for overnight travel (non-overnight travel and meals charged on a County credit card require an itemized receipt)
- Transit fares, ferry fares, bridge and road tolls
- Taxi and limousine fares
- Parking fees
- Baggage fees

**Specific Requirements**

**Lodging:** Lodging receipts must clearly identify the amounts paid, the number of occupants and the single room rate. If lodging accommodations are shared between two or more employees, the employee paying the bill may submit the lodging portion of the bill for all such employees.

**Airfare:** An itinerary and/or confirmation must accompany a travel expense claim for air travel.

**Questionable Charges:** Claim of any questionable charge that could reasonably raise a question should be accompanied by an explanation of such charge.

**Expenses Incurred on Behalf of Another:** When an employee claims reimbursement for travel or other expenses incurred on behalf of another, in addition to other requirements, a detailed accounting must be attached to the reimbursement claim which includes at least the following:

- Name of the person, employee(s) and/or non-employee(s), on whose behalf the expenses were incurred.
- Whether the person is a County employee and, if not, the nature of his or her connection with County business.
- A breakdown of each type of expense for each person, including the claimant, for whom reimbursement is claimed.

**What to do after travel is completed.**

**Complete travel form:** Regardless of payment method used, each employee is required to submit his/her own travel expense voucher reflecting reimbursable expenses actually incurred, with required itemized receipts attached.

**What happens if I can’t attend pre-paid conferences, seminars, or County business functions?**

The Board of County Commissioners will approve for reimbursement of unattended seminars, conferences or County business functions only in the event of an emergency occurring where the employee cannot attend or where the Board of County Commissioners approves or directs the employee not to attend.

When an employee is unable to attend a scheduled seminar, conference or County business function due to an emergency, the employee/department head must make every attempt to find someone else to attend in that employee’s place, provided the seminar topic is directly related to the job functions of the replacement employee. In the event this fails, documentation must be provided indicating what fees and charges cannot be refunded, before the County will consider reimbursement of these fees to the employee or release the employee from reimbursing the County, for prepaid fees, made by the County. Documentation and written request for reimbursement should be provided to the Board of County Commissioners for their approval by the respective Elected Official or Department Head.
COWLITZ COUNTY POLICIES

Subject: VISITOR AND COMMUNITY SERVICES

Chapter: 10

Sections:

10.1 EXPO CENTER ADMINISTRATION

10.2 COWLITZ EVENTS CENTER RULES

10.3 EXPO CENTER RULES

(Space held for future policy)

10.1 EXPO CENTER ADMINISTRATION

Policy.

The Cowlitz County Visitor and Community Services Director is authorized to enter into and execute on behalf of Cowlitz County and the Cowlitz County Commissioners all routine, pre-printed, pre-approved licensing agreements which consist of commercial licensing agreements, fair facility licensing agreements, food and/or beverage licensing agreements covering facilities, space, or other property of Cowlitz County located on the Cowlitz County Expo Center grounds.

Procedures.

A. Deposit as required by licensing agreement has been received by the Visitor and Community Services Director.
B. The Visitor and Community Services Director determines that the granting of such license agreement provides a fair rate of return to the County in view of the nature and license value of the facilities, space and/or property licensed, use to be made thereof, the character of the applicant.
C. The applicant shall provide such indemnification and/or insurance coverage, proof of compliance with workers compensation laws, proof of possessing any other license or permits required of the applicant, and any release forms as may be required by the Risk Manager, prior to the issuance of licensing agreement.
D. The Risk Manager of Cowlitz County shall approve insurance coverage for each agreement prior to issuance of licensing agreement. The form used must be drawn up and approved by the prosecuting attorney’s office.
E. Any such licensing agreement shall be for a term of less than one year.
F. The Visitor and Community Services Director will refer a copy of the licensing agreement to the Board of County Commissioners for their official record immediately following execution of the agreement by all parties.
G. Nothing herein shall prevent the approval and execution of any such licensing agreement by the Board of County Commissioners of Cowlitz County.
H. Funds must be deposited daily with the County Treasurer if the accumulated funds are $50.00 or more.
I. Charges to rent individual buildings and/or grounds shall be posted at the Expo Center office.
J. The Visitor and Community Services Director shall have the authority to vary the rents depending on the event or length of such event.

The Board of County Commissioners reserves the right to rescind any or all of these procedures should improper administration of said procedures occur.

(Res. 83-250, 11-14-83; Res. 04-124, 6-8-04)

10.2 COWLITZ EVENTS CENTER RULES

Policy.

Definitions.

As used in this policy, the following definitions apply:

A. **Board**: means the Cowlitz County Board of Commissioners.
B. **Customer**: means a person who is a party to an Event Contract executed with the Cowlitz Regional Conference Center.
C. **Director**: means the Director of Visitor and Community Services or designee.
D. **Employee**: means an employee of Cowlitz County.
E. **Event Contract**: means an agreement between a Customer and Cowlitz County for the rental of facilities and/or event services provided by the Cowlitz Regional Conference Center staff or vendors hired by Cowlitz County pursuant to Professional Services and/or Management Contracts.
F. **Facilities**: means those portions of the following areas that are available for rental to the Customer and which are located on Cowlitz Regional Conference Center property:
   1. Cowlitz Regional Conference Center buildings;
   2. Outdoor Arenas;
   3. Parking lots; and
   4. Outside grounds encompassing certain patios, sidewalks and grass-covered areas as determined by the Director as suitable for use.
G. **Fee schedule**: means the rates and fees established annually by order of the Board, usually at or near the end of each fiscal year, and which may be amended by order of the Board from time to time during the fiscal year.
H. **Management Contract**: means a contract between the Customer and Cowlitz County whereby the Cowlitz Regional Conference Center provides specific services for and/or manages an event pursuant to the contract. The contract may include such services as: clerical and staff support, reservations and registration processing, advertising and promotions, equipment acquisition, food and beverage services, and entertainment services.
I. **Move-out:** is defined as an action of the Customer during a specified rental period when Customer removes all goods, wares, merchandise, property and debris owned by Customer out of the facilities, but excludes activities such as a performance.

J. **Performance:** means the principal subject of the Event Contract, or principal purpose for which the Event Contract was negotiated. The term includes, but is not limited to, concerts, or other forms of entertainment, workshops, community events, trade shows, fairs, expositions, carnivals, circuses, and festivals.

K. **Person:** means any individual or group of individuals, corporation, partnership, or organization. The singular form includes the plural.

L. **Public Facilities District:** means a municipal corporation duly organized and existing under the laws of the state of Washington who entered into inter-local agreements with Cowlitz County for joint and cooperative actions to operate, develop and promote a regional center to provide facilities for a variety of community activities and conferences.

M. **Self-promoted event:** means an event conducted and produced by Cowlitz County; such events may include the annual County Fair, community events, trade shows, concerts or other forms of entertainment, workshops, or festivals.

N. **Setup:** is defined as an action of the Customer during a specified rental period defined by the Event Contract when any Cowlitz Regional Conference Center facilities and/or equipment may be prepared for a contracted event but excludes activities defined as a “performance.”

O. **Sponsor:** means a person or agency that undertakes certain responsibilities in connection with Customer, as in being a proponent, endorser, or adviser.

P. **Tear-down:** is defined as an action of the Customer during a specified rental period defined by the Event Contract when any Cowlitz Regional Conference Center facilities and/or equipment may be removed from use for a contracted event but excludes activities as a performance.

**Annual Review.**

The Public Facilities Board may request through the Director to review this policy and procedures annually with the Board of Cowlitz County Commissioners during the month of May. The Public Facilities Board may propose revisions, changes or modifications as an advisory capacity to the Board of Cowlitz County Commissioners.

**Procedures.**

**Facilities; Availability factors.**

Cowlitz Regional Conference Center offers the use of facilities, buildings, services and/or equipment to interested persons based on the following factors:

A. Reoccurring annual events, for which, if contracted, the Customer shall have first right of refusal, limited to availability of the facilities that meet the needs of the Customer and further subject to the requirements of Sections 10.2.2.4-10.

B. Ability to generate revenues for Cowlitz Regional Conference Center.

C. Agreement and ability to fulfill the requirements established by Cowlitz Regional Conference Center pursuant to this Ordinance and/or the Event Contract.

**Hours of Operation.**
A. The charge for all facility usage shall apply to the periods of occupancy of the facilities between the hours of 6:00 a.m. and 12:00 midnight.
B. No event shall be permitted to continue after midnight unless established by contract or prior written approval granted by the Director.
C. Applicable overtime costs will be charged unless all premises are vacated and secured by the time specified in the Event Contract.
D. Music and amplified sound may be prohibited after 10:00 p.m. in any outdoor area.

**Denial of Use Factors.**

Cowlitz Regional Conference Center may deny use of facilities, buildings, services and/or equipment based on the following factors:

A. If proposed activities would violate state, federal or local laws, ordinances or regulations.
B. If proposed activities have the potential to endanger spectators, participants or Cowlitz Regional Conference Center staff, facilities and/or equipment.
C. Nature of the event is not compatible with facilities available.
D. Customer has been unable to demonstrate adequate financial capability to pay, or has a history of failure to pay required fees and charges.
E. Customer has not obtained the required licenses, permits or insurances.
F. Customer has demonstrated inability to adhere to rules stipulated in applicable Event Contracts or this Ordinance.
G. A particular use may have a negative impact on another concurrent use or on Cowlitz Regional Conference Center.
H. References are not supportive of prior actions at other facilities.
I. Another use presents higher and better use.
J. Uses are incompatible with community standards.
K. Customer agrees that no person shall be denied access to event regardless of race, creed, color, national origin, sex, the presence of any sensory, mental, or physical handicap, or the use of a trained dog guide by a blind, deaf, or physically disabled person.

**First-come/First-served basis.**

Reservations for facility usage are accepted on a first come/first served basis. **PROVIDED THAT:**

A. Customers in good standing shall have first option for use of facilities in accordance with Sections 10.2.2.1 and 10.2.2.6.
B. The Director reserves the right to bump any Customer in accordance with 10.2.2.7.

**Event-Spacing Policy.**

A. Cowlitz Regional Conference Center does not have a specific event-spacing policy (sometimes referred to as a non-duplication or date-protection policy). While recognizing the potential value in separating “like events,” and the need for timely, sound fiscal decisions, the Director is charged with the following responsibilities:

1. to determine acceptable event-spacing as deemed fiscally responsible for the Cowlitz Regional Conference Center; and
2. to negotiate with event promoters and sponsors for the purchase of exclusive right to use the facility on an event-by-event basis.  
B. In every case final scheduling rights rest with the Director and approval of an event-spacing agreement may be subject to payment of a fee by Customer.

Annual Advance Reservations.

A. An event sponsor must provide, within ten (10) days following the end of an event, written notice to the Director of sponsor’s intent to conduct the same event one year later in order to reserve such time annually.  
B. If the sponsor does not comply with this notice requirement, the Director may schedule that time as deemed in the best interest of Cowlitz Regional Conference Center. The final dates are set by the Director and will include consideration of the needs of the customer.

Bumping Rule.

A. Customers are subject to bumping based on the following:  
1. In the event the facilities are damaged or destroyed to such an extent that they are unusable in whole or in part, Director may be required to cancel or may attempt to reschedule the event.  
2. In the event that Customer’s use of the facility conflicts with an earlier scheduled event.  
B. In the event of a scheduling conflict or if the event is to be bumped, the Customer shall be notified not less than thirty (30) days prior to a scheduled event and an attempt to reschedule the Customer’s event or performance shall be made.

Use of Facilities for Commercial Purposes.

A. The sale of goods and services is prohibited anywhere on Cowlitz Regional Conference Center property without an Event Contract.  
b. If products are placed on Cowlitz Regional Conference Center grounds, the Director may have the products removed.  
c. If a vendor is suspected of selling goods and/or services in violation of these rules, the Customer will ask the vendor to cease the activity or to leave the premises. If the activity continues the Customer may notify the Director, and the Director will ask the vendor(s) to stop or to leave the facility. If they refuse, the Director will advise the Customer of their rights to remove the vendor(s) and press trespassing charges.

Shared Use with Other Customers.

Should there be one or more events scheduled during a Customer’s event, including move-in and move-out days, the affected Customers will work with the Director to coordinate over-lap in facilities.

Non-Availability of Facilities During the Fair.

During the annual Cowlitz County Fair, the facilities are available for the exclusive use of the Cowlitz County Fair, including setup and tear-down as determined by the Director.

American with Disability Act (ADA) Requests.
Cowlitz County facilities are ADA compliant and accessible. If the Customer has a specific ADA request, the Customer should submit the request to the Director and allow staff ample time to accommodate the request.

**Application of Other Laws.**

A. If there is a conflict between these policies and procedures, County policies and federal, state and local laws, regulations and ordinances, or the Event Contract, the order of precedence shall be as follows: federal law, state law, local law, county ordinance, policies and regulations, Event Contract.

B. Customers are subject to these policies and procedures and any other Cowlitz County policy and regulations applicable to the Cowlitz Regional Conference Center and use thereof.

C. Any matters not expressly covered by these policies and procedures, or other rules and regulations adopted by the Board shall be determined by the Director.

D. Any person who fails to abide by any law or policy applicable to the Customer shall be subject to immediate removal from the Cowlitz Regional Conference Center premises at the will of the Director.

**Fees**

**Fee Schedule; Director Authority.**

A. The rates and fees published in the Fee Schedule cover most ordinary situations involving use of buildings, facilities, services, and/or equipment. The Fee Schedule is reviewed and adjusted at least annually during the County’s budget process.

B. Fees and rates will be established based on the following factors:
   1. Comparison with similar facilities and events;
   2. Recovery of operational costs for utilities, labor, facilities and grounds upkeep and reasonable overhead;
   3. Recovery of costs for equipment including a factor for depreciation; and
   4. Percentage of potential event gross revenue.

C. The Director will endeavor to mail notices of changes to the Fee Schedule to all interested persons and to Customers who have used the facility within the last two years. The Fee Schedule will also be posted on the Cowlitz County Visitor and Community Services website.

D. The Director shall have the following authorities:
   1. Establish rates and fees, at any time, for buildings, facilities, services, activities and/or equipment that are not specifically listed in the Fee Schedule.
   2. Waive or to reduce in whole or in part, the rates and fees established on the Fee Schedule when it is determined that:
      a. Marketing opportunities exist to encourage regular or recurring facility use and increase revenues to the County and/or the Public Facilities District.
      b. A rate change would encourage use during non-peak times.
      c. A rate change or reduction as an introductory offer would attract future business or create an ongoing event.

E. Except as otherwise provided in this section, the Director will charge the Customer fees and rates established in the Fee Schedule.

**Conditions for Occupancy and Use; Payment of Fees.**

A. Any and all use of the premises and/or equipment will be allowed only after a fully executed Event Contract is on file in the Cowlitz Regional Conference Center office with a valid Certificate of Insurance acceptable to the County and all required deposits have been paid.
B. Rental fees shall conform to the Rental Rate Schedule unless otherwise agreed to in the Licensee Agreement and Attachments.

C. Move-in cannot start until down payment and deposit is made, and contract has been fully approved.
   1. Deposits are due and payable upon receipt of an Event Contract or a minimum of 90 days prior to reservation date.
   2. Event deposits are non-refundable. In addition, any cost incurred in Cowlitz Regional Conference Center’s preparation for an event will be billed to Customer.
   3. Other deposits will be returned upon full payment of all fees and invoices or, at Customer’s option, may be applied as partial payment for amounts due.
   4. Facility base rental is due upon arrival.
   5. Outstanding fees and charges will be billed within seven (7) days of closure of show. Payment is required within thirty (30) days or a 1.5% late fee per month will be assessed to outstanding balance.
   6. Outstanding fees may also be subject to Legal Collection, based on legal guidelines established by the Cowlitz County Prosecuting Attorney.

D. Telephone:
   1. Two pay phones are located on the grounds.
   2. Customer will be responsible for payment of all long distance calls incurred during contracted period including set-up, move-in, event, and move-out days.

E. A post-event checklist will be presented prior to the opening of the event.

Contracts

Event Contracts.

A. Persons interested in executing an Event Contract may contact the Cowlitz Regional Conference Center administrative office.

B. Cowlitz Regional Conference Center will provide information about facilities, services, available dates, rental rates, and terms and conditions of use.

C. Terms and conditions for rental are outlined in the Event Contract. Cowlitz County reserves the right to amend or modify rules, regulations, terms and conditions, as it deems appropriate.

Certificate of Insurance

A. No person may use any portion of Cowlitz Regional Conference Center without first submitting to Director a valid certificate of insurance, when required, in the amount, and coverage, as specified in the Event Contract.

B. The Certificate shall stipulate that coverage is in full force and effect during all setup, performance, tear-down, move-out or any other times of occupancy or usage of facilities by Customer.

Booking Reservations.

A. Rental requests will be taken at the Cowlitz Regional Conference Center office and space reserved for the Customer for up to two (2) weeks pending issuance of an Event Contract.

B. Once an Event Contract has been issued, the Customer has two (2) weeks to return it along with the required deposit.
C. It is the Customer’s sole responsibility to ensure that the Event Contract and deposit are returned in a timely manner. Failure to do so may result in the loss of the reservation and the Customer may be denied the use of the facility in the future.

**Change Orders.**

A. After an Event Contract has been executed, a Customer may request a change order concerning the use of buildings, facilities, services and/or equipment.
B. If a change order to the Event Contract is issued three days before the event begins, fees for additional buildings, facilities, services and equipment shall be charged according to the fee schedule.
C. Any changes that occur within three days of set-up or after the event begins will be subject to an hourly rate equal to time and one-half for staff; equipment and supplies to be charged at 150% of the Fee Schedule rates.

**Cancellations.**

A. In the event that a Customer cancels a reservation without proper notice, the Director may, at his sole discretion, keep all or part of any Customer deposits and payments as liquidated damages.
B. Upon cancellation, the Customer relinquishes its first right of refusal for future dates, unless the contract is honored and paid in full - whether or not an actual physical event occurs.

**Failure to Vacate.**

A. Upon the expiration or sooner termination of the Event Contract, Customer or its designated representative shall immediately remove all goods, wares, merchandise, property and debris owned by Customer or which Customer has placed or permitted to be placed on or at Cowlitz Regional Conference Center.
B. Any such property not so removed shall be considered abandoned.

**Rules for Use.**

**Customer’s Responsibility**
Customer is responsible for informing all participants and guests of these Rules for Use and enforcing them.

**Ticketed Events.**

A. Should the contracted event require the selling of tickets to gain admission, a percentage of sales will be paid to Cowlitz Regional Conference Center by the Customer as designated in the Event Contract. Use of the ticket window or services of Cowlitz Regional Conference Center staff to dispense tickets will result in a fee in addition to the percent of sales fee.
B. Admission, Security and First Aid: Customer shall be responsible for complete admission, security and first aid services for all areas licensed, including exhibit areas, outdoor arenas, rings, barns, meeting rooms, loading dock areas, emergency exits and any storage areas from the time of initial occupancy until the completion of move-out.

**Right of Entry/Inspection.**
A. Cowlitz Regional Conference Center does not relinquish and does hereby specifically retain the right to enforce all necessary and proper rules for the management and operation of the facility.

B. Duly authorized representatives and staff of the Cowlitz Regional Conference Center, the Public Facilities Board or the Board of County Commissioners may enter any areas of Cowlitz Regional Conference Center at any time and on any occasion without any restrictions.

C. All facilities at all times remain under the control of the Director.

D. Cowlitz County and the city of Longview and its officers, including the Sheriff, Prosecuting Attorney, County Risk Manager, Fire Marshal, and their deputies and designees, and officers and deputies of the Cowlitz County Health Department, shall have access at all times to the premises and may control any criminal activity, nuisance, or real or potential harm to persons or property.

Restricted Areas or Access.

At certain times the Director may determine it necessary to restrict access to certain areas of the facility and grounds. If this restriction is ignored and the Customer uses the restricted facilities or grounds, the Customer will be charged for the use of such facilities and grounds. The Customer should check with the Director to have questions resolved.

Access; Keys.

Appropriate access to facilities, equipment and staff will be made available to Customer through the Cowlitz Regional Conference Center office.

Ingress and Egress for Setup and Tear-down.

The Customer may enter the Cowlitz Regional Conference Center between the hours of 6:00 a.m. and 12:00 midnight for the purposes of setup or tear-down, unless otherwise established in the contract or authorized in writing by the Director.

Security.

Cowlitz Regional Conference Center reserves the right for all events, to determine security requirements and assign personnel accordingly. These personnel may be Cowlitz Regional Conference Center Security, contracted by the Cowlitz Regional Conference Center, ushers and hosts, Cowlitz County Sheriff’s Reserve, Longview Police Department, or other volunteer organizations or combinations of any of the above.

Food and Beverage Concessions.

A. Cowlitz County retains the exclusive right to contract for concession and catering services for the sale of food and beverages on and about the facilities and premises and to establish and collect fees payable for such services. The Director may waive that right for financial consideration.

B. When a Customer desires to have alcoholic beverages available at an event they will utilize the contracted alcohol service through Cowlitz Regional Conference Center or Cowlitz County Historical Museum.

C. No alcohol shall be served by, or be permitted to be served by, anyone unless with prior written approval of the Director. Approval may, in the Director’s discretion, be given under the following conditions:
1. The appropriate permits, including those from the Washington Liquor Control Board (Washington State Liquor and Cannabis Board), have been acquired.
2. No one under the age of 21 years is served.
3. No one who appears to be intoxicated or under the influence of alcohol is served.
4. Liquor law liability insurance is obtained with limits of liability in an amount acceptable to the County.
5. A security plan approved by the Director is in place.
D. Customers are prohibited from bringing alcoholic beverages onto the premises.
E. It will be determined by the Director whether security or additional staff will be required for the event, and the customer will be responsible for the cost of such security.

Accessory Equipment.

A. Cowlitz Regional Conference Center will provide accessory equipment such as tables, chairs, benches, risers, etc., if available.
B. Customer will reserve equipment at least ten (10) days prior to move-in of such accessory equipment.
C. Customer will pay for accessory equipment at the rates established at time of booking the event.

Floor Plans.

Customer is required to submit floor plans, equipment orders, electrical orders, and any other instructions to Cowlitz Regional Conference Center in writing no later than ten (10) working days prior to event move-in (or as otherwise specified by Event Contract).

Solicitations; Signature Collections.

A. No collections or donations, for any purpose, shall be made, attempted or announced by the Customer or any of the Customer’s vendors, employees, agents, general public, or attendees/participants on the premises without the written approval from the Director.
B. Commercial solicitation of businesses or the general public participating in any event requires the written approval of the Director.
C. If a commercial solicitor(s) is suspected of violating these policies and procedures the Customer will ask the commercial solicitor(s) to cease their activity or to leave the premises. If the activity continues the Customer may notify the Director, and the Director will ask the solicitor(s) to stop the activity or to leave the facility. If they refuse, the Director will advise the Customer of their rights to remove the solicitor(s) and press trespassing charges.
D. Solicitation of signatures on petitions is permitted with written approval of the Director. The Director may control such activities with respect to time, place and manner of the activity. An Event Contract will be signed by an authorized Customer. Violators of time, place or these rules will be subject to trespassing charges.

Signs; Banners; Pictures; Posters; Literature; and Advertising.

A. All advertising space on the premises is the exclusive property of Cowlitz Regional Conference Center.
B. No signs/banners/pictures/posters/literature or other advertising will be permitted on any location at Cowlitz Regional Conference Center without prior written approval of the Director.
C. All signs/banners/pictures/posters/literature or other advertising will be removed immediately after the event or there will be a charge to the Customer.

D. Signs, posters and literature:
1. Signs may only be posted in approved areas or on surfaces and equipment approved for such use and all signs and posters must relate to the event to be held at the Cowlitz Regional Conference Center facility.
2. Hanging of signs/banners/pictures/posters/literature or any other items on interior or exterior walls, draperies or structures requires prior written approval of the Director.
3. The Customer shall not post or permit any sign, poster, literature or any other material upon said premises that would tend to injure, mar or in any manner deface Cowlitz Regional Conference Center.
4. Customer will not permit nails, hooks, adhesive fasteners, tacks, screws or any other such device to be installed on any part of the building or premises.
5. The use of adhesive tapes or staples for the attachment of signs to any surfaces is prohibited, except on designated bulletin board areas.

Copyright Logo or Likeness.

No persons or events shall use the likeness of or any rendition of the Cowlitz County logo, Cowlitz Regional Conference Center logo or themes without expressed written permission of the Director.

Common Area Display.

A. Displays are encouraged in common areas. Materials are to be professionally produced and non-controversial in content.
B. The Director has the right to refuse or order changes to displays that do not follow quality or content standards.
C. Display requests are accepted on first come basis and can be denied based on other uses and impact.
D. There are no guarantees for minimum time of display. The Director has the right to break down and remove displays as deemed necessary.

Balloons.

Lighter than air balloons are prohibited from being released on Cowlitz Regional Conference Center property without the express prior written approval of the Director.

Radio Communications.

The Customer must provide its own radio communication system for purposes of communicating between Customer’s staff members. The Customer must use a different frequency from the one used by Cowlitz Regional Conference Center. Some Customers may be provided with ONE radio with which the Customer’s event staff may contact janitorial, security, parking and Cowlitz Regional Conference Center staff.

Utilities; Energy Management.

A. Cowlitz Regional Conference Center shall provide heat and lighting as needed during event days.
B. One-half normal electrical illumination will be allowed for move-in and move-out days.
C. Additional lighting and heating requested by Customer shall be assessed at the prevailing rate.
D. The Customer may not adjust or attempt to adjust the thermostats or lights in the facility. Contact Cowlitz Regional Conference Center staff for assistance.

**Loading Doors.**

If loading doors are utilized, the Customer must be sure they are in fully open position before using. Damage could result in a charge to the Customer for the repairs or replacement.

**Maintenance of Common Areas During Events.**

Cowlitz Regional Conference Center personnel shall maintain all common areas which include sidewalks, patios, lobbies, concourses, hallways, rest rooms, meeting rooms, (except when used for exhibit space), and registration area.

**Janitorial and Cleaning Requirements.**

A. Except as otherwise agreed to, the Customer shall leave the rented areas in a clean and neat condition and in the same condition as when first occupied by Customer, normal wear and tear excepted.  
B. All janitorial and cleaning service, beginning with the first day of the event and ending on the final day, shall be the responsibility of the Customer.  
C. Cost of extraordinary cleanup or repair of any damage will be charged to the Customer.

**Trash Removal.**

A. Cowlitz Regional Conference Center will provide disposal receptacles for trash, debris and general packing material. Costs to remove debris or trash shall be the responsibility of the Customer.  
B. Non-hazardous fluids, chemicals, petroleum-based products, perishable items or any other non-dry material must be disposed of in a manner prescribed by Cowlitz Regional Conference Center.

**Recycling.**

A. Cowlitz Regional Conference Center participates in a recycling program. Customers are required to separate recyclables from other refuse. Cardboard-only receptacle area is available to dispose of cardboard.  
B. A charge may be assessed to Customer if exhibitors contaminate any recycling receptacle with other refuse.

**Lost, Damaged or Abandoned or Stolen Property.**

A. Cowlitz Regional Conference Center assumes no responsibility for any property placed on the premises by the Customer or exhibitors.  
B. Cowlitz Regional Conference Center hereby is expressly relieved and discharged from any and all liability for any loss, injury or damage to persons or property that may be sustained by reason of the occupancy of the facility under an Event Contract.  
C. Any equipment or articles of the Customer or exhibitors remaining at the facility past the expiration of the Event Contract may be considered abandoned and may be disposed of according to Cowlitz County policy.
D. Cowlitz Regional Conference Center shall have the sole right to collect and have the custody of any articles left on the premises by Customer’s invitees and to provide for the disposition thereof.

E. Cowlitz Regional Conference Center shall assume no responsibility for losses suffered by the Customer, its agents, servants, employees, or invitees that are occasioned by theft or disappearance of equipment, articles or other personal property belonging to Customer, their vendors or invitees in and at the Cowlitz Regional Conference Center.

F. Customer assumes all risk of loss or damage, by theft or otherwise, to the property incurred during or as a result of any removal, storage, sale or other disposition by the County. Customer is advised that sale or other permanent disposition, private or public, may occur not less than thirty (30) days from the vacation date.

**Fire Regulations, Safety Rules, other Licenses, Permits.**

A. All fire regulations prescribed by the City of Longview Fire Marshal shall be strictly enforced. Final approval of any event may be dependent on inspection by the Fire Marshal. **Questions may be directed to the City of Longview Fire Marshal.**

B. No event shall take place on the premises unless all Fire and Life Safety rules are observed and complied with.

C. It is the sole responsibility of the Customer to apply for and make available any and all necessary permits, licenses or additional agreements required to operate on the premises. They include, but are not limited to, health permits, work permits, business licenses and workers compensation.

D. The following mandatory requirements apply to all events.

1. **Exits, Exit Doors, Exit Signs.**
   
   No display or exhibit shall be installed or operated which interferes in any way with access to or visibility of any exit door or exit sign. Exit doors may not be locked by means of ropes, chains, wire or any other device that limits their use.

2. **Obstruction Of Fire Safety Equipment.**
   
   No display or exhibit shall be installed or operated as to interfere with or block access to fire fighting equipment such as fire extinguishers, fire alarms, fire sprinkler equipment rooms or hydrants. Vehicles shall not be parked in fire lanes.

3. **Decorative Materials, Drapes, Curtains, Tents.**
   
   a. All drapes, curtains, drops, tents and air supported structures and all decorative material shall be made of non-combustible material or shall be treated with an appropriate flame retardant chemical. Certification of flame retardant treatment shall accompany your application.

   b. The location and arrangement of any tent, canopy or air supported structure to be erected on the Cowlitz Regional Conference Center premises requires prior approval from the Fire Marshal.

4. **Hay Bales, Loose Hay And Other Loose Combustible Materials Such As Sawdust.**
   
   Hay bales cannot be used for seating inside buildings or tents. Hay bales and loose hay may be used for decoration inside buildings or tents provided the material is treated and maintained in a flame retardant condition. Such use requires written approval from the Fire Marshal.

5. **Cooking Inside Buildings.**
   
   a. Open flame heat processing or warming equipment is prohibited.

   b. All food preparation equipment or processes which produce grease laden vapor (frying, deep fat frying, broilers, fry grills, hot top ranges, ovens, rotisseries) shall be located under an exhaust hood equipped with a fire extinguishing system.

   c. A minimum forty BC rated five (5) lb. dry chemical extinguisher is REQUIRED.
6. **Hot Popcorn Machines.**
   a. Extension cords used to connect popcorn machines to a power source will be equipped with overload protection.
   b. Hot popcorn machines must be at least five (5) feet from the public’s reach, under direct supervision at all times or disconnected from the power source, may not be installed within ten (10) feet of an exit door and shall have a minimum forty BC rated five (5) lb. dry chemical fire extinguisher or larger, within the booth or area of sale.

7. **Cooking Outside Of Buildings.**
   a. A minimum forty BC five (5) lb. dry chemical fire extinguisher is REQUIRED.
   b. Commercial cooking will only be allowed in approved locations and with approved equipment.

8. **Flammable And Combustible Liquids.**
The use, storage and handling of flammable or combustible liquids inside buildings and tents is prohibited.

9. **Propane (Liquefied Petroleum Gas).**
   a. The use and storage of LP Gas or LP Gas containers inside buildings or tents is prohibited.
   b. Containers located outside of buildings/tents shall be secured in an upright position with rigid brackets or chains. Regulators and piping must be LP Gas approved and protected from physical damage.

10. **Electrical Wiring/Equipment.**
    All electrical wiring and equipment shall comply with the state and local electrical codes. Any alteration to wiring connections to any electrical circuit panels, electrical switch, or any electrical device can only be performed by qualified licensed electricians and only with agreement of the Expo Maintenance Supervisor. Removal of covers exposing electrical wiring is prohibited. A minimum of 36 inches (3 feet) of working clearance must be maintained around all electrical switches, panels, disconnects, etc. to permit the ready and safe operation and maintenance of such equipment.
    
    a. Extension Cords
       i. Underwriters Laboratory (UL) approved extension cords must be plugged directly into an approved outlet. Each cord may be plugged into one appliance only unless a UL approved multiple outlet extension cord equipped with a circuit breaker is used. The use of multi-plug extension cords, cube adapters, strip plugs or any other similar device is prohibited.
       ii. Cords must be of the three-wire hard usage type. The gauge of the cord must not be smaller than the attached appliance cord and in no case less than fourteen (14) gauge.
       iii. Cords shall not be attached to walls or other items using nails, staples or other metal fasteners. Electrical extension cords shall in no way be installed and used as a permanent installation (that is, used for 90 days or less). Cords shall not be wound, crimped or subjected to physical damage.
       iv. Convenience outlets are provided for your use by the Cowlitz Regional Conference Center. City of Longview electrical code requires that all cords plugged in to these outlets are protected by a UL approved ground fault circuit interrupter cord set. GFCI protection is not required on cooking and refrigeration equipment that is incompatible with ground fault circuit protection devices. **It is the responsibility of the user or vendor** to provide such protection while using Expo electrical outlets.
    
    b. Electrical Lights, Light Fixtures, Light Bulbs.
    Light bulb wattage must not exceed the rating for the fixture. No larger than sixty (60) watt bulbs shall be used in any unlabeled fixture.
    
    c. Electric Panels.
    No display or exhibit shall be installed or operated which interferes in any way with access to electrical panels, disconnects, or other electrical safety devices.
    
    d. Electric Heaters.
    All temporary heating systems, including portable heaters, require prior written approval from the Fire Marshal.
e. Open Flames.
   The type of device and a list of the safety precautions shall be included with your application.

11. Trash Receptacles.
   Combustible trash shall be removed from the building routinely, but in no case less than once each day.

12. Trash Dumpsters.
   Dumpsters shall not be placed within five (5) feet of a building or tent. Dumpster placement shall not block the path of travel from any exit.

13. Motorized Vehicles - Displays And Events.
   The requirements listed below must be followed when any vehicle is parked, displayed or stored inside any building or tent.
   a. Displays: The following requirements shall be addressed when the vehicle is first placed in the building, or on static display on the Cowlitz Regional Conference Center grounds, and continued throughout the event.
      i. LP Gas containers/tanks shall be emptied or removed from the vehicle.
      ii. Gasoline tanks shall be substantially empty and the gas cap must be locked closed or taped in place.
      iii. Both battery cables shall be disconnected from the battery. Terminals shall be taped with electrical tape.
   b. Events.
      i. Motorized vehicles shall not be fueled inside a building.
      ii. Fuel and other flammable or combustible liquids shall not be stored inside a building.
      iii. Motorized vehicle events shall be conducted in accordance with the specific requirements established for the event by the Fire Marshal.

Smoking.

Smoking is prohibited inside the Cowlitz Regional Conference Center. Smoking is allowed in designated areas only.

Objectionable Persons or Customers.

Any person whose conduct is objectionable, disorderly or disruptive to Cowlitz Regional Conference Center use or in violation of any laws shall be refused entrance or shall be immediately ejected from the premises.

Skateboards, Scooters, etc.

Use of skateboards, scooters, roller skates, roller blades, bicycles, motorcycles or similar recreational vehicles are not allowed on the grounds.

Parking/Traffic Control.

A. Cowlitz Regional Conference Center reserves the right to establish and collect fees for parking during any event held on the premises.
B. Participant traffic and parking control is the responsibility of Customer. If due preparation, care and caution are not demonstrated by Customer, County reserves the right to provide needed traffic/parking personnel to meet County expectations of traffic, parking and public safety needs. Customer will be responsible to pay for parking control furnished by the Cowlitz Regional Conference Center.
1. Customer must provide additional parking directional signs for Customer’s specific show purposes. All signs must be of professional quality and attached to substantial signboard material.
2. Cowlitz Regional Conference Center speed limit must be observed at all times – 10 mph or less – when driving on the grounds.

Animals.

A. It is the responsibility of the Customer to insure that all animals are controlled safely and responsibly.
B. Dogs and other pets are prohibited on Cowlitz Regional Conference Center property and Expo Center grounds at all times unless prior approval has been granted by the Director.
C. If animals are permitted, they must be leashed and under supervised control.
1. No animals are allowed outside of the Expo Hall in the main Conference Center halls common area. Animals are to enter and exit the Expo Hall only through the South doors of the Expo Hall.
2. All feces and urine are to be cleaned up by the Customer. The Director shall have the authority to assess and retain all or part of the specific performance deposit for failure to properly clean up after their animal(s).
D. Exceptions are contracted dog events, assistant dogs or on-duty police dogs.

(Res. 04-243, 11-30-04)

10.3 EXPO CENTER RULES

(Space held for future policy)