

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION ADOPTING CELL PHONE COMPENSATION AND USE POLICY
ONE-TIME REIMBURSEMENT

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6)(Reissue 2012), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103(Reissue 2012), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, on August 20, 2013, the Sarpy County Board adopted the Cell Phone Compensation and Use Policy (Resolution 2013-283) regarding monthly compensation for the business use of cell phones as well as the provision of County-owned cell phones; and,

WHEREAS, it is necessary and prudent to consider another option that would provide one-time reimbursement for the business use of cell phones.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS, that the attached Cell Phone Compensation and Use Policy One-Time Reimbursement be adopted in addition to the Cell Phone Compensation and Use Policy approved by Resolution 2013-283.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the

25th day of February, 2014.

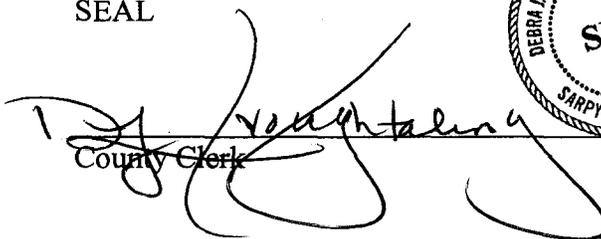


Sarpy County Board Chairman

Attest:

SEAL





County Clerk

Sarpy County Board of Commissioners

1210 GOLDEN GATE DRIVE
PAPILLION, NE
593-4155
www.sarpy.com

ADMINISTRATOR Mark Wayne

DEPUTY ADMINISTRATOR Scott Bovick

FISCAL ADMIN./PURCHASING AGT. Brian Hanson



COMMISSIONERS

Don Kelly District 1

Jim Thompson District 2

Tom Richards District 3

Brenda Carlisle District 4

Jim Warren District 5

Memo

To: Sarpy County Board

From: Brian Hanson

Re: Cell Phone Policy

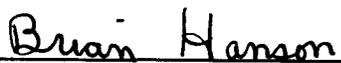
On August 20, 2013, the Sarpy County Board approved a Cell Phone Compensation and Use Policy governing reimbursements for the business use of private cell phones and the provision of County-owned cell phones. The County Attorney's office has presented one other option that could be considered. Under the County Attorney's proposal, the County would reimburse an approved employee up to \$250 once every two years for the cost of a personally owned cell phone. The \$250 would be in lieu of any monthly reimbursements. The requesting employee would still have to complete an application that would have to be reviewed and approved by the Cell Phone Committee.

This one-time reimbursement policy would be in addition to the previously approved monthly reimbursement policy. The maximum cost to the County for the one-time reimbursement policy will be \$250 every two years compared to a maximum of \$1,320 in a two year period for the monthly reimbursement policy.

The County Attorney's office feels that this one-time reimbursement policy will have a lower cost and will require less record keeping than the monthly reimbursement policy, but will still recognize that approved employees do have a business expense related to their cell phones. It should be noted that currently only a few Deputy County Attorneys have requested and received a one-time cell phone reimbursement (prior to the August 20, 2013 approval of the original policy) but with the approval of the proposed policy, up to around twenty more additional one-time reimbursement applications could be received.

The attached resolution and policy will be on the Board agenda for 2-25-14. Please let me know if you have any questions.

February 21, 2014



Brian E. Hanson

BEH/mg

cc: Mark Wayne
Scott Bovick
Deb Houghtaling
Bonnie Moore
Mark Walters
Lee Polikov

Sarpy County, Nebraska
Cell Phone Compensation and Use Policy
One-Time Reimbursement
2-5-14

1. **Purpose:** The purpose of this Cell Phone Compensation and Use (Policy) is to establish guidelines for cell phone use and compensation that is uniform, efficient to manage, and complies with state and federal regulations.

2. **Application:** This Policy applies to Elected Officials, Department Heads, Appointed Officials and staff who are authorized to receive a one-time reimbursement for the purchase of a personal cell phone to be used for County and personal business. This policy does not apply to employees of the Sheriff's office. The Sheriff's office should establish formal procedures that will apply to all Sheriff's employees.

3. **Definitions:**
 - 3.1 **Cell phone** will include the following:
 - 3.1.1 Cell phone
 - 3.1.2 Mobile phone
 - 3.1.3 Smart phone
 - 3.2 **County employees** will include the following:
 - 3.2.1 Elected Officials
 - 3.2.2 Appointed Officials
 - 3.2.3 Department Heads
 - 3.2.4 Staff of above
 - 3.3 **County Cell Phone Committee will be comprised of the following:**
 - 3.3.1 One Elected Official selected by the other Elected Officials
 - 3.3.2 One County Board member selected by the County Board Chairman
 - 3.3.3 The County Administrator
 - 3.3.4 The Information Systems Director
 - 3.4 **County Business:**
 - 3.4.1 Means cell phone use required to accomplish duties in the employees job description and not for the personal convenience of the employee.

4. **Policy:** County employees whose job requires them to use a cell phone for County business, as outlined in this Policy, may request a one-time reimbursement for the purchase of a cell phone. The reimbursement will not exceed \$250 and will be made no more often than once every two years. The cell phone will be the personal property of the employee and the one-time reimbursement will be in lieu of a monthly reimbursement.
 - 4.1. Cell Phone Reimbursement
 - 4.1.1 Eligibility for one-time Cell Phone Reimbursement
 - 4.1.1.1 The cell phone reimbursement agreement (Exhibit B-1) must be approved by the County Elected Official/Department Head and the County Cell Phone Committee

- 4.1.1.2 The Cell Phone Committee will base its decision for approval or denial of the Cell Phone Agreement on a bona fide need for business use rather than personal convenience.
- 4.1.1.3 The County may provide a cell phone reimbursement to a County employee if at least one of the following criteria is met:
 - 1. The job requires considerable time outside the office or away from workstation (job, need, travel, meetings, etc.) and use of the cell phone facilitates the effective conduct of business operations while away.
 - 2. The job requires the County employee to be immediately accessible to receive and/or make frequent business calls outside of working hours.
 - 3. Job duties away from the office may expose the County employee or other to immediate harm or danger. (e.g. Pre-Trial Release).
- 4.1.1.4 The reimbursement will be charged to the corresponding department's telephone budget by the County Elected Official/Department Head, who must ensure availability of funding. Department eligibility criteria can be more (but not less) restrictive than the County criteria stated in this Policy.

4.2 Personal Cell Phone Reimbursement Amount

- 4.2.1 The one-time reimbursement is not considered part of base pay used for calculating percentage salary increases.
- 4.2.2 Payment: Any cell phone reimbursement will be paid through the County claims system as non-taxable income upon receipt by the County Clerk's Office of an authorized Cell Phone Reimbursement Agreement.

4.3 Personal Cell Phone - Employee Responsibilities

- 4.3.1 Sign the Cell Phone Reimbursement Agreement form (Exhibit B-1) thereby certifying that he/she will be available for calls (in possession of the phone and have it turned on) during those time specified by Elected Official/Department Head.
- 4.3.2 Select any cell phone carrier whose service meets the requirements of the job responsibilities.
- 4.3.3 Pay all charges on his/her personal cell phone plan. If the County employee leaves the position, he/she continues to be responsible for the contractual obligations of his/her cell phone plan.
- 4.3.4 Comply with applicable laws and County policy regarding the use of cell phones while driving and avoid cell phone use that may jeopardize the safety of the County employee or others.
- 4.3.5 Acknowledge that cell phone transmissions are not secure and that County employees should use discretion in relaying confidential information over cell phones.

- 4.3.6 Acknowledge that records relating to County Business are subject to the Public Records Act and records relating to personal use of a cell phone may also be subject to the Public Records Act.
- 4.3.7 The employee may be required to have a cell phone with a local area code if required by the Elected Official/Department Head.

4.5 Cell Phone Support

- 4.5.1 County employees who have a “Smart phone” device and wish to utilize the Information Systems technical support for email or calendar integration, should check with Information Systems prior to purchase to ensure the service and device will support integration. Support for the cell phone portion of these types of devices must obtain technical support from the vendor providing the phone.

Exhibit B-1
Sarpy County Cell Phone Reimbursement Agreement
One-time Reimbursement

This form is to be used by County employees and their Elected Official/Department Heads to document their request for cell phone reimbursement and acknowledge their understanding of the Sarpy County Cell Phone Policy requirements and limitations.

Please Print

Department Name: _____
Employee Last Name: _____ **Employee First Name:** _____
Date of Request: _____

You must meet at least one of the following criteria to receive the reimbursement:

- The job requires considerable time outside the office or away from workstation (job, need, travel, meetings, etc.) and use of the cell phone facilitates the effective conduct of business operations while away.
- The job requires the County employee to be immediately accessible to receive and/or make frequent business calls outside of working hours.
- Job duties away from the office may expose the County employee or other to immediate harm or danger. (E.g. Pre-Trial Release).

If approved by the employee's Department Head or Elected Official and all other criteria are met, the employee may receive a one-time reimbursement for the purchase of a cell phone. The reimbursement will not exceed \$250 and will be made no more often than once every two years. The cell phone will be the personal property of the employee and the one-time reimbursement will be in lieu of a monthly reimbursement. This reimbursement will be charged to the Telephone budget in the applicable department's budget. The Elected Official/Department Head must ensure availability of funding. Department eligibility criteria can be more (but not less) restrictive than the County criteria stated.

Use of Personal Phone (complete listed information)

- a) 10 digit phone number: _____ County Employee will be available for calls (in possession of the phone and have it turned on) during those times specified by manager.
- b) Phone number is listed in Reverse 911 Yes No
- c) Reimbursement amount requested \$ _____

Cell Phone Reimbursement: Maximum Amount \$250

Reimbursement Amount Claimed \$ _____

Attach documentation regarding the purchase price of the cell phone.

Give justification for cell phone reimbursement request.

Cell Phone Support

County employees who are authorized to use a "Smart phone" device and wish to utilize the Information Systems technical support for email or calendar integration, must choose an authorized provider and phone. Technical Support for all other Smart phones, and regular phones must obtain technical support from the vendor providing the phone.

This Cell Phone Reimbursement Agreement must be approved by the County Elected Official/Department Head and the County Cell Phone Committee. I understand that my cell phone number may be published. I have read and signed the Sarpy County Phone Usage Agreement. I also understand that I am financially responsible for any all charges for this cell phone plan.

County Employee Name (please print)	
Last _____	First _____
Employee Signature _____	Date _____
<i>If I am subject to repayment I agree to have that amount deducted from my paycheck</i>	
Elected Official/Department Head Name (please print)	
Last _____	First _____
Elected Official/Department Head Signature _____	
Date _____	
County Cell Phone Committee Name (please print)	
Last _____	First _____
Signature _____	Date _____