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# LONGEVITY PAY

Longevity pay is to recognize long time service of full time, non-elective, employees who have served at least ten (10) years with McDowell County.

**Time and Method of Pay**

1. Longevity pay is automatic: payment shall be made when all eligibility requirements are met as specified below.
2. Longevity payment shall be made in a lump sum.
3. Payment shall be made during the next semi-monthly pay period following the date the employee is eligible to receive longevity pay. This includes employees on worker’s compensation leave.
4. To qualify for longevity pay an employee must be in current pay status on his/her anniversary or must be on leave-with-out pay status approved by the department head. Employees who have resigned, retired, or otherwise left employment with county prior to their anniversary date shall not qualify for payment.

**Amount of Longevity Pay**

Annual longevity pay amounts are based on the length of consecutive year’s service with McDowell County and a percentage of employee’s annual rate of base pay on the date of eligibility. Longevity pay amounts are computed by multiplying the employee’s base pay rate by the appropriate percentage from the following table. (Salary increases effective on the longevity payment date shall be incorporated in the base pay before computing longevity.)

**Consecutive Years of County Service Longevity Pay Rate** 10 but less than 15 years 1.5 Percent 15 but less than 20 years 2.25 Percent 20 but less than 25 years 3.25 Percent 25 or more years 4.50 Percent

**Eligibility Requirements**

1. Anemployee shall have at least ten (10) consecutive years of qualifying service before being eligiblefor any longevity payments.
2. The employee must have a full-time appointment.
3. An employee’s earliest possible date of eligibility for a longevity payment is the date when ten (10) consecutive years of McDowell County Service have been completed. Examples: 1) an employee who began work on December 1, 1976, and has at least 10 years of aggregate service as of November 30 will have longevity anniversary date of December 1, 1986; 2) an employee who began work on July 5, 1977 and has worked continuously through July 4, 1987 will have a longevity anniversary of July 5, 1987. In succeeding years a longevity payment will be made annually in the pay period following the month in which the employee’s longevity anniversary date falls. Removed sentence
4. Credit for the service requirement shall not be given for temporary full-time or temporary part-time employment and periods of leave without pay in excess of one-half the workdays in a month, with the exception of military leave and worker’s compensation leave.
5. Upon change of appointment to temporary, the employee is ineligible for continued longevity pay. If an employee goes on leave without pay, longevity would not be paid until the employee returns and completes a full year.

**Consecutive Service**

Consecutive service is the time for full-time or part-time of fifty percent of over, trainee probationary or provisional employment. If a full-time employee is in pay status (working exhausting vacation or sick leave, or when on workers’ compensation or authorized military leave) for one-half or more of the regularly scheduled workdays in a month, credit shall be given for the entire month.

**Department Responsibility**

Human Resource shall be responsible for determining the quantity of qualifying service of each employee of that agency. When an employee is eligible for longevity pay Human Resources shall submit proper forms for payment certify the length of qualifying service to the McDowell County Finance Office.

**Effect of Longevity Pay**

Longevity pay is not considered part of annual base pay for classification and pay purposes, nor is it to be recorded in personnel records as part of annual base salary.

**Records**

Each agency shall maintain detailed records of the employment history of eligible employees. These records are not to be submitted to the Finance Office with the request for Longevity Pay, but shall be available for audit, if necessary.

**Payroll Deductions**

The following payroll deductions are to be made from each longevity payment:

Federal Income Withholding Tax State Income Withholding Tax Social Security Tax (F.I.C.A) Employees’ Retirement Contribution

No other deductions such as savings bonds, credit union savings or payments, or insurance premiums are to be made.

**Continuance of Longevity**

The continuance of longevity pay as an employee benefit is subject, on a year to year basis, to the availability of funds.

# POLICY FOR AGENDAED ITEMS

Effective immediately, McDowell County Department Heads, employees and all agencies receiving support funded from McDowell County, desiring time with the Board of Commissioners must make the request by 12 o’clock noon on Wednesday prior to the meeting on Monday. (Meetings are held on the second Monday of each month.)

The request must be in writing and all information pertinent to the subject to be discussed should be included along with the written request.

Failure to follow this procedure may result in an inadequate opportunity for the Board to thoroughly research an item and can be cause for postponement until the next scheduled meeting.

Emergencies, special meetings, and adjourned meetings will be for specific agenda items in accordance with North Carolina General Statutes.

Adopted November 2, 1987

# STANDARD OPERATING PROCEDURE CENTRALIZED PERSONNEL FUNCTION

The following procedure is recognized by the McDowell County Board of Commissioners as the standard procedure to be followed for the hiring of new employees and maintenance of all personnel files. Those department heads that are elected or that ascribe to the State of North Carolina Personnel Policies are excluded from these provisions.

1. All full-time vacancies shall be advertised on the McDowell County website, Employment Security Office, the McDowell County Government Channel and the Human Resource Center located in the front lobby of the Administration Building unless the position is been filled with a part-time McDowell County employee from within the same department or a full-time McDowell County employee transferring or being promoted into the position. A copy of the advertisement and the expected pay rate shall be turned into the Human Resource Office prior to the advertisement being placed. The County Manager will verify that sufficient financial resources exist, that the position was properly authorized and that the pay rate is n accordance with policies established by the Board of Commissioners. The County Manager and the County Finance Director will verify these conditions by initialing the copy of the advertisement and the County Manager will notify the department head once proper authorization has been issued. A copy of the initialed advertisement will be kept on file.
2. All part-time vacancies will be filled by submitting a written notice of said vacancy including the expected pay rate to the Human Resource Office. The County Manager will verify that sufficient financial resources exist, that the position was properly authorized and that the pay rate is in accordance with policies established by the Board of Commissioners. The County Manager and the Finance Director will verify these conditions by initialing the copy of the written request and the County Manager will notify the department head once proper authorization has been issued. A copy of the initialed written notice will be kept on file.
3. A thorough effort to investigate a prospective employee’s background, including contacting references, past employers and an I-9 will be made by the supervisor filling the position. Documentation of such contacts shall be provided in the final written recommendation for the position to be filled. The Authorization for Release of Personal and Confidential Information Form shall be properly filled out and submitted back to the Human Resource Office along with the completed application of the final applicant.

The County Personnel Resolution states that prior to any commitment being made to an applicant or an employee transferring or being promoted into a position a completed written statement explaining the reasons for selecting this particular applicant over others will be provided to the Human Resource Office. This written statement shall include the following:

1. a copy of the completed application
2. position title and starting salary
3. number of individuals interviewed, dates of interviews
4. a brief written summary of references and background checks completed
5. basic statement concerning reasons why this applicant was chosen
6. It is hereby standard procedure for interviews to be conducted by the supervisor and one other individual from outside the department filling the position. The department head shall coordinate the interview with the County Manager. A department head shall include the Human Resource Director and other individuals from within their department as a part of the interview process. The department head should have a clear understanding of the qualifications and characteristics being sought and be able to clearly explain what the job duties and expectations will b in the position.
7. All applicants for the positions will be available on the county website, county government channel or the Employment Security for applications or by visiting the Human Resource Office for filing. The applications will be kept by the Human Resource Office until application period closes out. The Human Resource Office will forward the applications and make the appropriate selections.
8. Department heads may access the files of the employees file within their department. A sign out sheet will be signed when an employee is accessed. The file will not leave the Human Resource Office. All personnel files will be maintained in a locked fire proof cabinet. Information on employee salaries will be provided only following a written request submitted to the County Manager.
9. The hiring of new employees will remain a duty of the individual department head and this procedure in designed to complement this practice. However, department heads should be cognizant of the wide range of Federal and State Laws and also of the local policies established by the McDowell County Board of Commissioners and the McDowell County Employee Handbook. If any questions or uncertainties arise please do not hesitate to ask the Human Resource Director or County Manager for assistance.

Adopted January 18, 1988

Revised March 18, 1991

# STANDARD OPERATING PROCEDURE TIME RECORD

The Department of Labor’s Fair Labor Standards Act states that full record and accounting of all non-exempt employee hours worked must be maintained by the employee and kept on record for a three year period.

1. All employees are required to keep a daily time record of actual hours worked. The time record shall be completely filled out. This record shall reflect accurately the time that an employee arrives for work and when the employee leaves.
2. If the employee does not work on a particular day (i.e. vacation, sick leave) the appropriate code/codes should be entered.
3. The information on the F.L.S.A. Time Record may be reviewed by the supervisor as needed and the record may be kept it the employee’s possession or the supervisors. The time record shall be kept to date and accurate at all times and it is the department head’s responsibility to ensure that this occurs
4. At the end of the pay-period the time records should be turned into the department head that will certify and then remitted to the Personnel Department within five (5) working days. The time records will be kept on file in the Personnel Office for a period of at least three years.
5. Those employees that are not exempt from the Fair Labor Standards Act will be paid based on an hourly rate. Therefore, the only item that their payroll check will change is when the total number of hours for the pay period differs from the standard work week.
6. Any fabrication of information found at any time will result in disciplinary action which may include the immediate dismissal of the employee.
7. These provisions will ensure that McDowell County is in full compliance with the record keeping section of the Fair Labor Standards Act.

Adopted March 7, 1988

Revised January 21, 1991

# STANDARD OPERATING PROCEDURE REQUIRED SECOND READING ON POLICY CHANGES

The following Standard Operating Procedure is hereby adopted as the Standard Procedure for the McDowell County Board of Commissioners in the consideration and adoption of county policy and personnel practices. The purpose is to ensure careful consideration and review of policy items.

1. Any consideration of policy or personnel changes shall receive a first reading in a formal meeting of The McDowell County Board of Commissioners.
2. The policy or personnel change in review will be re-examined and considered at the next regularly scheduled meeting of the McDowell County Board of commissioners.
3. This Standard Operation Procedure may be waived only in an emergency situation or extenuation circumstances.
4. An emergency shall be defined as any occurrence that would endanger life or property.
5. Or any occurrence that would seriously or adversely affect the operation of McDowell County Government.

Adopted April 18, 1988

# ESTABLISHMENT OF THE MCDOWELL COUNTY SAFETY COMMITTEE AND THE CONDUCTING OF RELATED INSPECTIONS

As of June 6, 1988 the McDowell County Safety Committee is hereby established. This Committee will be comprised of the County Manager, the Emergency Services Director, a representative from the Sheriff’s Department, The Building Inspector, the Maintenance Supervisor and one supervisor from the existing Public Works area. The Emergency Management Services Director is the designed Safety Enforcement Officer and Chairman of this committee.

The following will define the duties of the Safety Enforcement Officer and provide direction for this committee.

1. An annual fire inspection by the Fire Department having jurisdiction will be conducted and the findings submitted to the Board of Commissioners. This inspection will include all buildings owned and operated by McDowell County.
2. The safety Enforcement Officer is authorized and will conduct quarterly safety inspections of all grounds, vehicles, machinery, etc. that is owned and operated by McDowell County. This inspection will be documented and submitted to the County Manager with any recommendations. This inspection should not be announced.
3. The Safety Committee will meet whenever it is deemed necessary to review recommendations and assist in the implementation of any program or procedure. Also, any department head affected by a recommendation will be present and have input into the findings when this committee meets.
4. Any accident that occurs on McDowell County grounds or involving a McDowell County vehicle will be investigated by the Safety Officer and any other individual deemed necessary to offer insight into he accident. An incident report form concerning the nature of the accident and recommendations to assist in preventing a reoccurrence shall be included. The County Manager or appropriate department head will take disciplinary action where necessary.
5. Any individual injury or accident of a serious nature involving worker’s compensation claims will be reviewed. An incident report form concerning the nature of the accident and recommendation to assist in preventing a reoccurrence shall be included.
6. The Safety Officer will assure that all McDowell County employees are properly trained in the use of the fire extinguisher.
7. This Standard Operating Procedure will exist in conjunction with the Discipline Procedure, the Grievance Procedure, and all other procedures recognized by the McDowell County Commissioners. The Safety Committee and the Safety Enforcement Officer will work through the appropriate department heads and/or the County Manager office at all times.

Adopted June2, 1988

# MCDOWELL COUNTY TRAVEL POLICY

* 1. **PURPOSE**

The purpose of this policy is to establish procedures for authorization of travel by county employees, elected officials, and appointed officials for the purpose of conducting county business and to establish procedures for reimbursement of the cost of authorized travel.

* 1. **Applicability of Policy, Definitions and Guidelines**

1. Applicability of Travel Policy

All employees and officials of the county are subject to this policy.

1. Definitions
2. Authorizing party—individual authorized by this policy to approve or disapprove travel requests, cash advance requests, and travel reimbursement requests.
3. Requesting party—county employee or official who will be reimbursed for travel costs incurred while conducting county business.
4. Travel—going to and from the job location to a site to conduct county business.
5. Transportation—costs incurred for by automobile, taxi, rental car, bus, train or plane, including tolls and parking fees.
6. Subsistence—costs incurred during travel for lodging and meals.
7. Form T-101---Travel Authorization and Cash Advance Request.
8. Form T-102---Travel Reimbursement Request And Expense Report
9. Guidelines
10. Travel Authorization

For all in-state travel, the department head is responsible for determining that a sufficient expanded appropriation remains in the department travel budget to reimburse all expected costs of travel. Form T-101 will be submitted by the requesting party to the department head for the authorization of travel at least fourteen working days prior to the date upon which travel will commence.

1. Out-of state travel requests by employees and department heads will be approved by the County Manager in addition to the department head. Form T-101 will be submitted to the County Manager no later than fourteen working days prior to the date upon which travel will commence if an employee is a state officer of a state organization, the state association would reimburse him/her for costs to nation conventions or conferences. (Revised June 7, 1993).
2. The Finance Department will receive a copy of each approved Form T-101, a training agenda should be attached to the T101, for date and locations verification. The Finance Department is responsible for determining that an unencumbered appropriation sufficient to cover the estimated costs of the approved travel remains in the appropriate expenditure item. If a sufficient balance remains in the expenditure item, the estimated item is insufficient to cover the cost of travel: the authorizing party will be notified by the Finance Director.
3. Authorization of travel requests will be based upon need and cost/benefit of travel as determined by the authorizing party.
4. Failure to notify the authorizing party of travel plans will result in the requesting party receiving no reimbursement for travel costs.
5. Use of a county automobile must be approved by the County Manager no less than fourteen working days prior to the date of use. The Manager may approve on a shorter notice if the situation dictates such action.
6. Arrangements, accommodations and travel advances
7. All arrangements for travel must be approved by the authorizing party.
8. The requesting party is encouraged to travel with other employees and officials of the county and representatives of other government units when possible. The requesting party will be reimbursed for actual costs incurred only, subject to the limitations established by Section 1.4 (a) and 1.4 (c) of this policy.
9. Travel advances will be issued at the discretion of the County Manager and Finance Officer. Advances will be requested on Form T-101, which will be submitted to the authorizing party no later than fourteen working days prior to the date upon which travel will commence. Travel advances will be reconciled when Form T-102 is submitted, no later than five working days after the completion of the approved travel. The Finance Officer will not issue a travel advance unless it has been approved.
   1. **Transportation**
10. Reimbursement Costs

All necessary bus, train, and air transportation will be obtained at the most economical rate available. Reimbursements will be made for actual costs that are incurred and receipt supported. The cost of travel to and from the job location of the requesting party and the point of departure/arrival is a reimbursement cost. This would include the cost of taxi service and parking fees.

1. Vehicles

1. Personal automobile—A requesting party may use his/her personal automobile for travel and be reimbursed at a rate of .50 cents per mile Use of a personal automobile must be approved in advance on form T-101. Use of a personal automobile should be limited, and attempts should be made to use a county automobile whenever possible.
2. Personal automobile---Volunteers---Reimbursement for travel by volunteers may be negotiated at a rate less than .50 cents per mile.
3. Unit Vehicles---county automobiles may be use for any authorized travel. The requesting party is instructed to obey all laws of the jurisdiction in which the automobile is being operated. The automobile will be used for the purpose of conducting county business only. A de minim amount of personal use, such as driving the automobile to and from dinner, will be allowed, Non-county employees may accompany county employees if they have a business interest.
4. Rental Vehicles---A rental automobile will be used when it is determined that no other mode of transportation is as economical or practical. A rental automobile should be used for business purposes only. A de minim amount of personal use, such as driving to and from dinner, will be permitted; Use of a rental automobile must be approved in advance on Form T-101.
   1. **Subsistence**
5. Lodging

Subject to the restrictions noted in 1.4 (c), lodging costs will be reimbursed at the actual amount incurred. Receipts for lodging costs must be submitted on Form T-102. The lodging rate is limited to the lowest available single room rate when an employee is traveling with his/her spouse and/or children.

An amount greater than $125.00 can be reimbursed with the prior approval of the County Manager. Approval will be based on an inability to obtain lodging for the designated amount or when a conference or meeting is held at a designated location with rates that exceed $125.00. A statement verifying that sufficient travel funds are available and the department travel budget must be submitted with this request.

1. Meals
2. Subject to the restrictions note in 1.4(B-3), and the maximum reimbursement rates, meals will be reimbursed according to the rate schedule established in 1.4(c).
3. Meals served as part of a convention or conference will be reimbursed at actual costs. Documentation of actual cost must be attached to Form T-102 when reimbursement is requested.
4. A requesting party who is not out-of-town overnight will not be reimbursed for meal cost unless required by his/her approved travel plans as stated on form T-101 or unless the requested party was required to depart prior to 6:00a.m. and/or return from travel later than 8:00 p.m. Under these circumstances, the cost of the morning and/or evening meal will be reimbursed provided the travel destination is at least thirty-five miles from the employee’s regular duty station.
5. To qualify for reimbursement for lunch, the employee must be out of the county on county business.
6. Lodging and Subsistence maximum reimbursement rates for a twenty-four hour period are as follows:

In State Out of State

Breakfast $8.00 $16.00

Lunch $10.00 $20.00 Dinner $20.00 $40.00 Lodging $125.00 $200.00 Total $163.00 $276.00

1. Other Costs
2. Long distance personal phone calls are not reimbursed except in emergencies. Emergencies would include a significant change in travel plans. Phone calls for official county business are reimbursed expenses.
3. Receipt supported registration fees for a conference or a convention will be reimbursed provided the fee was approved on Form T-101.
   1. **Reimbursement Procedures**
4. Submitting expense reports
5. A requesting party will complete form T-102, attach receipts, and submit it to the authorized party no later than five working days after returning from travel.
6. A requesting party submitting a falsified Form T-102 will be subject to disciplinary action. An authorizing party or Finance Officer who approves a Form T-102 which they know to be false will be subject to disciplinary action.
7. Approval and processing of reimbursement request
8. Form T-102 will be submitted to the authorizing party for approval. After approval by the authorizing party, Form T-102 will be forwarded to the Finance Officer.
9. The Finance Department will determine that Form T-102 has been properly approved, that it is mathematically correct, and that requested reimbursements agree to submitted receipts and are within the limits set by this policy. If an error in the reimbursement request form is found, the requesting party will be informed and the error will be corrected before payment is made.
10. Before reimbursement is made, the Finance Director will determine that there is a sufficient unexpected appropriation in the expenditure item. The Finance Director will immediately inform the authorizing party if payment cannot be made

Adopted August 15, 1988

Revised June 25, 2008

Revised May 5, 2018

Adopted July 1, 2018

# MCDOWELL COUNTY VEHICLE USE POLICY

The following provisions are hereby recognized by the McDowell County Commissioners as the Standard Operating Procedure for the use of vehicles.

1. All provisions provided for in the Local Government Commissioners “Travel Reimbursement for Use of Personal Vehicle” will be adhered to.
2. The County Manager, Emergency Service Director, Building Inspector, Public Works Director, and approved members of the McDowell County Sheriff’s Department McDowell EMS and Emergency Management will be furnished a vehicle for use in the course of their employment. These employees will be allowed to use their vehicle to and from work as a privilege provided for by the county. All other employees will be required to furnish their own vehicle to and from work.
3. No individuals other than McDowell County employees or an authorized individual will be allowed to ride in any McDowell County vehicle. Family member, friends, etc. are not authorized to ride in any McDowell County vehicle except in an extreme emergency or other County related situations. Personal use of any County vehicle is prohibited unless approved by Supervisor.
4. No labor or building material will be used under any circumstances to maintain a private vehicle.
5. McDowell County employees will at all times conform to Chapter 20 (North Carolina Motor Vehicles Law), including the use of seat belts.
6. Employees will drive county vehicles in a safe and courteous manner. It is important to represent the county well while operation a vehicle in public view. Employees will operate their vehicle with due respect for maintenance and cleanliness of the vehicle.
7. Any employee that receives a moving violation in a county owned vehicle is subject to the provisions of the McDowell County Discipline Policy. Under no circumstances will McDowell County cover the expense of any type of ticket.
8. In the event that an employee has an accident involving a county vehicle, in addition to reports required by the North Carolina Law and incidents /accident report will be filled out by 10:00 a.m. the next working day and turned in to the employee’s immediate supervisor. A copy of this form, along with recommendation should be filed with the County Manager.
9. All county owned vehicles will be properly marked and identified as provided for by State Law.
10. It is forbidden to pick up hitchhikers while operating a county owned vehicle.
11. Transportation of alcoholic beverages is prohibited except by authorization in the course of duty (EMS and Sheriff’s Department).
12. An employee that violates this policy is subject to disciplinary action as set forth in county policy.

Adopted September 6, 1988

# MCDOWELL COUNTY CASH MANAGEMENT PLAN

This cash management plan is being established pursuant to the direction given by the McDowell County Board of Commissioners, and the Local Government Commission of North Carolina. The objectives of this plan are to increase the amount of idle monies invested, thus generating greater amounts of non-tax revenue through increased investment earnings and simultaneously providing adequate safety and liquidity of the County’s monies. This plan will address five areas: cash receipts, cash mobilization and management of available resources (investments), cash disbursements, banking relations, and monitoring and reporting on the plan.

In addition to establishing a cash management plan, the Finance Officer will implement a series of internal controls which are designed to prevent losses of public monies arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets or imprudent actions by employees and officers of the County. The Finance Officer will ensure, whenever possible, separation of duties of the investment procedures.

**SECTION ONE: CASH RECEIPTS**

**This section of the plan is designed to assist the Finance Director in developing and implementing procedures for the receipt of monies into eligible investments while ensuring the safe handling of cash resources.**

1. Deposits

The Finance Director shall devise and implement a central depository system for the County. This system shall include the creation of one cash concentration account. This account shall be in the form of an interest-bearing checking account. This account shall be in the official depository approved by the Board.

In accordance with NCGS 159-32, all monies collected or received by an officer or employee of McDowell County shall be deposited daily, either with the Finance Director or in the official depository. An exception exists to the requirements of daily deposits. If the governing board approves, an officer or employee need to make deposits only when moneys on hand amounts to as much as two hundred fifty dollars (250.00), but in any event a deposit shall be made on the last business day of the month. Deposits made in the official depository shall be immediately reported to the Finance Director by means of a duplicate deposit ticket daily cash report. During high-volume periods of the year, the Finance Director shall supervise personnel reassignments, if necessary, to assure prompt deposits are made. Checks received and deposited which are returned due to insufficient funds shall be collected promptly. Penalties shall be collected as provided by law for the giving of worthless checks. A worthless check written for the payment of property taxes shall have an additional penalty of 10% of the amount of the check, as provided for by the NCGS 105-357 (b) (2). Adjustments or corrections for an overpayment or underpayment shall be made after the monies have been deposited.

1. Billing

Applications and reports to the State or Federal government for reimbursement or claims are to be filed promptly.

Property tax bills are to be mailed as soon as possible after budget is adopted and the tax rate established, but no later than one month after the adoption of the budget. A second notice will be mailed to all delinquent taxpayers promptly after January 6. The governing board directs the tax collector to advertise tax liens on real property for failure to pay taxes on the second Monday in March in accordance with NCGS 105-369.

The tax collector will begin attachment and garnishment procedures on intangible personal property on January 7 or the next business day. The unit does not obtain a lien on personal property until the collector completes the procedures of either attachment and garnishment or levy.

On March 1, if it appears that the procedure of attachment and garnishment will not provide for the payment of all delinquent taxpayers will be presented to the Board of Commissioners to discuss further collection measures that need to be taken.

1. Analysis of Receipting Function

The **Finance** Director will meet in annually with each employee who is responsible for a revenue source of the County to review the billing, collection, depositing, and reporting procedures.

**SECTION TWO: CASH MOBILIZATION AND MANAGEMENT TO AVAILABLE RESOURCES (INVESTMENTS)**

**This section of the plan is designed to place the County’s money in a position to be invested as quickly as possible at the highest reasonable yields available while maintaining the safety and liquidity of those monies.**

1. Mobilization

The Board of Commissioners shall establish an official depository, every three years, only option town banks will be considered for this designation.

An attempt will be made to make the daily deposits each day in that order that the deposit be credited for that day. The deposits shall be made by the Finance Office or by department officers or employees duly authorized to do so. Finance Director shall retain a list of individuals authorized to make deposits within each department.

If necessary monies deposited after 5:00 p.m. shall be deposited by overnight deposit.

Department officers or employees authorized to make deposits shall notify the Finance Director for deposit verification.

Once the daily deposit reports have been received, the Finance Director shall review the deposits and disbursements made on that day to determine the amount of monies available for investment. If an investment shall be made, the Finance Director will select and purchase that investment by 11:00 a.m. the following morning. Monies in the cash concentration account will be allowed to be placed into overnight investments through the official depository.

Those monies received by the County from the State shall be wired through the Governmental Monies Transfer System (GMTS) in order to ensure immediate investment of those monies on the transfer date. The Finance Director shall also establish an account with the North Carolina Cash Management Trust in order for GMTS monies to be wired into that account.

The County shall remain 100% invested at all times with the exception of monies held out for petty cash and change purposes.

1. Investments

Eligible investments shall be only those investments provided for by NGCS 159-30 (c) and no others.

Collateralization for deposits shall be in accordance with Title 20, Chapter 7 of the North Carolina Administrative Code. All deposits for the County shall be fully protected through deposit insurance and eligible collateral securities pursuant to 20 NCAC 7. The county shall utilize Option 2 financial institutions, and no others.

For all deposits held in financial institutions which utilize the Option 2 method of collateralization, the Finance Director shall maintain all necessary documentation to show that the responsibility of monitoring collateralization levels is now with the State Treasurer.

Certificates of deposit purchased by the County shall be delivered to the Finance Director shall ensure proper diversification of the investment portfolio in order to minimize risks brought on by economic and market changes. To achieve this diversification:

1. No more that 50% of the County’s monies shall be invested in a particular investment vehicle with the exception of North Carolina Cash Management.
2. No less than 30 % of the total investment portfolio shall mature within 30 days. No less than 75% of the portfolio shall mature in 90 days and 100% of the portfolio shall mature in one year.
3. No more than 50 % of the County’s monies shall be placed with a single financial institution with the exception of North Carolina Cash Management.

The Finance Director shall constantly monitor the investment portfolio and make adjustments as necessary. The Finance Director shall:

No less than weekly, compare to market the book value of securities owned by the County. If the market value is significantly higher than the cost of the security, the Finance Director will examine the opportunities to sell the security, realize a gain from premium and invest in other eligible investments. Conversely if the market value is significantly below the cost of the security, the Finance Director should pursue measures to liquidate the security to avoid further losses.

The Finance Director shall daily review the cash position of the county and decide what monies can be invested for certain periods of time. If any investments are to be made, the Finance Director will make this determination by 11:00 a.m. each morning and then institute a bidding process for county monies as follows:

1. Approved financial institutions shall be contacted by the Finance Director requesting bids on time deposits. All bids shall be submitted by 11:00 p.m. with interest on a 365-day basis. In the event of matching bids, the financial institutions will be contacted, notified of similar bids and asked if an upset bid will be placed. All certificates shall be delivered to the Finance Director by 2:00 p.m.
2. For other eligible investment vehicles, the Finance Director shall solicit offers from an approved list of financial institutions and brokers/dealers. The Finance Director shall review the various offers and determine which investment vehicle is appropriate, considering such factors as rate, maturity and safety of the investment.

Telephone quotes shall be received by 11:00 a.m. recorded and delivered to the Finance Director. The names of the financial institution and its representative shall be included in the report. The Finance Director will be responsible for notifying the financial institution which placed the highest bid.

Wire transfers, both incoming and outgoing, shall be handled and confirmed by two persons. Wires will be processed no later than 1:00 p.m. with the written confirmation forwarded the next business day. These confirmations will be documented and delivered to the Finance Director for review.

3. Forecasting Cash Flows

The Finance Director shall prepare a monthly cash flow forecast for a twelve-month period and update it monthly. The objectives of the forecast shall be to ensure sufficient funds will be available to meet the County’s commitments and that the timing and amount of excess funds is known so as to maximize the amount of monies available for investment.

In order to forecast the cash receipts as accurately as possible, each department head will meet with the Finance Director in March of each year to discuss the source, nature, and timing of each revenue under that department’s control. Not only will the revenues be estimate, but efforts will be made to determine when those revenues will be collected. An analysis of disbursements will also be performed to estimate the source, nature, and timing of each disbursement.

**SECTION THREE: CASH DISBURSEMENTS**

**The objective of this section of the County’s cash management plan is to retain the monies for investment until agreed-upon contractual date of payment unless early payment provides a benefit to the county.**

The Finance Director shall determine that an appropriation has been made and expend County monies pursuant to NCGS 159-28 (c). The Finance Director shall pay the obligations of the County by the due date. The Finance Director shall determine whether or not the discount for a cash payment is more beneficial than payment on the due date. The Finance Director shall periodically review the disbursement cycle and changes shall be instituted if the disbursement cycle can be extended.

The Finance Director shall develop a system of inventory and supply checks to ensure that the materials on hand are sufficient to keep the county operating in an efficient manner. Should these levels become excessive, the Finance Director shall reduce orders for inventories and supplies until an acceptable level is reached.

The Finance Director shall require that all departments consolidate payments to one vendor. The Finance Director shall ensure that all departments are using the same vendor(s) receive the same due date.

The Finance Director shall issue payroll checks twice a month. In addition, the Finance Director shall submit payroll taxes on the due date.

The Finance Director shall constantly review supplier contracts to ascertain whether or not the county is paying only for goods and services received or rendered.

At least once a year the Finance Director will disburse payroll checks to each individual. The individual will provide proper identification before receiving their payroll check.

**SECTION FOUR: BANKING RELATIONS**

**This section of the plan is designed to help the Finance Director develop and implement procedures to create mutually beneficial banking relations with local financial institutions.**

Those financial institutions which are option two banks shall receive a Request for Proposal. The Request for Proposal will solicit bids from financial institutions which wish to obtain the County’s banking business. The Request for Proposal shall require information of what services can be provided to the unit and the costs associated with such services. The Request for Proposal’s shall be compared and the financial institution selected as the official depository shall receive the County’s bank accounts for a period of three years. The county shall maintain one cash concentration account. The Board of Commissioners shall designate the selected financial institution as the official depository for the County. The Finance Director shall sign for the County a contract with the official depository establishing the banking services and costs that will be applicable to the County and what conditions will necessitate termination of the contract.

**SECTION FIVE: MONITORING AND REPORTING OF THE PLAN**

**The objective of this section of the plan is to devise a systematic reporting schedule to the governing body and to provide a schedule for the systematic review of the Plan itself to make necessary amendments and changes.**

The County Finance Director shall report monthly to the County Manager and /or Board of Commissioners concerning the status of investments. The report shall include the amount of county money’s invested, the average rate on maturities.

The Finance Director shall report monthly to the Board of Commissioners concerning the actual receipts and disbursements for the month versus the budgeted receipts and disbursements for the month versus the budgeted receipts and disbursements and versus the cash flow projections. Any overages or shortages shall be explained. The Tax Collector and the Finance Director shall report to the Board of Commissioners the status of delinquent tax payments and other revenue due to the county from private persons.

The Finance Director shall semiannually submit the LGC-203, Report of Cash Balance to the secretary of the Local Government Commission pursuant to N.C NCGS 159-33. This information, with appropriate explanations, shall also be reported to the Board of Commissioners at the next scheduled board meeting after each report had been submitted to the Local Government Commission.

Each year the plan shall be reviewed by *the Fina*nce Director during budget preparation. The Finance Director shall report to the Board of Commissioners any amendments, procedural changes, and recommended actions for the Board to take to enhance the cash management plan.

The Finance Director shall report monthly to the Board of Commissioners any deviations from the cash management plan and efforts undertaken to ensure that such deviations do not reoccur.

The Finance Staff shall weekly audit one expense or revenue line item. Documentation of the examination shall be maintained and any inconsistencies shall be immediately reported to the County Manager. This review shall include, but not be limited to adherence to policies, proper issuance of purchase orders, daily deposit compliance, proper travel authorization, etc.

The Finance Staff shall monthly personally visit a point of revenue receipt in the county Administration unit. This action will be documented and filed. Any inconsistency shall be immediately reported to the County Manager. This review shall include comparing receipts to revenues, assuring daily deposit requirements, assuring that receipts are being properly generated, and that all aspects of the Cash Management Policy are being maintained.

Revised October 21, 1991

Adopted October 3, 1988

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# WORKERS COMPENSATION POLICY

**Section 1. Purpose of Workers’ Compensation Policy**

The purpose of this policy is to provide medical benefits and disability compensation in accordance with the North Carolina Worker’ Compensation Act to employees who sustain compensable injuries or illnesses, which arise out of or are found to be within the course and scope of their employment.

**Section 2. Covered Employees under the Workers Compensation Act**

All employees of the county (probation and regular established full-time, part-time, elected official and temporary) are covered by the North Carolina Workers’ Compensation Act and are entitled to medical attention and appropriate weekly indemnity for injuries or illnesses, which arise out of or are found to be within the course and scope of their employment.

**Section 3. Coordination with other Agencies**

1. **North Carolina Industrial Commission:**

This agency establishes the rules and regulations under which the Workers’ Compensation Act is administered. Determination of liability and all bills for payments as a result of the injury will be processed according to these rules and regulations. In cases where the county and the injured employee cannot agree on liability or compensation, the Commission will hold hearings.

1. **North Carolina Occupational Safety & Health Administration (OSHA):**

Work place injuries and illnesses that may qualify under the Occupational Safety & Health Administration may or may not be qualified as Workers’ Compensation. With the assistance of Personnel and the reporting department, the accident status for OSHA recordkeeping will be determined.

1. **Third Party Administrator:**

McDowell County has contracted a third-party administrator to handle Workers’ Compensation claims. The third-party administrator is responsible for determination of liability, authorization of treatment, bill processing, weekly compensation benefits and forms filing. Contact Personnel for the name and telephone number of the current third-party administrator.

**Section 4. Reporting Requirements**

1. **Employee Responsibility:**

* Notifying the Department Head and Personnel of the accident immediately and completing the “Workers’ Compensation Reporting Form”. (Delay in reporting injury/illness may result in the loss of benefits).
* Contacting Department Head and Personnel **PRIOR** to receiving any medical treatment (life threatening accidents or accidents occurring after normal working hours may be directed to the nearest hospital).
* Following the orders of the approved treating medical professional.
* Providing all medical correspondences to Personnel immediately.

1. **Department Head Responsibility (or Designee):**

* Evaluating the injury and contacting Personnel to arrange for medical treatment (life threatening accidents or accidents occurring after normal working hours may be directed to the nearest hospital or urgent care facility).
* Securing and reviewing the “Workers’ Compensation Reporting Form” and forwarding it to Personnel as soon as possible but no later than 24 hours from the date and time of the injury.
* Investigating the accident or unsafe act and recommending measures to eliminate or reduce the hazard and completing a “Workers’ Compensation and/or First Aid Accident Incident Investigation Report” Form and forwarding to Personnel within 48 hours of the accident/incident.
* Assisting in controlling the cost associated with work related injuries and illnesses.
* Maintaining complete confidentiality of all work related injuries.
* Ensure Procedural notifications are posted at all work locations and visible to all employees

1. **Personnel Responsibility**

* Shall ensure the injured employee receives benefits provided by the North Carolina Workers’ Compensation Act if applicable.
* Shall oversee costs associated with work related injuries and illnesses.
* Shall monitor Workers’ Compensation administrator for ensuring effective processing and monitoring of all claims.
* Communicate Workers’ Compensation Policy and procedures to all employees and management and oversee Workers’ Compensation program.
* Shall participate in the North Carolina Industrial commission hearings or mediations where appropriate.
* Responsible for reporting all injuries to the third party administrator via completion of Industrial Commission Form 19 requirement with five days from the date of knowledge of any injury as required by law.
* Shall communicate with third party administrator to pre-approve all medical treatment for injured employee.
* Shall be responsible for all medical recordkeeping for injured employee and maintenance of OSHA 300, 301,300A forms as required by law.
* Reporting fatalities and/or hospitalization of three or more employees to the North Carolina Occupational Health and Safety Administration (OSHA).

**Section 5. Accident Reporting and Medical Treatment Procedures**

The following are step by step procedures that shall be followed when an accident on the job occurs:

**Step 1:** When an accident occurs, report the accident to the supervisor immediately. In the absence of direct Supervisor, the Department Head, Personnel or the County Manager’s Office should be contacted immediately.

**Step 2:** Supervisor will contact Personnel for pre approval of medical treatment. Life threatening accidents or accidents occurring after normal working hours should be referred to the nearest hospital or urgent care facility. Notify the emergency room staff that it is a Workers’ Compensation claim for McDowell County Government.

**Step 3:** Supervisor must notify the Personnel Office as soon as possible but no later than within 24 hour of the injury whether medical treatment beyond first aid is necessary or not.

**Step 4:** All injuries are to be investigated by the Supervisor using an “Incident Investigation Report Form” and forwarded to Personnel. A Form 19 will be completed by Personnel and sent to the employee and the third-party administrator. If the employee does not agree with the description or time of the accident given on the Form 19, the employee should make a written report to the employer within thirty (30) days of the injury. A follow–up investigation will be conducted.

**Step 5:** If the injured employee is placed on light duty work by the authorized medical staff, contact the Personnel office for specific return to work instructions.

**Step 6:** Employee needs to report to their department head after each doctor’s visit and provide medical notes to Personnel to prior to returning to work.

**Step 7:** If medical treatment is required, notify the treating authority that it is Workers’ Compensation. **EMPLOYEE SHOULD NOT USE MEDICAL INSURANCE CARD.**

**Step 8:** If prescriptions are issued, notify the pharmacist that it is Workers’ Compensation. When possible obtain a prescription authorization form from Personnel before attempting to get prescriptions filled. **DO NOT FILE ON MEDICAL INSURANCE.**

**Section 6. Alcohol and Controlled Substance Testing**

Employees may be tested for the presence of drugs and alcohol following an on-the-job accident or illness. Generally the following will prompt testing requirements: a fatality, a serious injury to an employee or other individual, accident involving a county owned vehicle, after a sequence of minor accidents or injuries that may or may not require medical treatment from a licensed physician.

Following an accident, the employee(s) will be tested as soon as possible by any reasonable means. An employee involved in an accident must refrain from alcohol use for eight hours (8) following the accident or until he/she undergoes a post accident alcohol test. It is the employees’ responsibility to refrain from the legal use of alcoholic beverages until the testing is completed.

Employees should understand that following a traffic accident, requests for submission to a alcohol and/or controlled substance test made by an investigating law enforcement officials a personal decision and not controlled by this policy nor subject to county review.

**Section 7. Discipline and Consequences**

1. **Failure to Report Injury:** Any employee involved in an on-the-job injury or illness who does not report it immediately may receive disciplinary action up to and including termination and may be subject to denial of benefits under the North Carolina Workers’ Compensation Act.
2. **Failure to Seek Authorized Medical Treatment:** It is the County’s responsibility to provide appropriate medical treatment for all work related injuries or illnesses. Any employee injured on-the-job who does not get prior approval on medical treatment (excluding life threatening accidents and after normal business hours 8-5 accidents) will jeopardize payment of bills incurred related to the accident. In addition, failure to follow procedures as set forth in the Workers’ Compensation Policy may result in disciplinary action up to and including termination.
3. **Positive Drug Test and Alcohol Test:** Any employee testing positive for drug and alcohol presence may be subject to termination. Any employee refusing to submit to alcohol and drug testing as directed by the county and as described in Section 6, will be considered positive and will be subject to termination.
4. **Additional Policy Information:** Additional information regarding discipline, grievance procedures and drug-free expectations is located in the McDowell County Personnel Policy and may be provided at the employee’s request.

Revised July 1, 2007

Adopted November 21, 1988

# STANDARD OPERATING PROCEDURE MCDOWELL COUNTY REQUEST FOR BUDGET AMENDMENT

1. Request(s) for budget amendments shall be presented in writing to the County Finance Director for line item verification and available resources.
2. The County Finance Director shall present to the Budget Officer all applicable information regarding the request for a budget amendment, and the completed form for a McDowell County Budget Amendment.
3. The budget Officer is authorized to approve amendments between objects of expenditures up to $1000 between departments, including contingency appropriations, within the same fund. An official written report on such transfers will be made available to each Commissioner prior to the next regular meeting of the Board of Commissioners.
4. All other requests for the Budget Amendments shall be presented to the Board of Commissioners for their approval prior to any transfer. This shall include the written information concerning the request and the completed form for a McDowell County Budget Amendment.
5. Upon review of the request, the Board of Commissioners shall amend the McDowell County Budget, or deny the request for budget amendment.
6. Copies of approved requests for budget amendments shall be forwarded to the budget officer and the County Finance Director. The County Director shall consecutively number each amendment after its approval. At this time the change to the budget shall be made. In no situation and under any circumstances shall changes be entered to the budget without these specific steps having been completed.
7. The County Finance Director shall maintain a file of the original signed and sequentially numbered approved budget amendments.
8. The County Finance Director shall forward all information regarding the approved/denied request for budget amendment to the department head.
9. In the event of declared state of emergency the “McDowell County Emergency Operations Plan for Multi-Hazards” will be adhered to.

Adopted December 5, 1988 Revised January 21, 1991

# MCDOWELL COUNTY INCLEMENT WEATHER AND ADVERSE CONDITIONS POLICY

The following policy is hereby adopted by the McDowell County Board of Commissioners and applies to all non-emergency personnel:

McDowell County will make every attempt to keep its offices open. Offices will only be closed due to adverse weather or unusual conditions, and will be reviewed by the County Manager. Updates will be provided and on the county phone message system.

The decision as to whether the offices will be closed will be made as early as possible by the County Manager and the Chairman of the Board of Commissioners after consulting with the local Emergency Services Director. Office closing information will be updated to the County phone systems as it is available.

If offices are open and an employee chooses to not report, then the employee will be charged with a vacation day or forfeit a day’s pay. The absence should be submitted to the Personnel Office on the Personnel Leave Notice Request form on the next workday.

In the event that county offices are closed, the employee will not be required to utilize a vacation day, a sick day, forfeit a day’s pay, utilize compensatory time, or work on a make-up schedule.

It will be the responsibility of department heads to assure that proper records for utilization of time on snow days are kept on all employees.

The employee will be required to notify his/her supervisor within the first hour of scheduled work time of intentions for the absence due to inclement weather conditions. Updates will be provided on the County phone system with closing schedules.

Revised December 5, 2016

Adopted December 19, 1988

# MCDOWELL COUNTY CONDOLENCE POLICY

The following policy is designed to provide for consistent action on the part of the county concerning the sending of flowers/memorial.

1. The McDowell County Commissioners will send flowers/memorial in case of death in the immediate family of an active county employee (part-time or full-time)
2. Members of the immediate family are considered to be spouse, children (step/foster), father, mother, in-law, step-parents, brother, sister, grandfather, grandmother
3. Department Heads of employees should notify the Clerk to the Board when a death in the immediate family of an employee has occurred and the Clerk will consult with the Finance Director if issues occur with the appropriate condolence.
4. The Clerk shall attempt to not exceed $75.00
5. The Chair of the Board of Commissioners or the Vice Chair reserves the right to send flowers or memorial in unusual or extreme situations not covered by this policy.

Adopted January 3, 1989

Revised May 30, 2006

Revised January 1, 2017

Revised May 25, 2017

This policy does not offer coverage for Retirees

# STANDARD OPERATING PROCEDURE POOL HALL, GAME ROOM, OR AMUSEMENT CENTER APPLICATIONS

1. All citizens that desire to open a pool hall, game room, or other amusement center establishment shall obtain the necessary permit for a license in the McDowell County Tax Collection Office located in the County Administration Building.
2. The Tax Collector will provide a copy of the permit form and a copy of the McDowell County Ordinance entitled “An Ordinance Regulation Pool Hall and Other Amusements” to the citizen.
3. The ordinance should be reviewed by the citizen before he completes the permit form. Once completed, the permit form will be turned over the Sheriff’s Department by the Tax Collector. A copy of the permit form will also be made available to the Clerk-to-the-Board.
4. The permit form will be reviewed by the Sheriff’s Department as provided for in the ordinance. The Sheriff’s Department will return the form to the Tax Collection Office. The permit will not be processed without the signature of the Sheriff or his designated representative.
5. The permit form will then be turned over to the Building Inspection Department as provided for in the ordinance. The permit shall not be signed unless provisions in the ordinance are met. If there are any variations from the ordinance, these shall be noted in writing and made available to the Board of Commissioners.
6. The permit will then be presented to the Board of Commissioners for their consideration. There shall be thirty (30) day waiting period between the initial date of the permit application and the Board of Commissioners consideration.
7. Pool Hall licenses expire on June 30 of each year and shall be renewed. The Tax Collector is responsible for this.

Adopted April 3, 1989

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# ARTICLE 1 OPERATIONS

* 1. All 24 hour non-exempt emergency employees of McDowell County Emergency Medical Services shall work 24 hours per shift (beginning: 0800). Each shift will repeat every 48 hours.
  2. All non-exempt employees are employed at the annual salary pertaining to his/her job grade and level for all hours of work.
  3. All pay periods are semi-monthly and each employee will receive 1/24 of his/her basic annual salary each pay period provided that the employee is not in an overtime situation.
  4. All non-exempt employees will be allowed one (1) hour between 1130-1330 and 1730-1930 for mealtime.
  5. All non-exempt emergency employees shall be paid for 40 hours in a 7-day work period. (Per Article VI of the Personnel Handbook, leaves of absence do not count as hours worked.)
  6. All non-exempt emergency employees shall be entitled to overtime pay when hours worked exceed a maximum of 40 hours in the scheduled 7 day work period. This overtime compensation will follow the “Half-time or Fluctuating Workweek Plans for Salaried Employees” section of the Fair Labor Standards Act. All payment for overtime will be computed in accordance with Federal Regulations Part 778.114.
  7. If an employee takes any time off regardless of the nature of the time taken these hours are not counted as hours worked in the computation of overtime.

Continued…

* 1. These provisions will assist in assuring the McDowell County is in compliance with the Fair Labor Standards Act.

2.0 All Emergency Medical Service employees will be furnished with a copy of this policy.

Statement of Receipt: I have read, understand and accept each of the provisions within this policy.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date

Adopted effective March 1, 1988

Revised March 5, 1990

# MCDOWELL COUNTY POLICY FOR MAINTAINING FIXED ASSETS INVENTORY

The following policy is hereby adopted by the McDowell County Board of Commissioners to ensure the maintenance of the Fixed Assets Inventory.

1. All purchased items having a value of $800 or more will be added to the Fixed Assets Inventory by the finance staff immediately upon receipt. Items such as radio equipment, cameras, and tape recorders valued under $800 that may be easily removed may also be included.
2. All information that is needed by the Finance personnel will be obtained from the invoice when payment is made from the department head. The information will include:

a. name of fixed asset b. serial #, identification # c. location of fixed asset d. cost of fixed asset e. date of acquisition

1. The Purchasing Agent will maintain a record of all vehicles and properties owned by the County. Each Property Deed and original vehicle title shall be retained in the office of the Purchasing Agent.
2. The Purchasing Agent shall assure that all statutory requirements are met involving the acquisition/disposition of property owned by the County. The standard means of disposal of county property will be through the online auction site.
3. Department heads should immediately notify the Purchasing Agent if an individual fixed asset is missing, destroyed, or transferred to another department.
4. The Fixed Asset Inventory will be “update” (additions, deletions or transfers of any asset) as often as deemed necessary by the Purchasing Agent. A report attesting to the “update” will be completed by the last working date in June of each year. The report will be prepared, reviewed and initialized by the Finance Director. Annual inventory will be taken by the Purchasing Agent and the department heads to ensure that the fixed asset schedule is up to date. A report shall be submitted to the Board of Commissioners verifying this action and shall include the total dollar value of assets contained in the inventory.

Revised October 21, 1991

Adopted March 5, 1990

# BILLING AND COLLECTION PROCEDURE ADDENDUM ARTICLE I MCDOWELL COUNTY EMERGENCY MEDICAL SERVICE

The following procedure is hereby adopted to provide for a more uniform and efficient means of billing and collection for ambulance service in McDowell County.

1. All calls that are not reimbursed by a third party payment that originate in a nursing home or domiciliary home and are non-emergency/convalescent in nature, shall be the responsibility of the facility initiating the request for service for the issuance of payment.
2. If the ambulance bill is approved by Medicaid or Medicare, McDowell County will bill these programs directly. If the individual being transferred possesses supplement insurance for Medicare, this insurance company will be billed for the additional coverage.
3. If the bill is not reimbursed by a third party, and the bill involves a convalescent transfer, an invoice will be issued by the Finance billing office to either the nursing home, domiciliary home or the individual responsible for payment All bills should be paid directly to the Finance Department.
4. The invoice for the ambulance service will be issued by the Finance office. Payment for service rendered should be made within (30) days for the issuance of the invoice. If the invoice remains unpaid, a second notice will be mailed after (30) days that will notify the individual that the bill will be paid within (30) days. At the end of this thirty (30) day period garnishment or attachment proceedings will begin.
5. If payment cannot be made due to insurance or legal complications, this occurrence would be communicated to the Finance office. It is the responsibility of the facility or individual initiating the call to assure that this communication is received.
6. Arrangements can be made for bills to be paid over an extended twelve (12) months period if the individual can demonstrate an excessive hardship and inability to pay. These arrangements will be established in writing on the required standard form will require the signature of the individual citizen prior to approval by the Finance staff.
7. All provisions of the McDowell County Cash Management Policy will be maintained.
8. Emergency Service Paramedics will attempt to receive insurance information from nursing or domiciliary homes, hospital and/or patient. The McDowell County Finance Staff will verify information by using the hospitals online systems when possible. Patients will receive a private bill should insurance information not be available.

Adopted August 7, 1989

# MCDOWELL COUNTY SCRAP TIRE DISPOSAL POLICY

**PURPOSE AND OBJECTIVES**

1. To extend the life of the county landfill
2. To comply with state requirements established in Senate Bill 111
3. To carry out recycling efforts in a cost efficient manner

PROCEDURE

1. McDowell County will continue to accept tires only on Wednesday. A trailer will be placed on the landfill site. Tires will be placed around the trailer by citizens and will then be loaded by either community service workers or prison inmates.
2. Individual McDowell County retail dealers will be issued a permit that will include the name of their business, business address, date of issuance, sales tax number, and the owner of the business. Individuals with a permit will be allowed to dispose of their in-county retail tires (from new tire sales) at no cost. The number of tires disposed of by tire retailers should reasonably correspond to the number of new tires sold. McDowell County reserves the right to obtain proof of sales prior to disposal.
3. McDowell County will not accept out-of-county tires from non-county businesses. McDowell County will accept out-of-county tires from established McDowell County businesses for an established fee. It is the responsibility of the individual tire hauler to verify the geographic origin of the tires being disposed of. Those tires that cannot be verified as being retail in-county sales will be charged a fee.
4. Individual McDowell County citizens may dispose of ten tires from March, 1990 to March 1991 at no cost by showing a valid North Carolina driver’s license with a McDowell County address. After the first year, individuals will be allowed to dispose of only five tires per year.
5. All tire haulers, and other related dealers will be charged a fee to dispose of their tires. An invoice will be presented to the hauler and this invoice would be immediately paid at the McDowell County Finance Office. Accounts not received within sixty (60) days will be turned over to the Delinquent Tax collector and disposal privileges will be prohibited.
6. The invoice inventory sheet will be maintained by the attendant to assist in assuring that there is a correlation between sales and disposal of tires.

Adopted March 19, 1990

# MCDOWELL COUNTY POLICY ON MAKING APPOINTMENTS TO AGENCY BOARDS AND COMMISSIONS

Following Standard Operating Procedure is hereby adopted as the standard procedure for the McDowell County Board of Commissioners in their consideration and appointment of citizens to agency boards and commissions. The purpose is to ensure careful consideration and review of said appointments.

1. All requests for County Commissioner appointments will be placed in writing by a representative from the Board of Commissions requesting the appointment. The request will be turned in to the Clerk to the Board and placed on the next County Commission agenda.
2. It is the intent of the Board of Commissioners that board appointments are read at two consecutive Commissioner meetings to ensure careful consideration and review.
3. The Board of Commissioners will require that a Committee Nomination Form be filled out and returned by each candidate following the first reading.
4. The Clerk to the Board will maintain a file of persons interested in serving on boards or commissions and this file shall be reviewed for possible appointees, along with those persons recommended for appointment by an agency board or commission.
5. The Clerk to the Board or appropriate designated county administrative official shall contact those individuals named by the Commissioners prior to the next Commissioner’s meeting and issue a report at that time.
6. In the event that the Commissioners deem it necessary or prudent, this policy may be waived and a nomination named at the first reading.
7. The Commissioners shall make the appointment and a notice will be sent by the Clerk to the Board to the appropriate agency representative stating that the appointment has taken place.

Revised August 15, 1994 Adopted October 1, 1990

# MCDOWELL COUNTY DRUG-FREE WORKPLACE POLICY

The following policy is hereby recognized by the McDowell County Board of Commissioners in an effort to establish a drug free workplace and serves to comply with the Federal requirements in the Drug Free Workplace Act of 1988.

The Board of Commissioners recognize the severe danger that drugs in the workplace pose by impairing public safety, promoting criminal activity, lowering productivity, and the quality of work, and generally undermining public confidence in the work that McDowell County is a “responsible source” for federal contracts and grants.

1. Effective immediately, any location at which county business is conducted is declared to be a drug free workplace. This would include county buildings, property, and vehicles. No employee may unlawfully manufacture, distribute, or possess in the workplace any controlled (illegal) substance or alcohol. This requirement includes and prohibits reporting to work under the influence of any controlled substance in Schedules I and V of Section 202 of the Controlled Substances Act (21 U.S. C. 812), and as further defined by regulation at CRF.1300.15, and as defined in Schedules I through VI of the North Carolina Controlled Substances Act (Article 5, Chapter 90, NCGS).
2. As a condition of employment, Article IV, Section IV, “Pre-employment Drug Screening” will be followed.
3. As a condition of employment, each employee shall notify his or her supervisor of a conviction of any criminal drug statute that occurs while employed with McDowell County will notify immediately with any change. “Conviction “is defined as a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations the Federal and State Criminal Drug Statutes.
4. As a condition of employment, any employee who violates this policy or is convicted of any criminal drug statute may be disciplined as provided in ARTICLE VIII. Section I up to and including dismissal and/or that employee may be required to participate in a drug abuse assistance or rehabilitation program approved by McDowell County.
5. McDowell County will notify the federal government (contracting officer) within then (10) days of receiving such notice if the employee is engaged in work funded by a federal grant.
6. This policy will be distributed to each employee, and each employee shall sign a statement of policy receipt acknowledging that they have received, read, and understood the policy. This policy will also be included in the Employee Handbook and will be posted. This policy is applicable to all full, part-time, and temporary employees.
7. McDowell County will identify all available drug counseling, rehabilitation, and employee assistance programs. McDowell County will work with Smokey Mountain Center Programs to establish a “Drug Free Awareness Training Program”.
8. McDowell County will make every effort to maintain a drug free workplace as presented in this policy.
9. All positions that are classified as a “safety sensitive position” shall be subject to random drug testing on a rotation schedule. Department Heads will be notified within one hour of testing date and time by the Human Resource Department.

Adopted November 5, 1990

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# MCDOWELL COUNTY POLICY ON RULES OF PROCEDURE FOR THE BOARD OF COMMISSIONERS

The following policy is hereby recognized as the Standard Operating Procedure for the McDowell County Board of Commissioners concerning its rules of procedure. The public policy of North Carolina and of McDowell County is that the following rules apply to all formal meetings of the Board of Commissioners where the board will fulfill any of its executive and legislative powers conferred by law. The following policy is designed to ensure board compliance with Open Meeting Law, NCGS 143-318.9 through 318.18.

1. All hearings, deliberations and actions of the board will be conducted openly, and except as otherwise provided for in those rules and in accordance with applicable law, shall be open to the public. An official meeting of the board is defined as any gathering together at any time or place, or the simultaneous communication by conference telephone or other electronic means, of a majority of board members for the purpose of conducting hearings, participating in deliberations, or in any other way transacting public business.
2. The McDowell County Board of Commissioners shall hold its regular meeting on the second Monday of each month. The regular monthly meeting shall be held at 5:00 p.m.. The Commissioners may change the place or time of a regular meeting by resolution adopted, posted, and noticed at least seven (7) days before the change takes effect. Such a resolution shall be filed with the Clerk-to-the-Board and copies shall be sent to all persons who have requested notice of special meetings with the board.

If a regular meeting day is a holiday, the meeting shall be held on the next business day or such succeeding day as may be specified in the motion adjourning the immediately preceding regular meeting.

1. The Chairman or a majority of board members may at any time call a special meeting of the board by signing a notice stating the time and place of the meeting and subjects to be considered. The Clerk-to-the-Board shall cause the notice to be posted on the principal bulletin board of the county or the door of the regular meeting place and delivered to the chair and all other board members at least forty-eight (48) hours before the meeting. In addition, the notice shall be mailed or delivered to new organization having requested such notice. Only items of business specified in the notice may be transacted at special meeting, unless all members are present or those have signed waivers.
2. If an emergency is called to deal with an unexpected circumstance requiring immediate consideration, the notice requirements do not apply. However, the person or persons calling an emergency meeting shall take reasonable action to inform the other members of the board and the public of the meeting. Local news organizations having requested notice of special meetings shall be notified of such emergency meetings by the same method used to notify board members. Only business related to the emergency may be discussed.
3. Any individual and any newspaper wire service radio station, and television station may file a written request with the Clerk-of-the-Board for notice of all special meetings. Requests by individuals must be renewed by December 31 of each year and are subject to a $10.00 non-refundable annual fee; requests by news organizations must be renewed by December 31 of each year and are not subject to any fee.
4. Except as provided in this rule, any radio or television station may broadcast all or part of an official meeting required to be open to the public. Any person may photograph, film tape record, or otherwise reproduce any part of a meeting required to be open.
5. On the first Monday in December the board shall meet at the regular meeting time and place. The Clerk-to-the-Board of Commissioners shall call the meeting to order and shall preside until a chair is elected. If they have not already been sworn and inducted into office, the newly elected membership o the board shall take and subscribe the oath of office as the first order of business. As the second order, the board shall elect a chair and vice-chair from its members. The newly elected Chairman of the Board shall not be removed from the chair unless he or she becomes disqualified to serves as a board member. As the third order, the board shall approve the bonds of the Register-of-Deeds and the Sheriff and induct them into office.
6. Notwithstanding the provisions of Section A. The board may hold closed session and exclude the public, but only the following circumstances:
7. To consider the acquisition of any interest in real property by purchase, condemnation, lease, or other means. Final decision to acquire or leas much be made in public.
8. To consider and accept a gift or bequest of personal property offered to the county or any agency thereof.
9. To discuss matters relating to the location or expansion of industries or other business in the county.
10. To consider the commencement, prosecution, defense, settlement, or litigation of potential or pending judicial action or administrative proceeding in which the board finds that the county has a substantial interest. The terms of any settlement discussed in executive session and actually agreed to by all parties shall be reported the board in open session and entered into in its minutes within a reasonable time after the settlement is concluded.
11. To consult with an attorney to the extent that confidentiality is required for the attorney to exercise his or her ethical duties as a lawyer.
12. To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of a county officer or employee or a prospective county officer or employee. Final action appointing employing, removing, or discharging a county officer or employee shall be taken in open session
13. To hear or investigate a complaint, charge, or grievance by or against a county officer or employee. Final action regarding such complaint, charge or grievance shall be taken in open session.
14. To consider the appointment or removal of a member of another board, commission, or other public body, some or all of whose members are appointed by the McDowell County Board of Commissioners.
15. To consider information where state or federal law directs that the information be kept confidential or makes the confidentiality of the information a condition of state or federal aid.
16. To consider and take action necessary to deal with a riot or civil disorder or with conditions indication that a riot or civil disorder is imminent.
17. To plan, conduct or hear reports concerning investigations of alleged criminal misconduct.
18. To consider and decide matter concerning specific inmates or security problems at the county jail or other correctional facility.

The Board may go into executive session upon motion made and adopted in an open meeting. The motion shall state the general purpose of the executive session and must be approved by a majority of those board members present.

1. It is the duty of each member to vote unless excused by a majority vote according to law. The board may excuse members from voting on matters involving their own financial interest or official conduct. The County Manager should be notified if a board member feels that he may request to be excused prior to the meeting at which the vote is to occur. The County Manager shall consult the attorney for a recommendation. A member wishing to be excused from voting shall so inform the Chair, who shall take a vote of the remaining members. A member who fails to vote, not having been excused, shall be recorded as voting in favor of the motion.
2. The board shall not deliberate, vote or otherwise act on any matter by reference to an agenda or document unless copies of the agenda or document are available for public inspection at the meeting. McDowell County will make every effort to inform interested members of the public present during the conduction of county business.
3. To be adopted at the meeting where it is first introduced, an ordinance must be approved by all members of the Board of Commissioners. This requirement does not apply to the adoption of the Budget Ordinance or an ordinance requiring a public hearing. If the proposed measure is approved by a majority but not all members of the board, or if the measure is not voted on at that meeting. It shall be considered at the next regular meeting of the board. If it is then or at any time within one hundred (100) days after its introduction received with a majority of the votes cast, the measure is adopted.
4. A majority of the board membership shall constitute a quorum. The number required for a quorum is not affected by vacancies. A quorum of the board must be present to conduct business.
5. Minutes shall be kept of all board meetings. The minutes shall contain all decisions of the board. An approved copy of the minutes shall be filed in the Clerk-to-the-Board’s office as a permanent record of official board proceedings.

Adopted December 17, 1990

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# MCDOWELL COUNTY STANDARDS OF CONDUCT POLICY

The following policy of intent is hereby adopted by the McDowell Board of Commissioners and establishes guidelines for ethical standard of conduct for all county officials by setting forth some of those acts or actions that may be incompatible with the best interest of McDowell County or North Carolina Laws.

1. No county official shall have or hereafter acquire an interest in any contract or agreement with the county if he will privately benefit or profit from contracting or undertaking in violation of North Carolina General Statues 14-234. The county official shall immediately notify the County Manager in any instance where a conflict of interest may exist and interpretation will be obtained from the County Manager.
2. No county official shall use his official position or the county’s facilities for his private gain, nor shall he appear before or represent any private person, group or interest except in matters of purely civic or public concern.
3. No county official shall use or disclose confidential information gained in the course of or by reason of his official position for purposes of advancing his financial or personal interest. For purposes of this policy, confidential information includes confidential information so indentified in closed session meetings of the commissioners.
4. No county official shall in, or accept private employment or render service, for private interest when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment of action in the performance of his official duties, unless otherwise permitted by law. All county officials shall furnish notification of outside employment as provided in county policy.
5. No county official shall directly or indirectly solicit any gift whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, in the performance of his official duties, or was intended as a reward for any official action on his part. Legitimate political contributions shall not be considered as gifts under the provisions of this paragraph.
6. County officials shall conduct their official and personal affairs in such a manner as to give clear impression that they cannot be improperly influenced in the performance of their official duties. County officials shall also strive to give the clear impression.
7. Nominal gifts may be permitted as long as it is not violated under the General Statute GS 133-32.

That they are entitled to no special consideration or treatment based on their official position. County officials shall disclose any personal relationship to the governing body in the instance where there could be the appearance of a conflict of interest.

Adopted December 17, 1990

# POLLICY ON MAJOR MEDICAL INSURANCE COVERAGE FOR MCDOWELL COUNTY RETIREES

According to McDowell County’s Health Benefit Plan, all coverage terminates the day on which your active employment with McDowell County is terminated. Coverage includes but is not limited to: medical, dental and life. Therefore, the purpose of this policy is to provide access to major medical insurance coverage for retiring employees of McDowell County.

1. (Eligibility) Retiring employees who began their employment with McDowell County before March 01, 2009, will be allowed to continue major medical coverage on McDowell County‘s group health plan if the four (4) following conditions exist:
2. Only employees retiring after the effective date of this policy are eligible.
3. Five (5) years of consecutive service must have been served with McDowell County immediately prior to retirement or one year of service immediately prior to retirement with a cumulative total of ten (10) years of McDowell County service. McDowell County will allow employees who retire with cumulative years of service with State and or Local Government to remain on the Major Medical Retiree Insurance Policy as a covered retiree; under the guidelines established by the North Carolina Local Governmental Employees Retirement System. This will be retroactive to any retiree based on cumulative years of service as approved by the Board on March 1, 2009. Retiree coverage must be accepted or denied on or before the last fiscal day worked.
4. Retirement must be in accordance with one of the following guidelines established by the North Carolina Local Governmental Employees Retirement System:
5. 65 years of age with 5 years of creditable service (unreduced)
6. 60 years of age with 25 years of creditable service (unreduced)
7. 30 years of creditable service (unreduced)
8. 55 years of age with 5 years of creditable service (law enforcement personnel, unreduced)
9. 50 years of age with 20 years of creditable service (reduced)
10. 60 years of age with 5 years creditable service (reduced)
11. 50 years of age with 15 years of creditable service (law enforcement personnel, reduced)
12. Total and permanent disability with 5 years creditable service (unreduced)
13. The eligible retiree is responsible for all premiums but will have a percentage of their health premium paid based on their cumulative years of service with Local and or State Government. Retiree dental and dependent health and dental will be offered through COBRA. Percentages are as follows for the eligible Retiree:

15+ years – 25% 25+ years -75% 20+ years – 50% 30+ years – 100%

1. Coverage will terminate:
2. \* When covered retiree attains 65 years and one month or otherwise becomes eligible for Medicare. In the case of employees over age 65 and one month, one month beyond retirement regardless of age. This will allow for ease in transferring to a Medicare supplement if the individual desires said coverage. It is the responsibility of the retiree to inform the Personnel Office if this is the situation occurs.
3. If premiums are not timely remitted. Premiums shall be remitted to the Finance Office and are due on the first of every month, payable to McDowell County. There will be grace period of thirty (30) days.
4. If the retiree becomes eligible under another group health plan. It is the responsibility of the retiree to inform the Personnel Office if this situation occurs.
5. If McDowell County no longer provides a major medical plan for its employees.

**\*C**. **Beginning July 1, 2011, the lifetime maximum of $100,000 will change to unlimited coverage** for claims incurred after the effective date of the retirement coverage to comply with the federal Healthcare Reform bill for employees hired before March 1, 2009.

**\*D. The Early Retiree Major Medical program is not available for anyone hired on or after March 01, 2009.**

**\*E. All dependents covered under an employee’s medical/dental insurance who retires after July 1, 2011, will be offered the continuation of coverage under the requirements of COBRA. Retirees may elect dental coverage under COBRA; all notifications will be issued by the current COBRA Administrator.**

**\*F. The Board of Commissioners will set the original premium rates at the time of this policy’s adoption. Rates will be reviewed semi-annually thereafter.**

Revised March 01, 2009

Revised July 1, 2001

Revised November 8, 1999

Revised October 13, 1997

Revised August 19, 1991, retroactive to July 1, 1991

Adopted November 19, 1990

**MCDOWELL COUNTY EMPLOYEE SHARED LEAVE POLICY**

The following policy is hereby recognized by the McDowell County Board of Commissioners as the standard procedure, which allows employees to share sick leave with another employee affected by a serious or prolonged medical condition. In order to request shared leave the employee must be a regular full time or part time benefited employee with (1) year of consecutive service with McDowell County.

1. An employee affected by serious or prolonged medical condition, and that has expired their vacation and sick leave, may apply in writing to their department head to accept donated sick leave from other McDowell County employees. The written request shall include a brief description of the circumstances prompting their request.
2. The department head shall review the request and then shall forward to the County Manager a recommendation based on the employee’s work history, record of leave, etc. The County Manager shall approve or deny the request. If the request is denied, the employee can appeal to the Board of Commissioners.
3. Upon approval, the shared leave request will be forwarded to the Human Resources Office which will be responsible for the accountability of the leave donations and use.
4. The recipient shall continue to accrue sick and vacation leave while in a shared leave status.
5. The minimum amount of hours that can be donated shall not be less than four (4). The maximum amount of hours that can be donated shall not exceed one-half of the donor’s sick leave balance.
6. Per each request approved by the Board of Commissioners, the total shared sick leave hours accepted shall not exceed 480.00. Requests for additional donated sick leave must be submitted in the same manner as the original request.
7. At the termination of the circumstance requiring excess sick leave, all donated sick leave in excess of 24.00 hours shall be prorated and returned to each donor’s sick leave accrual. This amount shall not include the sick leave accrued by the recipient while in the shared leave units.
8. The recipient (employee) receiving shared leave shall not work in any other full/part time capacity while receiving shared leave for any other private or public employer.

Adopted March 4, 1991

# MCDOWELL COUNTY OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN

The policy is established to prevent the spread of blood borne viruses passed through contact with human blood, tears, sweat, saliva, gastric secretions, urine, feces, and breast milk. Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. All body fluids shall be considered potentially infectious materials, and methods of personal protection shall be used automatically in such situations. The local government covered by this policy shall be referred to throughout as “the employer”.

1. **Exposure Determination:** The County Manager, in consultation with department heads, shall prepare a list of job classifications and positions in which employees have occupational exposures to blood borne pathogens through regular contact with human bodily fluids. The initial determination of risk of exposure shall be made immediately. Jobs found to be at risk shall be classified as; category I; involving frequent contact with blood and other bodily fluids on a frequent and regular basis with a high risk of exposure; or Category II; potentially at risk from exposure to blood and bodily fluids infrequently or during an abnormal situation, but normal job duties have only a slight risk of exposure.
2. **Exposure Control Plan:** The Exposure Control Plan shall contain at least the following elements:
3. Exposure determination of employees as required by Section I.
4. The schedule and implementation of compliance with Occupational Health and Safety Administration (OSHA) CFR 1910.2
5. The procedure for evaluation of circumstances surrounding reported exposure incidents.

A copy of the Exposure Control Plan shall be reviewed and updated annually and whenever necessary to reflect new or revised employee positions with occupational exposure. . A copy of the Exposure Control Plan shall be made available to OSHA on request for examination and copying.

1. **Information and Training Programs:** All employees with occupational exposure shall participate in a training program provided at no cost to them during regular working hours. Training shall be provided at the time of assignment to tasks with occupational exposure. Annual training for all employees shall be provided within one year of their previous training. The Safety Committee shall provide initial and annual training as well as additional training when changes such as modification or restructuring of job tasks affect employee’s occupation exposure.

The training program shall include the following elements:

1. An accessible copy of the regulatory text of OSHA Standard 1910.1030 and an explanation of its contents.
2. A general explanation of the epidemiology and symptoms of blood borne diseases.
3. An explanation of the modes of transmission of blood borne pathogens.
4. An explanation of the employee’s exposure control plan and the means by which the employees can obtain a copy of the written plan.
5. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials.
6. An explanation of the use and limitations of methods that will prevent or reduce exposure, including appropriate engineering controls, work practices, and personal protective equipment.
7. Information of types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment.
8. An explanation of the basis for selection of personal protective equipment.
9. Information on the Hepatitis B vaccine, including its efficiency, safety, method of administration, the benefits of being vaccinated, and that the vaccine and vaccination will be offered free of charge.
10. Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials.
11. An explanation of the procedure to follow if an exposure incident occurs.
12. Information on the post-exposure evaluation and follow-up that the employer is required to provide for employees following an exposure incident.
13. An opportunity for interactive questions and answers with the person conducting the training session.
14. **Training Records:** Training records shall include the following information:
15. The dates of the training session
16. The contents or a summary of the training session
17. The names and qualifications of persons conducting the training.
18. The names and job titles of all persons attending the training session

Training records shall be maintained for three years from the date on which the training occurred.

1. **Hepatitis B. Vaccination:** The employer shall make available the Hepatitis vaccine and vaccination series to all employees who have had an exposure incident. The employer shall ensure that all medical evaluations and procedures, including the Hepatitis B vaccine and vaccination series, are made available at no cost to the employee, made available to the employee at a reasonable time and place, performed with the supervision of a licensed physician or by another licensed health care professional, and provided according to the recommendations of the U.S. Public Health Service.

The Hepatitis B Vaccination shall be made available after the employee has received the training required in Section 3.0 and within ten working days of initial assignment for all employees unless the employee has previously received the complete Hepatitis B vaccination series. Participation in a screening program shall not be a prerequisite for receiving the Hepatitis B vaccination, but at a later date while still covered under this plan decides to accept this vaccination; the employer shall make available the Hepatitis Be vaccination at that time. All employees who decline to accept the Hepatitis B vaccination shall sign the state in appendix B. If a routine booster dose of Hepatitis B vaccine is recommended by the U.S. Public Health Service at a future date, such booster dose shall be made available.

1. **Post-Exposure Evaluation and Follow-up:** Following a report of the exposure incident, the employer shall make immediately available to the exposed employee a confidential medical evaluation and follow-up, including at least the following elements:
2. Documentation of the route(s) of exposure, under which the exposure incident occurred.
3. Identification and documentation of the source individual, unless identification is infeasible or prohibited by law.

All exposure incidents shall be reported immediately using the Infection Control Incident Report.

The exposed employee’s blood shall be collected as soon as feasible and tested after consent is obtained. The source individual’s blood shall be tested as soon as feasible and after consent is obtained in order to determine HBV and HIV Infectivity. If consent is not obtained, the employer shall establish that legally required consent cannot be obtained. When the source individual’s consent is not required by law, the source individual’s blood, if available, shall be tested and the results documented. When the source individual is already known to be infected with HBV or HIV, testing for the source individual’s known HBV or HIV status need not be repeated. Results of the source individual’s testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.

For exposures that the source is known to be infected with HBV, HCV, or HIV, the employee is to be evaluated at an emergency department immediately.

For critical exposures including contact with eyes, mouth, nose, ears, mucous membrane, or non intact skin, the on duty EMS Supervisor can be contacted to assist with the exposure protocol.

1. **Information Provided to the Health Care Professional:** The employer shall ensure that the health care professional evaluation an employee after an exposure incident is provided the following information:
2. A copy of this regulation
3. A description of the exposed employee’s duties as they relate to the exposure incident
4. Documentation of the route(s) of exposure and circumstances under which the exposure occurred.
5. Results of the source individual’s blood testing. If available.
6. All medical records relevant to the appropriate treatment of the employee.
7. **Health Care Professional’s Written Opinion:** The employee shall receive a copy of the evaluating health care professional’s written opinion within fifteen (15) days of the completion of the post-exposure evaluation and testing. The employee shall be informed of the results of the evaluation, and shall be told about any medical conditions resulting for exposure to blood or other infectious material, which require further evaluation or treatment. All other findings or diagnoses shall remain confidential and shall not be included in the written report.
8. **Medical Reports:** The employer shall establish and maintain an accurate record for each employee with occupational exposure, in accordance with OSHA Standard 29 CFR 1910.20. This record shall include:
9. The name and social security number of employee
10. A copy of the employee’s Hepatitis B vaccinations and any medical record relative to the employee’s ability to receive the vaccination.
11. A copy of all results of examinations, medical testing and follow-up procedures as required after an exposure incident.
12. The employer’s copy of the health care professional’s written opinion after the post-exposure evaluation.
13. A copy of all information provided to the health care professional as required by OSHA standard 29 CFR 1910.20.

The employer shall ensure that all employees medical records are kept confidential and are not disclosed or reported without the employee’s express written consent to any person within or outside the workplace. The employer shall maintain all required medical records for the duration of employment.

1. **Availability of Records:** Employee medical records required by OSHA Standard 29 CFR 1910.20 shall be provided for examination and copying the subject employee, to anyone having the written consent of the subject employee, and to the Director and the Assistant Secretary of the Occupational Safety and Health Administration of the U.S Department of Labor on request.
2. **Responsibility of Implementation and Recordkeeping:** The Personnel Officer and applicable department head shall coordinate training and vaccinations for all employees with occupational exposure. Documentation of the following shall be retained in the Personnel Office on employees with occupational exposure for the duration of employment. Actual exposure record shall be retained an additional thirty years:

Training Records (as detailed in Section 4) Hepatitis B Vaccination Hepatitis B Vaccination Declination (if applicable) Infectious Control Incident Report Medical Records (as detailed in Section 9)

PERSONAL PROTECTION AND WORK CONTROL PRACTICES

1. **General Practices:**  All bodily fluids shall be considered potentially infectious materials. Engineering and work control practices shall be used to eliminate or minimize employee exposure. Work control practices shall be examined or maintained and replaced on a regular schedule to ensure their effectiveness.

All procedures involving blood or other potentially infectious materials shall be performed in such a manner as to minimized splashing, spraying, spattering, and generation of droplets of these substances. Specimens of blood or other potentially infectious materials shall be placed in a container which prevents leakage during collection, handling, processing, storage, transportation, or shipping.

1. **Personal Protective Equipment:**  When there is occupational exposure, the employer shall provide at no cost to the employee appropriate personal protective equipment, such as gloves, gowns, face shields, and masks or eye protection. The employer shall provide training for employees in the proper use and wearing of various pieces of protective equipment and clothing. Gloves shall be disposable and waterproof.

Employees shall use personal protective equipment in all situations involving contact with blood and other potentially infectious materials. If an employee declines the use of his protective equipment, it will be under rate and extraordinary circumstances on his professional judgment. The employee will be prepared to document and justify his actions.

Appropriate personal protective equipment shall be issued to the employee in his appropriate size and available at the work site location. Gloves must be worn if contact with blood or bodily fluids may occur. Gowns shall be work if soiling of clothing with blood or bodily fluids may occur. A mask shall be worn in the event of aerosolization of blood or bodily fluid, as in excessive coughing. Goggles shall be worn when spattering of blood or bodily fluids may occur. Hand washing shall be done after contact with bodily fluids whether or not gloves are worn.

1. **Procedures following Employee Exposure:**  When blood exposure occurs, the employee should immediately wash off the blood with an app cover solution including microbial soaps. In the event of an accidental needle stick, the employee should cleanse the wound with alcohol (add) or other approved solutions. The employee shall see a licensed physician or health care professional as soon as possible. An Infection Control Incident Report Form shall be immediately filled out and forwarded to the Personnel Office.
2. **Disposal and Handling of Soiled and Contaminated Articles:** All non-disposable articles soiled with blood or bodily fluids shall be begged and cleaned and rendered safe before they are put back into service. Bloody or soiled disposable articles shall be carefully bagged and discarded as is appropriate for biohazardous wastes. Needles and syringes shall be disposed of in a rigid, puncture resistant container labeled “contaminated sharp” Blood spills should be cleaned as soon as possible with a solution of bleach diluted 1:10 with water or other approved disinfectant/solution.

Vehicles shall be kept clean as possible and mopped regularly with disinfection solution.

1. **Communication of Hazards to Employees:** Large storage containers of contaminated articles, or refrigerators and freezers containing blood or potentially infectious material, shall contain label “BIOHAZARD”, with lettering and symbols in fluorescent orange or orange-red. These are the same labels used in hospitals and medical laboratories.

**JOB CLASSIFICATIONS HAVING FREQUENT OCCUPATIONAL EXPOSURE CATEGORY I**

Personal Protective

Equipment Required

Equipment Services:

EMS EMT- Basic

Paramedic

EMS Supervisor EMS Training Officer

EMS Operations Officer

Community Care Paramedic

Emergency Management Director

Telecommunicator Trainee

Telecommunicator I

Telecommunicator II

911 Supervisor/EM Assistant

Sheriff:

Jailer I

Jailer II

Lieutenant Jailer

Officer I

Officer II

Officer III

Lieutenant Deputy

Detective I

Lieutenant Detective

Captain

Chief Deputy

Sheriff

Reserve Jailer

Reserve Deputy

Transport Officer

Social Services:

Social Worker I

Social Worker II

Social Worker III

Community S.S. Assistant

Human Resource Aide

Educational Development Aide I

Educational Development Aide II

PUBLIC WORKS:

Sign Maintenance

Landfill Equipment Operator

Waste Collection Assistant

Waste Collection Driver

Director

**JOB CLASSIFICATION HAVING INFREQUENT OCCUPATIONAL EXPOSURE**

**CATEGORY I**

Personal Protective

Equipment Required

Public Works:

Mechanic I

Mechanic II

Garage Supervisor

Sheriff:

Duties Jailers

Animal Control

Social Services:

Cook

Food Service Assistant

Nutrition Site Supervisor

Facility Maintenance:

Custodian

Trails Maintenance Technician

Maintenance Assistant

Maintenance Technician

Adopted August 17, 1992

# MCDOWELL COUNTY GOVERNMENT EMPLOYEE ASSISTANCE PROGRAM POLICY AND PROCEDURES

1. **STATEMENT OF POLICY**
2. McDowell County recognizes that personal problems may detract from an employee’s work performance. Such problems as stress, depression, emotional illness, family crisis, marital, financial, medical, legal difficulties, alcohol and drug abuse and other personal matters can effect behavior and result in deteriorating job performance. Personal problems that affect work performance are legitimate concern of McDowell County. Early identification and referral for help frequently results in restoring the individual’s productivity, with definite benefits to employee and employer alike.
3. It is the policy of McDowell County to maintain an Employee Assistance Program (EAP) to help employees’ secure trained and professional help with personal problems that may affect their job performance. The program is also available to an employee’s immediate family, because a family member’s problem may affect the employee’s work performance and general well-being. Immediate family is defined as those living in the same household as the employee.

The program is remedial and preventative, and designed to:

1. Encourage voluntary participation and self-referral,
2. Identify the problem at the earliest possible state of development.
3. Motivate the employee to seek help, and
4. Refer the individual to the most appropriate assistance available.
5. The operation of the program is based upon job performance criteria. It does not require managers or supervisors to become knowledgeable about the employee’s personal problems to attempt a diagnosis. Assessment and referral will be handled by professional counselors. Employees have access to the program through both supervisory and self-referral.
6. Voluntary participation is encouraged. An employee who is experiencing a problem which he/she feels may be impairing job performance is encouraged to voluntarily seek assistance. All referrals and records shall be handled in strictest confidence.
7. EAP policy and procedures are designed to complement existing personnel policies of McDowell County– not to replace or supersede them. No employee will have either job security or career opportunities jeopardized or guaranteed by active participation in this program.
8. The EAP will not result in any special regulations, privileges, or exemptions from standard administrative practices applicable to job performance requirements. It is the employee’s responsibilities to both cooperate in the designed recover plan and to record his/her leave. After a reasonable period of time, satisfactory improvement in job performance must occur or disciplinary action will be implemented or continued as appropriate.
9. In an extraordinary situation, McDowell County may establish as a job requirement for an employee to seek professional help.
10. Responsibilities:
11. The EAP Consultant is responsible for ensuring the availability of a viable EAP to all employees of McDowell County.
12. The Human Resource Director will be the designated in-house representative and will serve as a liaison between the EAP Consultant and McDowell County to ensure proper implementation and maintenance of the EAP.
13. It is the responsibility of each supervisor to consider the EAP as an option for any employee whose unsatisfactory work performance warrants disciplinary action.
14. **PROCEDURES FOR EAP UTILIZATION**
15. PURPOSES:

The purpose of the McDowell County‘s EAP is to combine sound management principles with humanitarian approach to assist troubled employees in handling personal problems that adversely affect job performance and productivity.

1. The Personnel Director shall be responsible for:
2. The proper administration of the program including the active identification and referral of employees in need of services.
3. Developing and maintaining viable working relationships with the EAP Program staff of Foothills Area Program.
4. With the support of management, ensuring the communication of the program to all employees and maintaining an effective level of program awareness among supervisors and employees.
5. Receiving supervisor’s referrals of employees with patterns of declining job performance; discussing program benefits and procedures and alternative available to the employee; making appointments for employees with Foothills Area Program.
6. Being accessible to employees in such a manner that conferences can be conducted in a timely, confidential, and professional manner.
7. Smokey Mountain Center for EAP:
8. The basic role of Smokey Mountain EAP is to provide employees an initial assessment to determine the troubled employee’s problem and to refer him/her to the appropriate resource(s) for help.
9. Smokey Mountain EAP provides assessment(s) and referral responsibilities which include the following:
10. Provide initial assessment(s) and evaluation of all referrals (supervisory, self, and employee’s immediate family members).
11. Refer the individual(s) to the most appropriate available resource in a timely and efficient manner.
12. Maintain a network of community resources, available services and their costs.
13. Maintain discretion and confidentiality of all personnel and information concerning program participants
14. Referral Procedures

Because there are basic and fundamental differences in the referral process, the EAP has set up two mechanisms for employees to get assistance. The two mechanisms, self-referral and supervisory referrals, are explained in detail below.

1. Self –Referral:

Any time a referral to the EAP is made in the absence of formal disciplinary action (oral warning, written warning, final written warning), or job performance problems, that referral is considered to be an employee initiated referral. That is true even if the employee is responding to a suggestion by the supervisor of someone in the Human Resource Department.

Supervisors should strongly consider encouraging employees to refer themselves to the EAP in the absence of formal disciplinary action if circumstances warrant it.

Any information concerning a self-referral will only be released at the request of the employee. The management of the department will not have access to this information.

1. To initiate a self-referral, the employee may call the EAP Office directly or may request information from the Human Resource Director. These individuals will provide additional information on the Program, when requested, schedule an appointment.
2. No approval from the supervisor is required except to schedule leave from work, when needed. The employee is under no obligation to disclose the reason for the leave.
3. Following assessment visit with the EAP Counselor, the employee will normally have a scheduled meeting with a resources suggested by the EAP Counselor. The EAP Program Counselor, whenever possible, will try to offer several options to the employee.
4. Should follow-up meetings be needed, and vacation and sick leave be needed for this purpose, the EP can help the employee verify the need for leave to attend counseling. The scheduling of leave will be coordinated between the employee and supervisor.
5. Supervisory Referral:
6. If disciplinary action (written warning, final written warning) is in process, or if job performance problems exist, then any referral to the EAP Program will be considered a supervisory referral. Unlike self-referrals which are strictly confidential, certain information form supervisory referrals may be released to the Personnel Director with written consent of the employee. This consent will be obtained by EAP staff. The only information that will be released to management and/or supervisors will be: (1) the date and time of the appointments, (2) whether or not the employee has kept such appointments and (3) whether services have been completed. Any key persons involved must recognize that the credibility of the program rests on the manner in which confidential information s handled.
7. The supervisor has a key role in a supervisory referral. Because of the strong commitment toward ensuring that all troubled employees are given every opportunity to use the resources of the EAP, it is the supervisor’s responsibility to consider that option each time an employee is disciplined for unsatisfactory job performance or personal conduct. The EAP should be considered any time a warning is being given. The supervisor should not, however, offer the EAP as an alternative to disciplinary action. When disciplinary action is called for, and the supervisor determines that the EAP might be helpful, it should be suggestion as an adjunct to disciplinary action.
8. When an EAP referral is made in conjunction with disciplinary action, the following steps should be followed:
9. If the employee accepts the offer of help, the supervisor should act without delay to contact the Human Resource Director. He/she in turn will arrange an appointment with the EAP.
10. If the employee declines the offer of help, there is nothing further to do at this time. Remember that the option of help can be repeated at any time it is felt that the employee may have become more receptive.
11. During the corrective interview or in other discussions with the employee, the supervisor may become aware of the personal problem that the employee is experiencing. Supervisors are not trained in professional counseling and are not expected to handle this type of personal problem. They should not attempt to identify the problem or to advise the employee on solutions. The desired result of a supervisory referral is to obtain the required job performance and work habits. Use of the EAP may result in improved job performance. If, within a reasonable length of time, this does not occur, the supervisor should continue the disciplinary process. The Department Head with notification to the Human Resource Director may recommend EAP Counseling.
12. If at any stage the employee chooses to utilize the EAP service, he/she is to be reminded that his/her job is neither jeopardized nor guaranteed by such use. Participation in the program carries no special privileges. After a reasonable period of time, the employees job performance must return to a satisfactory level or normal disciplinary procedures for unsatisfactory job performance will be implemented or continue as appropriate.

5. Program Costs:

There is no cost to the employee for the initial assessment by the EAP office. However, any costs associated with additional services or treatments outside of the EAP are the responsibility of the employee. When additional services are recommended by the EAP Counselor, the employee or family member will be given a choice of several agencies whenever possible. The Counselor will give special attention to the possible costs of available services in making referrals. Charges for some services may be covered by McDowell County Health Benefit Plan.

6. Records and Reporting

A. Confidentiality

1. All information relative to an employee’s participation in the program shall be treated in strict confidence. No records on an individual’s participation will be maintained by McDowell County.

2. The specific nature of an individual participant’s problem will not be reported to McDowell County. However, the Assessment counselor may report the following information to the Personnel Director with employee’s written consent.

a. the frequency of appointments,

b. whether the employee is keeping appointments

c. whether the services have or have not been concluded.

3. Personnel files are confidential under state laws and good practice. Where disciplinary action is concerned, the fact that an employee was given the option to participate in the program will be reflected in the personnel file. Any records which indicate that an employee has agreed to participate, and other related material shall not be kept in the personnel file.

Adopted February 21, 1994

# MCDOWELL COUNTY RISK CONTROL PROGRAM POLICY

The following policy is hereby established in recognition of the responsibility that McDowell County will provide employees a work environment that is free from recognized hazards that are potentially life threatening or harmful. This policy will be viewed as a supplement to other safety policies adopted by the McDowell County Board of Commissioners.

**McDowell County Responsibilities:**

The following areas are identified as priorities for the McDowell County organization.

McDowell County will:

1. Remain familiar with Occupational Safety and Hazards Act (OSHA) standards and provide related information to employees for review upon their request.
2. Inspect workplace conditions to ensure that applicable standards are met.
3. Make every responsible effort to minimize or eliminate hazards.
4. Make sure employees use safe tools and equipment (including appropriate personal protective equipment), and that such equipment is properly maintained.
5. Use color codes, posters, labels, or signs when needed to warn employees of potential hazards.
6. Establish and update operation procedures and communicate them so that employees follow safety and health requirements.
7. Provide training required by OSHA standards (e.g., hazard communication, lead, etc.)
8. Report to the nearest OSHA office within forty-eight (48) hours of a fatal accident or one that results in the hospitalization of five or more employees.
9. Keep OSHA required records for work-related injuries and illnesses, and post a copy of the totals from the last page of OSHA No. 200 during the entire month of February each year.
10. Post the OSHA poster informing employees of their rights and responsibilities at a prominent location within the workplace.
11. Provided employees, former employees, and their representative’s access to the “Log and Summary of Occupational Injuries and Illnesses (OSHA No.200) at a reasonable time and in a reasonable manner.
12. Provide access to employee medical records and exposure records to employees or their authorized representatives. Cooperate with the OSHA compliance officer by furnishing names of authorized employee representatives who may be asked to accompany the compliance officer during the inspection.
13. Not discriminate against employees who properly exercise their rights under the Act.
14. Post OSHA citations at or near the worksite involved. Each citation, or copy thereof, must remain posted until the violation has been abated, or for three working days, whichever is longer.
15. Correct cited violations within the prescribed period.

**Employee Responsibilities**

The following are identified as priorities for the staff of the McDowell County organization. Although OSHA does not cite employees for violations of their responsibilities, each employee “shall comply with all occupational safety and health standards and all rules, regulations, and orders issued under the “Act” that are applicable.” Each employee shall:

1. Read the OSHA poster at the jobsite
2. Comply with all applicable OSHA standards
3. Follow all county safety and health rules and regulations, and wear or use prescribed protective equipment while engaged in work.
4. Report hazardous conditions to their supervisor either verbally, through the guidelines of the McDowell County Grievance Procedure, or the Maintenance Department Work Order Procedure.
5. Report any job-related injury or illness to their supervisor, seek treatment promptly and complete proper accident report forms.
6. Cooperate with the OSHA compliance officer conducting an inspection if the officer makes an inquiry concerning safety and health conditions in the workplace.
7. Exercises employee rights under the Act in a responsible manner.

**McDowell County Rights Regarding Risk Control**

McDowell County will:

1. Seek advice and off-site consultation as needed by the writing, calling, or visiting the nearest OSHA officer.
2. Be active in job safety and health related programs.
3. Be advised by the compliance officer of the reason for an inspection.
4. Have an opening and closing conference with the compliance officer.
5. Accompany the compliance officer on the inspection.
6. File a “Notice of Contest” with the North Carolina OSHA Director within fifteen (15) working days of the receipt of a notice of citation and proposed penalty.

**Employee Right Regarding Risk Control**

Employees will:

1. Be able to seek safety and health on the job information without fear or punishment.
2. Not be punished or discriminated against for notifying their supervisor of any safety or OSHA related concern.
3. Be allowed to participate on a workplace safety and health committee concerning job safety and health.
4. Be allowed to participate in OSHA inspections, conferences, hearings, or other OSHA related activities.

**Injury/Illness Recordkeeping and Reporting**

McDowell County will maintain records of occupational injuries and illnesses as they occur.

All occupational illnesses will be recorded regardless of severity. All occupational injuries will be recorded if they result in:

Death

One or more lost workdays

Restriction of work or motion loss of consciousness

Transfer to another job

Medical Treatment other than first aid

Recordkeeping Forms are maintained on a calendar year basis. These forms will be maintained for five years at the McDowell County Personnel Office and will be available for inspection by representatives of OSHA, HHS, BLS, or designated state agency.

OSHA NO.200-Log and Summary of Occupational Injuries and Illnesses. Each recordable occupational injury and illness will be logged on this form within six working days after knowledge of the incident.

OSHA No. 101-Supplementary Record of Occupational Injuries and Illnesses. A North Carolina Industrial Commission Form 19 “First Report of Injury” will be used in substitution of OSHA No. 101 form. This must be completed within five working days after knowledge of the incident.

Adopted October 17, 1996

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# MCDOWELL COUNTY RESPIRATOR PROTECTION POLICY RE: OSHA 1910.134

**Policy Statement**

A respiratory protection program is hereby established so as to coordinate the use and maintenance of respirators. The equipment is needed to reduce the employee exposure to toxic chemical agents, infectious diseases and to allow employees to work safely in a hazardous work environment. The rules contained herein are not optional for the employee. To comply with OSHA regulations, the county considers this policy mandatory and a condition of employment for each individual.

**Program Administrator**

The county had designated the Department Heads to be responsible for the respiratory protection programs in his department. The Department Head has been assigned the following responsibilities:

-Supervision of respirator selection

-Development and or scheduling of training sessions on respiratory equipment

-Overseeing a maintenance program, including cleaning and inspection

-Assigning proper storage areas

-Administrative review of issuance within selection guidelines

-Coordination medical surveillance with a physician

-Work area surveillance

-Evaluation and review of the program

Any question or problem should be referred to the Department Head.

**Selection**

The Department Head has thoroughly reviewed the airborne contaminants present in his family. Base on selection guidelines, certain respirators will be available for use by employees. Available respirators and their approved use and location of use are designated below:

List of Respirators Location of Use Approved Use

2-Scott II SCBA

(Positive Pressure) Jail Jailers

N95 Respirators EMS Ambulances EMS Personnel

At no time should any employee substitute one respirator for the other. By changing respirators an employee may not be protected from the hazard. If a respirator from the approved list is unavailable or is uncomfortable the Department Head should be contacted for a review of equipment, hazards, and provide the employee with an appropriate substitute. Use of approved respirators for specific incidents will be mandated in the jail area, ambulances and health care facilities when it is suspected that the air contains toxic fumes and or infectious disease. Failure by an employee to wear the correct assigned respirator will result in disciplinary action. EMS personnel will be furnished their own mask.

**Training**

The respirators listed in this program have been selected on the basis of the hazards in the work areas. The Scott II, SCBA units have been approved for areas that contain toxic fumes, and in areas that may be oxygen deficient. SCBA may also be used in an emergency or in situations where unknown concentrations exist. The N95 face mask has been approved for use by health care provider’s for use in suspected or infectious disease situations. Both items above have been approved by NIOSH.

Training will be conducted by the Department Head or his designee on a regular basis. Employees will be trained on the following:

-The reason for respiratory protection

-The hazard they are exposed to in the workplace and the effects of overexposure

-Information on engineering controls

-Selection Procedures

-Capabilities and limitations of the respirator

-Inspection procedures

-Instruction on how to don and check the fit of the respirator

-An opportunity to wear the equipment during the class, and be fit tested as required by an OSHA Standard (user’s of positive pressure SCBA are not required to be fit tested)

-Maintenance, Cleaning, Sanitizing, and Storage

-Emergency situations

**Training Records**

Training records will be kept by the Department Head.

After the department head or his designee has initially instructed the employee on the proper use, fit, and care of the respirator, a record will be made. A detailed instruction sheet will be also given to employees explaining their responsibilities. This sheet will include information on proper use, fit, and care and will include inspection procedures. Periodic inspections will be made by the supervisory staff to ensure that respirators are being kept clean and in proper working order.

**Fit Testing**

EMS personnel will be fit tested as in accordance with the guidelines for preventing the Transmission of

Tuberculosis in Health Care Facilities, in the Transport, and in accordance of the Federal Register guidelines of October 12, 1993, using irritant smoke.

Sheriff Department users of SCBA Positive Pressure Apparatus are not required to be fit tested unless the following exist:

Two days of beard growth or more

Unusual facial features such as; sideburns, temple straps for corrective glasses and etc.

**Medical Surveillance**

Medical surveillance will be conducted by a physician. Each employee required to wear respirators of any type will be evaluated by a physician. The medical Surveillance is designed to protect the worker form increases health problems that could be caused by the use of a respirator. If an employee ha history or health problems, this should be discussed with the physician. Conditions that may place an employee at increased risk with the use of a respirator include:

Lung conditions like asthma, emphysema, or other documented lung problems. Heart conditions, high blood pressure, artery diseases, or other documented heart problems. Kidney diseases, or facial scars, claustrophobia, epilepsy, or other disabling conditions.

**Workplace Evaluation**

The Department Head or his designee will conduct evaluations of the hazards present in the workplace. This could include monitoring work habits, equipment, ventilation or other environmental factors. Appropriate action will be taken.

**Inspection and Program Evaluation**

Regular inspection and evaluation of the program will be conducted. Findings from the evaluation will be use to revise and update this policy as necessary. Employees will be informed of any policy changes.

**Approved Respiratory Equipment**

The respirators listed in this program have been approved by NIOSH.

**Self-Contained Breathing Apparatus**

Areas contained or which are oxygen deficient shall be evacuated and isolated until two qualified people equipped with SCBA are present. One of the equipped people will enter the contaminated area and the other will stand by outside the area in case of problems. Visual contact should be continuously maintained between the two SCBA-equipped people.

SCBA’s have been designated for emergency use and are located in the jail area of the McDowell County Sheriff Department. The designated location will allow the employee to don the equipment outside of the hazardous atmosphere. Approach to the area where high levels of contaminants are present can be made without exposure risk to an employee. The respirators kept for emergency use should not be used for other routine work activities. Once actual entry begins, unauthorized individuals should not enter the area. The standby will remain in communication with the entrant by voice, visual or signal line contact. Standby personnel will remain at their designated fresh air base during entry activities. Suitable rescue equipment will be made available should rescue be necessary due to equipment failure. Emergency rescue and entry activities will not be initiated until backup rescue squad or fire department have been notified. Whenever possible, lifelines and harnesses will be used to remove any employee should the SCBA fail.

N95 Masks Shall be used by EMS personnel upon suspecting infectious patients, in health care facilities or in transport N95 type mask are not to be used in any other manner. (firefighting or hazardous materials incidents).

**SCBA Training**

Before wearing and or using an SCBA, the employee must read and understand the manufacturer’s instructions for the respiratory protective device. The instructions are usually mounted on the inside of the carrying case of the device. The employee must be able to demonstrate how it should be used, how to adjust it, and how to test the facepiece-to-face seal. Each time the SCBA is worn, the wearer must perform the negative or positive pressure tests to ensure that it fits properly and has no gross leaks between the face and the facepiece.

McDowell Technical Community College through it Continuing Education Program will provide the employee on the correct use of the equipment. Once training is com0pleted, the employee will demonstrate their knowledge by correctly inspecting and performing donning procedures.

**SCBA Use**

SCBA’s shall not be used when any one of the following conditions exists:

* When conditions will prevent a good face seal. Such conditions may be a growth of a beard or sideburns, a skull cap, temple bars or straps of corrective lenses or glasses that project under the facepiece.
* When any component part of the SCBA is missing or not working properly.
* When the odor of a contaminant is detected inside the facepiece.

Wearing a malfunctioning or leaking respirator may be, in a sense, as dangerous as not wearing one, because the employee thinks he is protected, when he really is not. The consequences of this situation can be fatal.

**SCBA Training Checklist**

McDowell Technical community College will maintain proof of an employee’s training. The college ill maintains a check-off sheet of each employee’s participation and subjects in the SCBA instructions. The trainer is charge of SCBA will sign the check-off sheet to attest to the employee’s training and understanding of these instructions. A copy of the signed checklist will be kept on file in the appropriate office.

**Sanitizing and cleaning of SCBA**

After each use, the SCBA will be cleaned and sanitized before it is stored in its container. The user must clean it by carrying out the following procedures:

1. The face mask should be washed with detergent in warm water using a brush, thoroughly rinsed in clean water of (120 maximum) and then air dried in a clean place. Detergents containing a bactericide should be used. The detergent was to be followed by a disinfectant rinse. A typical disinfectant is aqueous solution of iodine. One teaspoon for each gallon of water.
2. The cleaned mask must be allowed to dry before storing.

**Storage of SCBA & HEPA Mask**

Respirators must be stored in its container or case to protect it from dust, sunlight, heat, cold, excessive moisture and damaging chemicals. SCBA must not be stored midst a possible chemical leak or release, to ensure availability when needed.

**SCBA’s & N95** are stored at the following locations:

Emergency Use Only

SCBA’s, Jail area of the McDowell County Sheriff Department

N95 Mask, in the infectious disease cabinet area of each ambulance and at all EMS Stations.

**Inspection Procedures**

SCBA’s must be inspected before and after each use. Inspection should be performed during cleaning activities, and during monthly inspection. Monthly inspections will be performed by the Department Head or his designee.

1. Visually inspect the hear harness for damaged serration ad deteriorated rubber. Visually inspect the rubber facepiece body for signs of deterioration or extreme distortion.
2. Visually inspect the lens for proper seal in rubber facepiece, that retaining clamps are properly in place, and for any cracks or large scratches.
3. Visually inspect the exhalation valve for visible deterioration or build-up of foreign materials.
4. SCBA’s to have air flow and regulator test every two years, tank to be tested every five years. Record of test to kept on file.

**Back Pack and Harness Assembly**

1. Visually inspect the unit for a complete set of straps.
2. Inspect for frayed or damaged straps that may break during use.
3. Visually inspect the buckles for mating ends.
4. Check the buckles for locking function.
5. Inspect the back plate for cracks and for missing rivets or screws.
6. Inspect the cylinder hold down strap physically check strap tighten and lock to assure that it is fully engaged.

**N95 Mask**

1. If mask has knowingly been contaminated properly disposed of mask and replace immediately.
2. EMS personnel will be provided a personal N95 Mask. EMS personnel will be responsible for the care and use of the mask.

**Cylinder and Cylinder Valve Assembly**

1. Physically check the cylinder to assure that it is tightly fastened to the back plate.
2. Check hydrostatic test date to assure it is current.
3. Inspect the cylinder for large dents or gouges in the metal.
4. Inspect the cylinder for presence of valve lock.
5. Inspect the cylinder gauge for the condition of the face, needle, and lens.
6. Open cylinder valve and listen or feel for leakage around packing. If leakage occurs, do not use until repaired.

**High Pressure Hose and Connector**

Listen or feel for leakage in hose or at hose-to-cylinder connector. (Bubble in outer hose covering may be caused by seepage of air through the hose when stored under pressure).

**Regulator and Low Pressure Alarm**

1. Check regulator gauge and follow manufacturer’s instructions to check the diaphragm.
2. Check low pressure alarm to ensure it is working.

**Breathing Tube and Connector**

1. Check breathing tube by stretching and inspection for deterioration and holes.
2. Inspect the connector to assure good condition of threads and for the presence and proper condition of “O” ring or rubber gasket seal.

**Storage of Units**

1. Cylinder to be refilled prior to storage.
2. Cylinder valve closed.
3. High Pressure hose connector tight on cylinder.
4. Pressure bled off high pressure hoes and regulator
5. Bypass valve closed
6. All straps completely loosened and laid straight
7. Face piece properly stored to protect against dust, sunlight, heat, extreme cold, excessive moisture, and damaging chemicals.

The above checks are to be recorded and kept in the appropriate location.

**Repair of SCBA**

The SCBA may require periodic repair or replacement of the component parts. Replacement of defective parts must be done following the service instructions from the manufacture. Repairs will be made by a qualified person.

**PREVENTION MAINTENANCE CHECKLIST**

1. Rubber Face piece- check for:

\_\_Excessive Dirt (clean all dirt from Face piece)

\_\_Cracks, tears or holes (obtain new Face piece)

\_\_Distortions (allow Face piece to “sit” free from any constraints and see if distortion

disappears. If not, obtain a new Face piece).

1. Head Straps- check for:

\_\_Breaks or tears (replace head straps)

\_\_Loss of elasticity (replace head straps)

\_\_Broke or malfunctioning buckles or attachments (obtain new buckles)

1. Inhalation and exhalation valves- check for:

\_\_Detergent residue, dust particles or dirt on valve or valve seat clean residue with soap and water).

\_\_Cracks, tears, or distortion in the valve material or valve seat (contact manufacturer).

\_\_Missing or defective valve covers (obtain valve cover from manufacturer).

1. Air tank- check for:

\_\_Percentage of fill.

\_\_Worn threads on tank.

1. Corrugated breathing tube- check for

\_\_Cracks or holes (replace tube).

\_\_Missing or loose hose clamps (obtain new clamps).

\_\_Broken or missing end connectors (obtain new connector).

**(Respiratory Device Inspector) (Print Name)**

**(Date) (Employee Signature)**

**MCDOWELL COUNTY**

**POLICY REGARDING REPORTING REQUIREMENTS FOR FUNDED AGENCIES**

*This policy is enacted within County guidelines of NCGS 159-40 entitled Non-profit Corporations receiving public funds and is intended to ensure that public purpose requirements are met for the expenditure of all public funds received by independent agencies of McDowell County.*

1. McDowell County will receive a copy of the agency Internal Revenue Service determination letter.
2. McDowell County will receive a copy of the agency's current budget.
3. McDowell County will receive a list of the Board of Directors.
4. McDowell County will receive a copy of the annual audit performed by a CPA firm, from each agency receiving county funds that has an annual independent audit performed. (The audit must be received within 4 months of the end of the fiscal year.)
5. McDowell County will receive an annual finance statement of activity, if the independent audit or review is not performed within 4 months of the end of the fiscal year. (An agencies 990 form can serve as the annual financial report.)
6. McDowell County will receive a copy of the minutes of the annual budget meeting of the Board of Directors.
7. McDowell County will receive a copy of the by-laws of the organization.
8. McDowell County reserves the right to require audits from agencies receiving County funding that exceeds $1,000 as provided for in NCGS

159-40.

1. McDowell County will receive annually, a letter or form stating that the agency will abide by this policy and the following guidelines:
   1. That board meetings are open to the community.
   2. That all financial records are open to the community upon reasonable notice.
   3. That the agency will obtain bids, according to NC purchasing law limits for capital expenditure items funded with County dollars.
   4. That the agency will follow a conflict of interest statues in funding programs which are provided otherwise by the private sector.
   5. That the agency will abide by all Federal, State, and local laws and ordinances.
   6. That the agency will use County funds only for the purpose for which the funds were appropriated.
   7. There will be a surety bond obtained, for agencies that are receiving funds from the County.

Adopted July 14, 2014

# MCDOWELL COUNTY HARASSMENT POLICY

McDowell County is committed to maintaining a work environment that is free of all forms of discrimination and harassment. Accordingly, any practice, activity or conduct that is defines as harassment herein will not be tolerated and will result in disciplinary action.

**Harassment Defined**

Harassment is verbal or physical conduct that demonstrates hostility or aversion toward and individual on the basis of race, color, religion, gender, national origin, age or disability, or other US Constitutional areas:

-Has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

-Has the purpose or effect of unreasonably interfering with an individual’s work performance.

-Otherwise adversely affects an individual’s employment opportunities.

Harassing conduct includes but is not limited to the following:

-Epithets, slurs, negative stereotype, or threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age, or disability; or

-Written or graphic material that demonstrates hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age or disability and that is placed on walls, bulletin boards, or elsewhere on the employer’s premises, or circulated in the workplace.

**Harassment Complaint Procedure:**

Employees encountering harassment should immediately tell the offending person that their actions are inappropriate and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation. In addition, the employee shall notify their supervisor of the harassment and appropriate investigative and/or disciplinary measures may be initiated.

**Sexual Harassment defined:**

Sexual harassment is defined by the Equal Employment Opportunity Commission as “unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature” when:

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

-Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that person; or

-Such conduct has the purpose of effect of unreasonable interfering with a person’s work performance; or

-Such conduct creates an intimidating, hostile or offensive work environment.

Sexual Harassment may include but is not limited to the following:

-Explicit sexual propositions, sexual innuendo, suggestive comments, sexual oriented kidding” or “testing”, “practical jokes”, jokes about gender specific traits

-Foul or obscene language or gestures, displays or foul of foul or obscene printed or visual material

-Foul or obscene physical contact, such as patting, pinching, or brushing against another’s body

**Sexual Harassment Complaint Procedure:**

Any employee who believes that another employee is engaging in sexual harassment may file a complaint as soon as possible and will file within a reasonable period of time after the event (not more than 180 days).

No person filing a complaint under this policy or who legitimately assists another in the prosecution of any such complaint shall be subjected to retribution or retaliation of any kind of doing do.

Complaints filed under this policy shall be immediately investigated by the Human Resource Director or by an individual designated by the County Manager, in the event the Human Resource Director is unable to perform this function due to circumstances surrounding the complaint. The County Manager will be notified after if the Human Resource Director is unable to investigate the complaint. To the fullest extent practicable, the investigation will be kept confidential. A report of findings will be presented to the County Manger with in fifteen (15) days of the complaint and the employee shall be advised of the findings.

**Adjudication:**

If the findings indicate a possibility of sexual harassment a hearing will be set to further investigate the claim. The County Manager and the Personnel Officer shall designate a time for a hearing and notify the accused employee in writing at least ten (10) calendar days before the hearing and of the complaint and underling allegations. The accused employee may request one (1) postponement of no longer than (10) working days of the hearing upon receipt of the notice.

The accused employee shall be entitled to attend the investigation process and testify on their own behalf, and shall be entitled to confront and cross-examine the employee who filed the complaint. In the event that the complainant chooses not to attend the hearing and upon objection from the accused to the complainant’s absence, the complaint shall be dismissed and the accused deemed innocent of the allegations.

The accused employee shall be entitled to call witnesses on their behalf and to introduce evidence which pertains to the issues presented by the complaint and investigative report.

At the conclusion of the hearing, or within five (5) working days of the hearing, the County Manager shall inform the employee in writing the findings and results of the hearing concerning the innocence or guilt of the offense.

The findings of guilt must be supported by substantial, credible evidence that:

-the facts alleged by the complainant occurred, are true: and

-those facts constitute sexual harassment within the definitions of this policy; and

-the accused is the person who committed the acts amounting to sexual harassment.

If an investigation confirms that harassment has occurred, corrective action will be taken in accordance with the nature and extent of the offense. The County absolutely prohibits retaliation against any employee bringing a claim of sexual harassment.

**Harassment and Sexual Harassment-False Accusations Procedure:**

The County recognizes that false accusations of harassment and sexual harassment can have a serious effect on an innocent individual. Falsely accusing another of harassment or sexual harassment shall be disciplined in accordance with the nature and extent of the accuser’s claim.

McDowell County encourages employees to raise questions regarding the harassment policy with their immediate supervisor, their department head, the Human Resource Director or the County Manager.

Adopted November 8, 1995

# MCDOWELL COUNTY POLICY ON THE USE OF COUNTY EQUIPMENT SUPPLIES AND BUILDINGS FOR POLITICAL PURPOSES

The following policy is hereby recognized by the McDowell County Board of Commissioners in an effort to ensure that public facilities and public resources are not utilized for political or partisan activities. It is the desire of the Board of Commissioners to promote a professional atmosphere and work environment for its employees and to communicate to the general public that such a use of resources is not deemed to be acceptable. It is not the purpose of this policy to infringe upon the rights of county employees to engage in constitutionally protected activities. Every county employee has a civic responsibility to support good government in every appropriate manner. Employees are not restricted in any manner from engaging in appropriate civic activities.

This policy applies to all McDowell County facilities and buildings under its jurisdiction or owned by McDowell County and utilized by another governmental agency. The policy also governs all county supplies and equipment in its possession. Equipment includes items such as vehicles, telephones, computers, fax machines, and copy machines owned by McDowell County.

1. County employees, county officers and state employees located in County offices are prohibited from using county supplies, equipment and buildings for political purposes during and after business hours except where such political uses are otherwise permitted by law. This prohibition includes a restriction on displaying or distributing campaign literature or materials in County buildings.
2. The use of county buildings by political parties is permitted and shall conform with the NC General Statutes (GS 163-96) and with guidelines established for the use of county buildings as established by the Board of Commissioners. These guidelines include calling the Clerk to the Board in advance to reserve and schedule the meeting room.
3. Any county employee or county officer in violation of this policy will be subject to disciplinary action as set forth in county policy.

Adopted April 7, 1998

# MCDOWELL COUNTY REQUEST FOR BADGE AND SERVICE SIDEARM POLICY

The McDowell County Board of Commissioners hereby recognizes the following policy as the standard procedure governing the transfer of service sidearm and badge to retiring law enforcement personnel.

North Carolina General Statute 20-187.2 mandates that retiring officers be awarded their badge, at no cost, upon request. In addition, said statute allows that retiring officers are awarded their sidearm at the discretion of, and at a price to be determined by, the governing body.

Therefore, officers retiring while in the service of McDowell County shall be awarded their badges upon written request. Officers retiring while in the service of McDowell County may obtain their service sidearm if they meet the following conditions:

1. They submit a written request.
2. They must have served one (1) year of service with McDowell County immediately before retirement and meet one of the following criteria:

* Have cumulative total of fifteen (15) years of McDowell County service; or
* Have a cumulative total of five (5) years of McDowell County service and qualify for disability retirement with the North Carolina Local Governmental Employees’ Retirement System.

1. A payment of $1.00 is required.
2. Unless the sidearm has been rendered incapable of being fired, a permit must be secured as required by G.S. 14-402.

In the event of an officer dying while in service the surviving spouse, or if none, a surviving child, may provide the written request. An officer injured in the line of duty and classified as disabled will be granted his sidearm automatically at no charge.

The Board of Commissioners reserves the right to receive and review petitions for sidearms in extenuating and unforeseen circumstances.

Revised December 10, 2007

Adopted May 8, 2000

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# MCDOWELL COUNTY RETURN TO WORK PROGRAM

Our goal is to return employees who have an on the job injury or illness as soon as they are medically able to return. To do so is in the best interest of the employee and McDowell County. This program is designed to raise the consciousness of everyone as to the need to provide the transitional duty to injured employees, and the benefits that can come from such a program for all involved. Our Return to Work Program promotes rehabilitation and enhances the recovery process of employees experiencing work-related injuries or illnesses, while maximizing productivity and controlling related expenditures. Our return to work program will also foster compliance with the Americans with Disabilities Act and associated guidelines. This will be accomplished through a partnership including the injured employees, medical providers, and a team or key county personnel working together toward the common goal of expediting the employee’s return to physical and psychological well-being.

The goals of the Program are to:

* fulfill our moral, ethical and legal responsibilities to our employees,
* create positive workplace morale through communication and support for the injured worker;
* minimize the potential for re-injury or permanent disability;
* reduce medical and disability costs to McDowell County;
* increase productivity by decreasing lost work time;
* help restore the employees to the highest level of physical and mental health possible by providing restricted duty, modified duty and transitional work positions that are consistent with the physical restrictions imposed by the employee’ authorized treating physician; and
* return the employee to his or her regular job assignments as soon as possible when released by the authorized treating physician

**If you are injured while working for McDowell County, it is your responsibility to report your injury immediately to your supervisor and follow the Workers’ Compensation Policy and this Return to Work Program.**

1. A determination will be made by the Department Head, Personnel Officer and the County Manager as to whether or not a modified duty work assignment can be provided which will be consistent with the treating physician’s work release.
2. **All work provided will be consistent with and not exceed the limitations set by the treating physician. The employee agrees not to work beyond his/her physical limitations and will immediately bring any such assignment to the attention of their Supervisor and Personnel.**
3. When feasible every effort will be made to accommodate the needs of the employee by modifying his/her present work setting; however, work availability may make it necessary to transfer employees from one job function to another. Pay will be at the rate of the employee’s appointed position classification. It is the option of McDowell County to change regular days off and work hours while in the Program,
4. If the employee’s medical status changes, it must be reported immediately to the Personnel Office and the Department Head. All changes in medical status must be reviewed for assessment of restrictions.
5. When an injured/ill employee is released to participate in the return to work program, (released to duty with restrictions), he/she does not have the option to substitute paid sick leave because he/she does not personally feel ready to perform modified duty.

RETURN TO WORK BASIC PROCEDURES

The following procedures are to be followed in the event of a job-related injury or illness that results in time away from work for the injured/ill employee.

1. When an injured employee is unable to return to work on the day following the injury, the supervisor is responsible for notifying their Department Head and the Personnel Officer. The Department Head and the Personnel Officer will decide jointly if appropriate work is available that meets the injured employee’s medical restrictions.
2. If modified duty work is not available in the injured employee’s department, the Personnel Officer and the County Manager will determine if appropriate work meeting the employee’s medical restrictions is available in other departments. The Personnel Officer is responsible for facilitating discussions among managers to assure placement of injured workers in modified positions to the extent feasible.
3. The injured worker is responsible for following medical instructions on and off the job.
4. Following an injured employee’s return to work, the Department Head, supervision and the Personnel Officer will monitor the injured worker’s progress to assure that restrictions are carefully followed and assist to resolve any difficulties. The injured worker must immediately report any difficulties with performing assigned work. No permanent jobs will be created to accommodate a disability from a work related injury.
5. Modified duty assignments are intended for short-term accommodation and will be based on medical review. Initially, modified duty can extend up to ninety days. Extensions up to an additional ninety days will be allowed only with physician recommendation and continued monitoring.
6. While in Modified Duty placement, it is vital that a status review involving management and the employee be performed at regular intervals taking into account the employee’s medical condition and restrictions, the availability of suitable work, and any other pertinent information in determining whether the modified duty assignment to another if their health status changes or they complete an assignment prior to recovery.
7. All employees will abide by the work/safety rules at the location of their modified duty assignment.

# MCDOWELL COUNTY ELECTRONIC COMMUNICATIONS POLICY

**PURPOSE:**  This policy covers the use of all technology resources belonging to McDowell County. It includes, but is not limited to pagers, radios, all computer systems of any size and function and their attached peripherals, phones, cellular phones, faxes, voice mail systems, e-mail systems, network resources and Internet resources. McDowell County provides these technology resources to enable county employees to provide timely and efficient services. Providing timely, efficient and accurate information is the primary function of these automated resources and any activity or action that interferes with this purpose is prohibited. Failure to adhere to this policy places the individual at risk for legal liabilities, potential embarrassment and disciplinary action up to and including dismissal.

**ADMINISTRATION:** Each Department Head shall become thoroughly familiar with the requirements set forth in this policy and to administer this policy consistently within the department and with other departments. The Department Head shall explain this policy within their department and see that it is fully implemented. It is the Department Head’s responsibility to ensure their department’s users abide by the requirements and guidelines set forth in this and any related documents. Department Heads or County Management personnel **have the authority to inspect the contents of any equipment, files, or mail in the normal course of their supervisory responsibilities.** Reasons for review include, but are not limited to investigation of network slowdown; system hardware or software problems including software compliance, general system failure, litigation or potential litigation; reasonable suspicion of a crime or violation of policy; or a need to perform work or provide a service when an employee is not available. All communication system users acknowledge their consent **that the County may, at its discretion, inspect, use or disclose any electronic communications and/or data without further notice for any legitimate business,** legal or discretionary purpose. The County may utilize monitoring software to administer this policy.

**PUBLIC NATURE OF ELECTRONIC COMMUNICATION:** Electronic communication **is public record like any other public document.**  Users must understand that any communications created, received or backed up on the County system may be construed **to be public documents** and thus may be subject to legal **requests** for public disclosure. This includes communications that users might think of, incorrectly, as personal and private. Electronic communications may be searched for evidence in any legal proceeding.

**E-MAIL/INTERNET:** Use of the Communications Systems by employees for personal use must **be restricted to occasional use that does not interfere with the conduct of County** business. Personal use should be limited to personal time (breaks) and personal use of the Internet and e-mail should be minimal. Supervisors, at best, should monitor the extent of **personal use of these assets** during regular working hours.

Any business or personal use of the Internet or e-mail by a County employee shall clearly and accurately identify the employee. Anonymous or pseudonymous use is prohibited. E-mail is considered an official form of communication between departments and between employees.

The following uses of the County’s communications Systems are strictly prohibited.

* Use of the Communications Systems to send **chain letters.**
* Use of the Communications Systems to compromise the integrity of **McDowell County** and its business in any way.
* Use of the Communications Systems to send **messages containing offensive, abusive, discriminatory, threatening, harassing, or other language inappropriate for the operation of McDowell County.**
* Use of the Communications Systems to send messages that violate any policy of the County including the **County’s Policy Against Harassment.** Such messages include, but are not limited to, messages that contain sexual implications, racial slurs, or other comment that offensively addresses someone’s age, gender, sexual orientation, religious or political beliefs, national origin or disability.
* Use of the Communications Systems for the **advertisement of personal business.**
* Intentional viewing, downloading, and /or transmitting materials (other than that required for law enforcement business) that involve use of obscene language, images, jokes, sexually explicit materials or messages that abuse or belittle any person, group or classification of individuals is strictly prohibited.
* Use of the Communications Systems to distribute personnel information unless it is an authorized Human Resource function that includes but is not limited to salary, performance reviews, complaints, grievances, misconduct, disciplinary information, medical records or related information.
* Installation or downloading of software from outside vendors or the Internet without prior authorization from the Department Head and County Manager.
* Employees shall not permit unauthorized persons to use the County electronic Network/Communications System.
* Installation of Software through any method unless authorized by County Management. This includes software by third-party vendors, as well as shareware, freeware, personal software and Internet distributed programs.
* Use of computer to play any games.

**SECURITY:** Each employee is responsible for all actions taken while using his/her user profile or password. Passwords should be kept confidential and not shared. Only the director of the IT department can authorize exceptions to this policy.

Any file, program, or document received on any media, through the Internet or through file transfer must be checked for viruses immediately. You should be cautious when you receive an email message you were not expecting containing an attachment. It should not be opened if you have any doubt about the type of file, content or sender. This is to prevent viruses from infecting the County’s entire network. Each individual employee is responsible for the prevention of the spread of viruses.

All electronic communications are the property of McDowell County, are subject to monitoring and therefore not considered private. McDowell County will disclose any electronic mail message as required by appropriate law or regulation. The County shall promptly access electronic communication data:

* When a user leaves the employ of McDowell County for any reason. User’s mail will be accessed for the purpose of saving those messages that pertain to County business. The employee’s county e-mail service will be discontinued.
* When necessary to investigate a possible violation of county policy or a breach of the security of the Communications Systems.
* In the event there is reasonable suspicion a user has committed or is committing any crime.

**MEDIA PROTECTION:** Due to the importance of source data and stored data, all media must be protected. The following is a list of minimal steps to protect County media.

* All media should be **kept in a locked location when not in use.**
* Media should be **kept away from all heat sources**, direct sunlight and any sources of extreme cold.
* **Media should be stored in their protective cases.**
* Never touch the **magnetic surface of storage media** or the protective sliding shields.
* **Optical disks, CD & DVD, should be kept clean of smudges,** and both sides must be protected from scratches.
* Never place any clip on any storage media. If media must be attached to a document, place the media in an envelope and attach the envelope.
* Keep all media away from magnets or equipment that may produce magnetic fields. These include magnetic paperclip holders, speakers, electric pencil sharpeners, etc.
* All media should be kept away from liquids

**TELEPHONES:**  The telephone system is intended primarily to accomplish the work of McDowell County. Providing services to internal and external customer is always the first priority. Personal use **should be limited in accordance with the provisions of Internet** and e-mail use.

The County will deem personal use excessive if it prevents the employee from managing customer inquiries, complaints and requests for service in a timely manner or if it interferes with the employee’s accomplishing his/her job responsibilities. Personal use of the County’s long distance service is prohibited. Violations will be subject to disciplinary actions as provided in the Personnel Policy.

CELLULAR PHONES

Cellular phones are issued to County employees as a means to conduct County business. Personal use of a County owned cellular phone is permitted as long as no additional charges are incurred. If additional charges are incurred, the Department Head will be notified and it will be their responsibility to collect these fees from the employee. Failure to do so can result in cancellation of cellular service for the employee and/or disciplinary action, and will be subject to payroll garnishment.

Using a cellular phone (texting or voice) while driving a County vehicle is strictly forbidden unless it is an emergency voice conversation and in this case, the call should be kept brief or the employee should pull off the road to continue the phone call. In all cases adherence to current laws regarding cellular phone use are strictly enforced.

**PRINTERS, COPIERS AND FAXES:** Photocopy machines, printers and fax machines shall be use for the transaction of county business. Any personal use must be pre-approved by the Department Head and reimbursement for personal use should be arranged with the Department Head prior to use. Unauthorized copying of copyrighted material is strictly prohibited.

**VIOLATIONS:** It is the user’s responsibility to read and abide by topics set forth in this document. If any employee violates any of the provisions of this policy, or a supervisor or department head who knowingly permits violation of this policy, the employee, supervisor or Department Head will be subject to disciplinary action up to and including dismissal, as provided in the Personnel Policy.

**BY VIRTUE OF THIS POLICY, ALL COUNTY EMPLOYEES ACKNOWLEDGE THE PUBLIC NATURE OF ELECTRONIC COMMUNICATIONS AND UNDERSAND THAT McDOWELL COUNTY HAS THE RIGHT TO INSPECT AND REVIEW SUCH COMMUNICATIONS.**

Adopted this 25th day of July, 2008

# MCDOWELL COUNTY POLICY GOVERNING THE PLACEMENT OF ELECTION CAMPAIGN SIGNS ON COUNTY PROPERTY

It is hereby the policy of McDowell County that the placement of election campaign signs on county property is prohibited except as provided for in this policy. The placement of campaign signs on county-owned property includes county property in a designated street or highway right-of-way.

County property does not include properties owned by the State of North Carolina, the McDowell County School Board, McDowell Technical Community College or other units of local government.

Campaign signs may be placed on county property twenty-four hours prior to polls being opened by the McDowell County Board of Elections if the property is used for a designated polling place (including one-stop voting locations). All applicable federal and state laws will be followed. Campaign signs are not to be attached to county structures, signage, fences, etc. All signs must be removed from county property within 72 hours after polls are closed.

Campaigns signs are prohibited from the Court House property at all times.

County staff is hereby authorized to remove signs that do not comply with this policy. Staff will notify the candidate and/or political party and make the sign available for return.

Adopted August 15, 1998

Revised June 25, 2008

Revised December 5, 2016

# MCDOWELL COUNTY POLICY EMPLOYEE REQUIREMENT TO REPORT A LOSS OF DRIVERS LICENSE OR CONVICTION IN A COURT OF LAW TO THE EMPLOYER

All McDowell County employees are required to report to their Department Head any loss of driving privileges occurring for any reason. The Department Head will notify the Personnel Office of the loss or change in status of a valid North Carolina driver’s license. There are positions with McDowell County that require a valid license as a condition of employment.

All McDowell County Employees are required to notify their Department Head of any conviction occurring in any Federal or State Court System. The Department Head will notify the Personnel Office of the charge and or conviction. The notification will take place immediately.

Failure to follow either of these policy requirements is subject to employee disciplinary action or termination.

Adopted August 15, 1988

Revised June 25, 2008

**McDOWELL COUNTY**

**REVENUE SPENDING POLICY**

1. The County of McDowell has a revenue spending policy that provides guidance for programs with multiple revenue sources.
2. The Finance Officer will use resources in the following hierarchy: bond proceeds, Federal funds, State Funds, local non-County funds, County Funds. This hierarchy will be used unless required differently by a federal, state or grant agency or in a disaster or emergency situation.
3. For purposes of fund balance classification expenditures are to be spent from restricted fund balance first, followed in-order by committed fund balance, assigned fund balance and lastly unassigned fund balance.
4. The Finance Officer has the authority to deviate from this policy if it is determined to be in the best interest of the County.

Adopted July 8, 2013.

**MCDOWELL COUNTY**

**FUND BALANCE RESERVE POLICY**

1. The County will strive to maintain a minimum level of fund balance available for appropriation in the General Fund. This minimum, as set forth by the Local Government Commission, is defined as eight (8.0%) percent of prior year expenditures in the General Fund or one-half of the average of like sized counties’ unreserved fund balance.
2. The average of all Counties in the State of North Carolina is currently, 25.24% and 27.25% in our population group (25,000-49,999). McDowell County fund balance as of June 30, 2012 is 26.50%.
3. The Board of Commissioners’ goal is to maintain a minimum fund balance available for appropriation in the General Fund of eighteen (18%) percent of the prior year expenditures.
4. Fund balance available for appropriation in the General Fund will be used for unanticipated emergencies, to avoid cash flow interruptions, to generate interest income, to reduce the need for short-term borrowing, to pay capital project expenditures in advance of borrowing money for the project and to assist in maintaining an investment grade bond rating.
5. The County will use all budgetary and financial accounting options available to maintain the minimum level of fund balance available for appropriation, as set forth by the Local Government Commission, in the General Fund including but not limited to the following or a combination thereof:
6. Reduction of expenditures in the budget
7. Appropriation of transfers from other funds
8. Sale of capital assets
9. A specific budgeted revenue increase
10. Annually as a part of his recommended budget, the County Manager shall submit a plan that addresses the Board’s fund balance goal.

Adopted July 8 , 2013.

**Foster Home Licensing Policy**

Purpose. The McDowell County Board of Commissioners (“the Board”) recognize that the State of North Carolina has extensive requirements for foster home licensing. However, the Board has determined that it is in the best interest of the organization to implement additional requirements for those seeking licensure with the McDowell County Department of Social Services (“McDowell DSS”).

Residency Requirement. Except as required by state or federal law or otherwise

excepted below, McDowell DSS will not license foster homes located outside the

territorial limits of McDowell County.

Exceptions to Residency Requirement. McDowell DSS may license homes located outside the territorial limits of McDowell County without Board approval under the following circumstances:

- A kinship placement

- Licensing a home from an adjacent county due to a state-recognized conflict

of interest

Board Approval. The Board will consider granting additional exceptions upon the recommendation of the DSS Director and the County Manager. The recommendation document will state the county of residence and reasons for the exception request, but will not contain personal information beyond a last name.

Adopted July 11, 2016

**Financial Monitoring and Accounting Segregation of Duties Policy**

The County has implemented the following steps to ensure accounting functions are adequately segregated and transactions are properly monitored and reviewed:

**Deposits**-cash payments are received and logged by various departments then monies are submitted to the Finance Director’s office or deposited by a department’s accounting staff with the designated banking institute. The accounting technician or clerk copies the front of all checks issued by all State and Federal Agencies and prepares the deposit. The Department Head or designee signs the daily cash report, certifying the deposit includes all daily receipts and the accuracy of the deposit. The Department Head or designee then remits the signed cash report with the completed deposit or bank receipt to the County Finance Department. An additional signature is required on the daily cash report by County Finance Department Staff certifying the deposit was received by the Finance Department or the deposit was made directly to the banking institute.

The accounting technician or clerk remits check copies, deposit totals to the second designated accounting technician or clerk. The second designated accounting technician or clerk remits prepared daily cash report and deposit information to a third accounting technician or clerk that balances daily reports to the deposit slips that have been returned by the financial institution. The third accounting technician or clerk remits the balanced daily deposits to a fourth accounting technician or clerk that enters the amounts into the accounting system. The third accounting technician will verify the Department Head signature and finance department personnel signature on the daily cash report prior to fourth accounting technician entering the cash report into the system. The deposit and activity will not be entered into the system unless the appropriate signatures are on the cash report. For receipts received at the end of the day, they are kept in a locked safe and processed on the next day. The cash reports are prepared daily and given to the Finance Director for review and approval. Adjustments may be corrected with written documentation from the department head. All documentation is kept on file for auditing purposes in accordance with Federal and State record retention policies. The Finance Director will balance all federal and state deposits to each awarded grant on a monthly basis. All grant awards will be reviewed on a monthly basis for grant amendments/revisions, with any necessary budget amendments prepared and entered. An accounting technician or clerk will verify that revenue has been posted to the correct budgetary line item on a monthly basis. Should the County use a local council of government for grant administration, the Finance Director will review monthly grant reporting with the local council of government, to ensure timely and accurate grant information. The Finance Director will reconcile accounts receivable accounts monthly and will assign delinquent collections to appropriate staff. The Finance Director and staff will review deposits to ensure all deposits are made on a daily basis.

**Accounts Payable- The following procedures include all payments made by check, Electronic Funds Transfers and Automatic Clearing House payments.** Invoices are received and opened by the Finance Department. Invoices are then distributed to the department heads. The invoices are reviewed by the department head for proper amounts and coded to the proper general ledger account. The department head or designee will complete and sign an accounts payable check or EFT form. The department head or designee signature certifies that the purchase is for a public purpose and budgeted funds are available for the expense. All invoices and accounts payable request forms are submitted to the Finance Department for payment processing. The accounting technician will review the coding and approval signature on the accounts payable form and will sign the form certifying the invoice has been reviewed for coding, public purpose and signature accuracy. If there are questions during the review process, the invoice will be sent back to the department head for corrections. A second accounting technician enters the approved invoices into the accounting system after certifying and signing the accounts payable check, eft and ach form. A third accounting technician reviews the batch report to ensure the data is entered correctly and prints checks once a week after certifying and signing the accounts payable check, eft and ach form. All invoices are presented to the Finance Director before payment is processed. The Finance Director will sign the accounts payable check, eft or ach form certifying that all required purchasing signatures are present on the form. No invoice will be paid unless AP request form is properly completed and has all the required signatures.

Vendors may request payment via EFT/ACH. This request will only be granted if the following criteria are met:

1. The vendor personally appears before a department head or Finance Department staff member.
2. A completed EFT/ACH form, along with an original canceled check, must be given to the department head or or Finance Department staff member.

Requests received by email or fax will not be accepted and processed.

The actual checks are secured in a locked vault. The Board Chairperson and Finance Director’s signature is electronically printed on the checks. At the end of the month a list of all checks issued along with a ledger sheet of audit numbers that are printed on each check and disbursement numbers that are put on the checks by the computer system are given to the Finance Director to verify no additional checks have been written. The supporting documentation is kept on file for auditing purposes in accordance with Federal and State record retention policies. Weekly, invoices will be reviewed by finance department personnel to ensure invoices are signed and approved by the appropriate County personnel. Staff will verify that all invoices have been posted to the correct general ledger account number. County Department Heads will review each line item and all transactions monthly for data keying errors. Any data keying errors will be forwarded to finance department staff for correction. For Federal and State expenditures will be reviewed monthly to determine and prepare required grant reimbursement or reporting forms. If necessary, Management will follow up with grantor as necessary for any delays in reimbursements or any disallowed expenditures under the grant. All grant awards will be reviewed on a monthly basis for grant amendments/revisions, with any necessary budget amendments prepared and entered.

**Payroll-**Departments submit approved timesheets to the Human Resources department. The Supervisor and a Human Resources employee sign all completed timesheets. Any changes to the employee master file must be accompanied with an approved change notice from the Department Head. The Department Head, Human Resource Director, County Manager and Finance Director must sign all employee wage change forms (in this order). The signed employee wage change form will be entered into the payroll system by Finance Department Staff. The Finance Department staff person will attach the printout of the entry and will sign for accuracy and completeness. New employee payroll entry forms will follow the same procedures. Benefit changes will be documented on the approval change form and signed by the Human Resource Director. The Benefit change will be submitted to the Finance Department. The Finance Department accounting technician will certify that all changes have been entered correctly into the payroll system. The accounting technician will sign the form and will attach the data input printout from the system to the form. The Human Resource Director will then review all changes for accuracy and approvals and will sign the change form. The Finance Director will review data input for accuracy and budget allocations and will sign the change form. The Human Resource clerk will verify timesheets and will sign the timesheet after review. An independent Human Resource assistant will review the other assistants work and will sign that the review occurred. All benefit/salary status change forms will be filed in the individual personnel files. No salary and benefit changes are entered into the payroll system unless required signatures and certification are complete. Finance Department staff will complete an internal audit on no less than twelve departments during a fiscal year. The internal audit will include personal contact with all employees to verify address, withholdings, annual salary and personal identification. In addition, time sheets and leave forms will be compared to the applicable pay period within the payroll system. During the internal audit, we will review all employees within the tested department, auditing all employee data and retirement benefits for that employee. Human Resource Assistants will complete the new hire payroll package forms. Human Resources Director, will review all new hires and the new hires benefit package (including all retirements), effective dates of benefits, rate of pay and leave accruals. After, the new hire package is completed by the Human Resource Assistant and approved by the Human Resource Director the information will be entered into the system by a finance staff. Human Resources remits all payroll changes to the Finance Department for entry, posting and to print the payroll checks. The finance technician reviews the checks and prepares to process the direct deposit transactions. The Finance Director reviews and approves payroll reports prior to checks being prepared. Retirement benefits will be reviewed monthly, by the Finance Director, to ensure each employee receives the proper benefit for each employee classification. A copy of each department’s payroll summary sheets and leave reports are given to the department head each payroll. A copy of the payroll report is kept with the Finance office for auditing purposes in accordance with Federal and State record retention policies. The Human Resources and Finance Office are the only departments that have access to payroll files.

**Bank Reconciliations-**The Finance Department staff will reconcile the bank accounts on a monthly basis. One accounting technician will compare cleared checks from the bank to the accounts payable records and will generate an outstanding check list. A second finance department employee will compare deposits on the bank statement to the general ledger and will account for any deposits in transit. The reconciliation is reviewed and signed off by the Finance Director. The Finance Director will review deposits dates to ensure deposits are made daily and review for inconsistency in receipt numbers. Throughout the month the Finance Director will review checks on line for payee, amount and check clearing date. A copy of the bank reconciliation is kept with the Finance Officer for auditing purposes in accordance with Federal and State record retention policies.

**Journal Entries-**are prepared by finance department staff. One finance staff personnel and Finance Director review and sign off on all journal entries, which are filed in a journal entry notebook. Approval is indicated on each journal entry by signature. All journal entries are numbered in chronological order and the Finance Director reviews monthly for any missing numbers. Backup documentation for each journal entry will be bound and maintained by number in a notebook. Approval is required from staff other than the preparer. An accounting technician will not enter a journal entry into the accounting system without first verifying that the required two signatures are on the journal entry. The journal entry is then entered into the accounting system by the second accounting technician. The second accounting technician will sign the journal entry and stamp with a “posted” stamp on the journal entry page. This certifies that they have reviewed, entered and posted the journal entry into the accounting system. All journal entries and backup documentation are kept with the finance department for auditing purposes in accordance with Federal and State record retention policies. A finance department staff person that is independent from the journal entry process will review the posting of journal entries in the general ledger. They will sign the journal entry journal certifying the final review.

The above listed functions were approved by the Board of Commissioners on September 10, 2018. The policy will take effect and will be implemented on September 11, 2018.

Adopted April 13, 2015

Amended September 11, 2018

Amended July 8, 2019

## McDowell County Conflict of Interest Policy

1. **Purpose**

The purpose of this policy is to establish conflicts of interest guidelines that meet or exceed the requirements under state law and local policy when procuring goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects paid for in part or whole by federal funds and required under 2 C.F.R. § 200.318(c)(1).

1. **Policy**

This policy applies when procuring goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects funded in part or whole with federal financial assistance (direct or reimbursed). This policy also applies to any sub recipient of the funds.

The employee responsible for managing the federal financial assistance award shall review the notice of award to identify any additional conflicts of interest prohibitions or requirements associated with the award, and shall notify all employees, officers, and agents, including sub recipients, of the requirements of this policy and any additional prohibitions or requirements.

1. **Conflicts of Interest**. In addition to the prohibition against self-benefiting from a public contract under G.S. 14-234, no officer, employee, or agent of McDowell County may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A real or apparent conflict exists when any of the following parties has a financial or other interest in or receives a tangible personal benefit from a firm considered for award of a contract:
2. the employee, officer, or agent involved in the selection, award, or administration of a contract;
3. any member of his or her immediate family;
4. his or her partner; or
5. an organization which employs or is about to employ any of these parties.

Any officer, employee, or agent with an actual, apparent, or potential conflict of interest as defined in this policy shall report the conflict to his or her immediate supervisor. Any such conflict shall be disclosed in writing to the federal award agency or pass-through entity in accordance with applicable Federal awarding agency policy.

1. **Gifts.** In addition to the prohibition against accepting gifts and favors from vendors and contractors under G.S. 133-32, officers, employees, and agents of McDowell County are prohibited from accepting or soliciting gifts, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts. Items of nominal value which fall into one of the following categories may be accepted:
   1. promotional items;
   2. honorariums for participation in meetings; or
   3. meals furnished at banquets.

Any officer, employee or agent who knowingly accepts an item of nominal value allowed under this policy shall report the item to his or her immediate supervisor.

1. **Violation**

Employees violating this policy will be subject to discipline up to and including termination. Contractors violating this policy will result in termination of the contract and may not be eligible for future contract awards.

Approved June 11, 2018

**McDowell County Purchasing Policy**

“Contracts funded with federal grant or loan funds must be procured in a manner that conforms with all applicable Federal laws, policies, and standards, including those under the Uniform Guidance (2 C.F.R. Part 200).”

**I. Purpose**

The purpose of this Policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects when federal funds are being used in whole or in part to pay for the cost of the contract.

**II. Policy**

1. **Application of Policy.** This policy applies to contracts for purchases, services, and construction or repair work funded with federal financial assistance (direct or reimbursed). The requirements of this Policy also apply to any sub recipient of the funds.

All federally funded projects, loans, grants, and sub-grants, whether funded in part or wholly, are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance) codified at 2 C.F.R. Part 200 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds.

1. **Compliance with Federal Law.** All procurement activities involving the expenditure of federal funds must be conducted in compliance with the Procurement Standards codified in 2 C.F.R. § 200.317 through § 200-326 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. McDowell County will follow all applicable local, state, and federal procurement requirements when expending federal funds. Should McDowell County have more stringent requirements, the most restrictive requirement shall apply so long as it is consistent with state and federal law.
2. **Contract Award.** All contracts shall be awarded only to the lowest responsive responsible bidder possessing the ability to perform successfully under the terms and conditions of the contract.
3. **No Evasion.** No contract may be divided to bring the cost under bid thresholds or to evade any requirements under this Policy or state and federal law.
4. **Contract Requirements**. All contracts paid for in whole or in part with federal funds shall be in writing. The written contract must include or incorporate by reference the provisions required under 2 C.F.R § 200.326 and as provided for under 2 C.F.R. Part 200, Appendix II.
5. **Contractors’ Conflict of Interest.** Designers, suppliers, and contractors that assist in the development or drafting of specifications, requirements, statements of work, invitation for bids or requests for proposals shall be excluded from competing for such requirements.
6. **Approval and Modification.** The administrative procedures contained in this Policy are administrative and may be changed as necessary at the staff level to comply with state and federal law.

**III. General Procurement Standards and Procedures:**

Either the Purchasing Department or the Requesting Department shall procure all contracts in accordance with the requirements of this Section of the Policy.

1. **Necessity.** Purchases must be necessary to perform the scope of work and must avoid acquisition of unnecessary or duplicative items. The Purchasing Department and/or the Requesting Department should check with the federal surplus property agency prior to buying new items when feasible and less expensive. Strategic sourcing should be considered with other departments and/or agencies that have similar needs to consolidate procurements and services to obtain better pricing.
2. **Clear Specifications.** All solicitations must incorporate a clear and accurate description of the technical requirements for the materials, products, or services to be procured, and shall include all other requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals. Technical requirements must not contain features that restrict competition.
3. **Notice of Federal Funding.** All bid solicitations must acknowledge the use of federal funding for the contract. In addition, all prospective bidders or offerors must acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award.
4. **Compliance by Contractors.** All solicitations shall inform prospective contractors that they must comply with all applicable federal laws, regulations, executive orders, and terms and conditions of the funding award.
5. **Fixed Price.** Solicitations must state that bidders shall submit bids on a fixed price basis and that the contract shall be awarded on this basis unless otherwise provided for in this Policy. Cost plus percentage of cost contracts are prohibited*.* Time and materials contracts are prohibited in most circumstances. Time and materials contracts will not be used unless no other form of contract is suitable and the contract includes a “Not to Exceed” amount. A time and materials contract shall not be awarded without express written permission of the federal agency or state pass-through agency that awarded the funds.
6. **Use of Brand Names.** When possible, performance or functional specifications are preferred to allow for more competition leaving the determination of how the reach the required result to the contractor. Brand names may be used only when it is impractical or uneconomical to write a clear and accurate description of the requirement(s). When a brand name is listed, it is used as reference only and “or equal” must be included in the description.
7. **Lease versus Purchase.** Under certain circumstances, it may be necessary to perform an analysis of lease versus purchase alternatives to determine the most economical approach.
8. **Dividing Contract for M/WBE Participation.** If economically feasible, procurements may be divided into smaller components to allow maximum participation of small and minority businesses and women business enterprises. The procurement cannot be divided to bring the cost under bid thresholds or to evade any requirements under this Policy.
9. **Documentation.** Documentation must be maintained by the Purchasing Department and/or the Requesting Department detailing the history of all procurements. The documentation should include the procurement method used, contract type, basis for contractor selection, price, sources solicited, public notices, cost analysis, bid documents, addenda, amendments, contractor’s responsiveness, notice of award, copies of notices to unsuccessful bidders or offerors, record of protests or disputes, bond documents, notice to proceed, purchase order, and contract. All documentation relating to the award of any contract must be made available to the granting agency upon request.
10. **Cost Estimate.** For all procurements costing $250,000 or more, the Purchasing Department and/or Requesting Department shall develop an estimate of the cost of the procurement prior to soliciting bids. Cost estimates may be developed by reviewing prior contract costs, online review of similar products or services, or other means by which a good faith cost estimate may be obtained. Cost estimates for construction and repair contracts may be developed by the project designer.
11. **Contract Requirements.** The Requesting Department must prepare a written contract incorporating the provisions referenced in Section II.C of this Policy.
12. **Debarment.** No contract shall be awarded to a contractor included on the federally debarred bidder’s list.
13. **Contractor Oversight.** The Requesting Department receiving the federal funding must maintain oversight of the contract to ensure that contractor is performing in accordance with the contract terms, conditions, and specifications.
14. **Open Competition.** Solicitations shall be prepared in a way to be fair and provide open competition. The procurement process shall not restrict competition by imposing unreasonable requirements on bidders, including but not limited to unnecessary supplier experience, excessive or unnecessary bonding, specifying a brand name without allowing for “or equal” products, or other unnecessary requirements that have the effect of restricting competition.
15. **Geographic Preference.** No contract shall be awarded on the basis of a geographic preference.

**IV. Specific Procurement Procedures**

Either the Purchasing Department or the Requesting Department shall solicit bids in accordance with the requirements under this Section of the Policy based on the type and cost of the contract.

1. **Service Contracts** (except for A/E professional services) and **Purchase Contracts** **costing less than $10,000** shall be procured using the Uniform Guidance “micro-purchase” procedure (2 C.F.R. § 200.320(a)) as follows:
2. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
3. To the extent practicable, purchases must be distributed among qualified suppliers.
4. **Service Contracts** (except for A/E professional services) and **Purchase Contracts** **costing $10,000 up to $90,000** shall be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(b)) as follows:
   1. Obtain price or rate quotes from an “adequate number” of qualified sources (a federal grantor agency might issue guidance interpreting “adequate number,” so the Requesting Department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
   2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
   3. Cost or price analysis is not required prior to soliciting bids.
   4. Award the contract on a fixed-price basis (a not-to-exceed basis is permissible for service contracts where obtaining a fixed price is not feasible).
   5. Award the contract to the lowest responsive, responsible bidder.
5. **Service Contracts** (except for A/E professional services) and **Purchase Contracts** **costing $90,000 and above** shall be procured using a combination of the most restrictive requirements of the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:
   1. Cost or price analysis is required prior to soliciting bids.
   2. Complete specifications or purchase description must be made available to all bidders.
   3. The bid must be formally advertised in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for “sound documented reasons.”
   4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
   5. Open bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
   6. Award the contract to the lowest responsive, responsible bidder on a fixed-price basis. Governing board approval is required for purchase contracts unless the governing board has delegated award authority to an individual official or employee. Any and all bids may be rejected only for “sound documented reasons.”
6. **Service Contracts** (except for A/E professional services) **costing $250,000 and above** may be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(d)) when the “sealed bid” procedure is not appropriate for the particular type of service being sought. The procedures are as follows:
   1. A Request for Proposals (RFP) must be publicly advertised. Formal advertisement in a newspaper is not required so long as the method of advertisement will solicit proposals from an “adequate number” of qualified firms.
   2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
   3. Identify evaluation criteria and relative importance of each criteria (criteria weight) in the RFP.
   4. Consider all responses to the publicized RFP to the maximum extent practical.
   5. Must have a written method for conducting technical evaluations of proposals and selecting the winning firm.
   6. Award the contract to the responsible firm with most advantageous proposal taking into account price and other factors identified in the RFP. Governing board approval is not required.
   7. Award the contract on a fixed-price or cost-reimbursement basis.
7. **Construction and repair contracts costing less than $10,000** shall be procured using the Uniform Guidance “micro-purchase” procedure (2 C.F.R. § 200.320(a)) as follows:
8. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
9. To the extent practicable, contracts must be distributed among qualified suppliers.
10. **Construction and repair contracts costing $10,000 up to $250,000** shall be procured using the Uniform Guidance “small purchase” procedure (2 C.F.R. § 200.320(b)) as follows:
11. Obtain price or rate quotes from an “adequate number” of qualified sources (a federal grantor agency might issue guidance interpreting “adequate number,” so the requesting department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
12. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. § 200.321.
13. Cost or price analysis is not required prior to soliciting bids, although price estimates may be provided by the project designer.
14. Award the contract on a fixed-price or not-to-exceed basis.
15. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required.
16. **Construction and repair contracts costing $250,000 up to $500,000** shall be procured using the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) as follows:
    1. Cost or price analysis is required prior to soliciting bids (this cost estimate may be provided by the project designer).
    2. Complete specifications must be made available to all bidders.
    3. Publically advertise the bid solicitation for a period of time sufficient to give bidders notice of opportunity to submit bids (formal advertisement in a newspaper is not required so long as other means of advertising will provide sufficient notice of the opportunity to bid). The advertisement must state the date, time, and location of the public bid opening, and indicate where specifications may be obtained.
    4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
    5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of 2 bids must be received in order to open all bids.
    6. A 5% bid bond is required of all bidders. Performance and payment bonds of 100% of the contract price is required of the winning bidder.
    7. Award the contract on a firm fixed-price basis.
    8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required. Any and all bids may be rejected only for “sound documented reasons.”
17. **Construction and repair contracts** **costing $500,000 and above** shall be procured using a combination of the most restrictive requirements of the Uniform Guidance “sealed bid” procedure (2 C.F.R. § 200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:
    1. Cost or price analysis is required prior to soliciting bids (this cost estimate should be provided by the project designer).
    2. Complete specifications must be made available to all bidders.
    3. Formally advertise the bid in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for “sound documented reasons.”
    4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
    5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed and in paper form. A minimum of 3 bids must be received in order to open all bids.
    6. A 5% bid bond is required of all bidders (a bid that does not include a bid bond cannot be counted toward the 3-bid minimum requirement). Performance and payment bonds of 100% of the contract price is required of the winning bidder.
    7. Award the contract on a firm fixed-price basis.
    8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is required and cannot be delegated. The governing board may reject and all bids only for “sound documented reasons.”
18. **Construction or repair contracts involving a building costing $300,000 and above** must comply with the following additional requirements under state law:
19. Formal HUB (historically underutilized business) participation required under G.S. 143-128.2, including local government outreach efforts and bidder good faith efforts, shall apply.
20. Separate specifications shall be drawn for the HVAC, electrical, plumbing, and general construction work as required under G.S. 143-128(a).
21. The project shall be bid using a statutorily authorized bidding method (separate-prime, single-prime, or dual bidding) as required under G.S. 143-129(a1).
22. **Contracts for Architectural and Engineering Services costing under $250,000** shall be procured using the state “Mini-Brooks Act” requirements (G.S. 143-64.31) as follows:
23. Issue a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
24. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided for under 2 C.F.R. § 200.321.
25. Evaluate the qualifications of respondents based on the evaluation criteria developed by the Purchasing Department and/or Requesting Department.
26. Rank respondents based on qualifications and select the best qualified firm. Price cannot be a factor in the evaluation. Preference may be given to in-state (but not local) firms.
27. Negotiate fair and reasonable compensation with the best qualified firm. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
28. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.
29. **Contracts for Architectural and Engineering Services costing $250,000 or more** shall be procured using the Uniform Guidance “competitive proposal” procedure (2 C.F.R. § 200.320(d)(5)) as follows:
30. Publically advertise a Request for Qualifications (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
31. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. § 200.321.
32. Identify the evaluation criteria and relative importance of each criteria (the criteria weight) in the RFQ.
33. Proposals must be solicited from an “adequate number of qualified sources” (an individual federal grantor agency may issue guidance interpreting “adequate number”).
34. Must have a written method for conducting technical evaluations of proposals and selecting the best qualified firm.
35. Consider all responses to the publicized RFQ to the maximum extent practical.
36. Evaluate qualifications of respondents to rank respondents and select the most qualified firm. Preference may be given to in-state (but not local) firms provided that granting the preference leaves an appropriate number of qualified firms to compete for the contract given the nature and size of the project.
37. Price cannot be a factor in the initial selection of the most qualified firm.
38. Once the most qualified firm is selected, negotiate fair and reasonable compensation. If negotiations are not successfully, repeat negotiations with the second-best qualified firm.
39. Award the contract to best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

**V. Exceptions**

Non-competitive contracts are allowed ***only*** under the following conditions and with the written approval of the federal agency or state pass-through agency that awarded the federal funds:

1. **Sole Source**. A contract may be awarded without competitive bidding when the item is available from only one source. The Purchasing Department and/or Requesting Department shall document the justification for and lack of available competition for the item. A sole source contract must be approved by the governing board.
2. **Public Exigency.** A contract may be awarded without competitive bidding when there is a public exigency. A public exigency exists when there is an imminent or actual threat to public health, safety, and welfare, and the need for the item will not permit the delay resulting from a competitive bidding.
3. **Inadequate Competition.** A contract may be awarded without competitive bidding when competition is determined to be inadequate after attempts to solicit bids from a number of sources as required under this Policy does not result in a qualified winning bidder.
4. **Federal Contract.** A contract may be awarded without competitive bidding when the purchase is made from a federal contract available on the U.S. General Services Administration schedules of contracts.
5. **Awarding Agency Approval.**  A contract may be awarded without competitive bidding with the express written authorization of the federal agency or state pass-through agency that awarded the federal funds so long as awarding the contract without competition is consistent with state law.

**VI. Approval of Purchases**

The annual budget adopted by the Board of Commissioners serves as *approval* for all purchases and contracts set forth in the budget. The Board of Commissioners must approve any additional funds through a budget amendment.

A purchase $1.00-$799.99 does not require a Purchase Order.

Purchases $800.00 and above are required to have a requisition with a minimum of (3) quotes attached. The Purchasing Agent will verify that funds are available for each purchase before a purchase order will be issued for approval by the County Manager and Finance Director.

Piggyback options will no longer be available. As well as any contract price offered by any other agency unless the original bid for the items followed the UG 2 C.F.R. Part 200 requirements. This includes the Sheriff’s Association and all GSA contracts.

**VII. Award of Bids**

The following lines of authority shall be observed in the award of bids for all purchase of

apparatus, supplies, materials, or equipment contracts:

• Less than $10,000 Purchasing Agent

• At least $10,000 but less than $30,000 County Manager

• $30,000 and more Board of Commissioners

The following lines of authority shall be observed in the award of bids for all

Construction/Building repair contracts:

• Less than State Informal Bid Limit County Manager

• State Informal Bid Limit Board of Commissioners

**VIII. Service and Lease Contracts (Excludes Construction Services)**

Although the North Carolina General Statutes do not impose requirements upon service and lease contracts, McDowell County shall demonstrate equal opportunity for service and lease contracts by soliciting bids where there is a competitive market for the service or lease and when it is in the best interest of the County. The standard of award shall be made to the best overall proposal and the County Manager is hereby authorized to approve, award bids, and execute service and lease contracts.

**VIIII. Construction and Repair Delegation**

The County Manager shall delegate a Project Manager to oversee construction or repair work for each project. The Project Manager shall ensure compliance with applicable NC General Statutes and this policy.

**X. Disposal of Personal Surplus Property**

Pursuant to North Carolina General Statute 160A-266(c), the Board of Commissioners hereby delegates the County Manager to declare surplus any personal property valued at less than thirty thousand dollars ($30,000) for any one item or group of items, to set its fair market value, and to convey title to the property for the County in accord with regulations. The Purchasing Office shall keep a record of all property sold under this section and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange. As outlined in G.S. 160A-270(c), the County Manager shall also authorize the use of electronic auctions for the surplus of personal property.

**XI. Electronic Advertising**

Pursuant to North Carolina General Statute 143-129(b), McDowell County shall invite formal proposals by advertisement in a newspaper having general circulation in the political subdivision or solely by electronic means, or by both methods.

**XII**. **MINORITY BUSINESS ENTERPRISE GOAL**

Pursuant to North Carolina General Statute 143-128.2 and UG 2 C.F.R. Part 200, McDowell County adopted a Minority Business Outreach Plan in which the requirements for good faith efforts regardless of type above micro-purchase threshold ($3500).

**XIII. PURCHASING PROGRAM INTEGRITY**

McDowell County demands only the highest form of honesty and integrity from all County personnel involved in the purchasing process for the County.

Approved June 11, 2018

**CREDIT CARD POLICY**

**PURPOSE**:

To establish procedures and guidelines for using a County issued credit card to purchase materials, supplies and/or services by electronic means on behalf of the County of McDowell.

**OVERVIEW:**

Issuance of a County credit card has been proven to be an effective tool and timely method for obtaining materials, supplies, and/or services to help departments maintain consistent flow of day-today operations.

**SCOPE:**

County issued credit cards should only be used when**:**

1. Making purchase for materials, supplies, and/or services that are for the official use of the County of McDowell only;
2. Making purchases for materials, supplies, and/or services that cannot be paid by means of an official check;
3. Making purchases for materials, supplies, and/or services online or directly (in-person)
4. Purchases, regardless of type, made with a County issued credit card should not exceed the purchase transaction limit authorized by the County Manager and Finance Director (see Exhibit A)
5. County issued credit cards will be assigned to employees who have direct authorization to make purchases, using this method, as approved by the County Manager and Finance Director.

**PROCEDURE:**

To ensure the process operates efficiently and within an acceptable internal control structure, a timely response to each of the following elements is required:

1. Issue/Return of Credit Card
   1. The employee must sign documentation verifying agreement to the conditions of card use (see Exhibit A);
   2. The County Manager will determine the purchase level authority of the employee and sign the enrollment form indicating approval;
   3. The Finance Director will review the enrollment form and obtain the credit card for the approved employee;
   4. Changes in spending/authority levels must be authorized by the County Manager in writing and then submitted to the Finance Director for processing.
   5. Any employee who received a County issued credit card must turn the card into Finance immediately upon resignation notice or termination.
2. Use of County issued Credit Cards
   1. Department Heads are to notify Finance immediately if the County issued credit card has been lost, stolen or compromised. Finance is responsible for canceling and obtaining all County issued credit cards.
   2. All purchasing rules and procedures, to include pre-audit requirements in accordance to NC Administrative Code 20 NCAC 03.0409, shall apply when making purchases for materials, supplies, and/or services on behalf of the County by the means of a County issued credit card.
   3. County credit cards are to be used for County business only. The use of the credit card to acquire or purchase materials, supplies, and/or services other than for official business is strictly prohibited;
   4. The cardholder is responsible for maintaining all vendor receipts and/or records until such time as the receipts/records are due to the Finance Department.
   5. The cardholder is responsible for all purchases made on the assigned card regardless of who used the card; unless the card was used fraudulently after loss or theft.
   6. County credit cards should not be shared and cardholders should not delegate use of the card to another employee without proper approval from the Finance Director.
3. Procedure for Payment/Disbursement for Credit Card Charges
   1. Each department should ensure that sufficient funds are available to pay for one month or more of anticipated purchases made using this method.
   2. Each receipt must contain the following information regarding the transaction before submitting to the Finance Department for payment:

Card type and last 4 of card number

Date transaction/purchase occurred

Brief description of transaction

Total amount of transaction

Sales tax amount – if applicable

County where transaction occurred

Employee and Department Head Signature

* 1. The Cardholder must submit itemized receipts to match monthly credit card statement. If a receipt has been lost, the cardholder must make a diligent attempt to obtain a duplicate receipt from the vendor. In the event this is not available, a “Lost Receipt Form” (Exhibit B) must be completed, which includes a detailed description and must be approved by the Finance Director. The Finance Department has the right to seek reimbursement from an employee for undocumented and/or unauthorized purchases.
  2. The cardholder should submit all receipts to the Finance Department monthly.
  3. Finance will review all receipts to ensure compliance with all purchasing and pre-audit requirements and mandates. Once confirmed, the Finance Department will apply charges to the appropriate line item (s) and process/record the payment to the credit card vendor.

1. If a charge is above the level approved for the cardholder, the cardholder must submit a written statement of any amounts over the limit to the Finance Director. The cardholder will be financially responsible for any over limit fees that occur when purchases are made above limit. Charges are not allowed to be split to avoid low transaction limits or purchase order limits.

**TEMPORARY CARD USERS:**

On occasion, other employees and Elected Officials will need to make purchases or pay for travel expenses as appropriated in the budget. When those occasions arise, a credit card will be provided by the Department, Finance or County Manager Department.

Employees and /or Elected Officials, “temporary cardholders” must adhere to the following guidelines:

* 1. Follow all guidelines and procedures as outlined in this policy;
  2. If using a credit card for travel purposes (overnight stay required), the temporary cardholder can sign the card out one (1) day prior to travel and must return the card no later than one (1) day after their return. All receipts, including hotel charges, are to be turned in when the credit card is returned to the department, Finance or County Manager departments.
  3. If a credit card is needed to make a single purchase throughout the course of a business day and will be made offsite, the employee and/or Elected Official will be required to sign the credit card in and out with the department, Finance or County Manager departments.

**ACTION DUE TO INAPPROPRIATE OR ACCIDENTAL USE:**

The use of a County issued credit card to acquire or purchase goods and services other than for the County of McDowell is considered fraudulent use. However, the County recognizes that accidental use can occur. The County reserves the right to cancel an individual employee card at any time due to any type of abuse.

1. If a cardholder accidentally uses a County issued credit card for a personal purchase, the Finance Department should be contact immediately upon discovery. If Finance discovers the error, employee will be contacted immediately. Employee must submit a “Credit Card Reimbursement Form” (Exhibit C), along with full reimbursement.
2. Records of accidental personal use will be maintained by the Finance Department. In the event accidental use by a cardholder is detected on a repetitive basis, the County Manager will be notified and the employee may be subject to disciplinary action.

**INAPPROPRIATE OR FRAUDULENT USE:**

If a cardholder makes an inappropriate or fraudulent purchase, the Finance Director and the County Manager shall be notified immediately regarding the transaction.

1. A cardholder guilty of fraudulent use or repetitive inappropriate charges will be subject to disciplinary action, up to and including dismissal, in accordance with the guidelines of the County’s Personnel Policy, The County has the right to file a police report and press charges for fraudulent use of a County issued credit cards.
2. Records of inappropriate use will be maintained by the Finance Department. The County Manager will be notified about any notable amount of abuse or at the discretion of the Finance Director.

**POLICY FORMS (Exhibits A thru C):**

1. Credit Card Authorization Form
2. Lost Receipt Form
3. Credit Card Reimbursement Form

Approved June 11, 2018

**McDowell County Smoking Policy**

**1.1 Purpose**

The McDowell County Board of Commissioners do hereby find that is necessary to regulate smoking on certain county owned and/or county operated properties.

**1.2 Authority**

North Carolina General Statute 130A - Article 23.

**1.3 Definitions**

"Smoking" means engaging in an act that generates smoke or vapor, such as for example, but not limited to: possessing a lighted pipe, a lighted hookah pipe, a lighted cigar, an electronic, a lighted cigarette of any kind or an inhalation device of any kind that generates smoke or vapor, or the act of lighting or igniting a pipe, a hookah pipe, a cigar, a cigarette or smoke or vapor inhalation device of any kind that generates smoke or vapor.

**1.3 Regulations**

Courthouse Property

Smoking is prohibited on the lawn of the McDowell County Courthouse. The lawn is defined as the space between the driveway, the front of the building, and the city sidewalks on Main Street and East Court Street. Smoking is also prohibited within 50 feet of any door of the Courthouse.

Recreation Properties

Smoking is prohibited within designated areas at recreational properties operated by McDowell County including but not limited the McDowell County Recreation Center facilities on Academy Street including the ballfield, skatepark, and pool areas; Maple Leaf Ballfields; Glenwood ballfields; Sandy Andrews park; Old Fort ballfields; Old Fort pool; Woodlawn Roadside Park. Smoking is prohibited along all trails operated by McDowell County including but not limited to the greenways in the vicinity of Spaulding Road; Point Lookout Trail; the Catawba River Greenway Trail.

**1.4 Effective Date**

This policy is effective upon the approval of the Board of Commissioners.

Amended: 2010, October 8, 2018