

BOARD OF SUPERVISORS

District 1 | **Stacey Walker**

District 2 | **Ben Rogers**

District 3 | **Brent Oleson**

JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER

935 2ND ST. SW

CEDAR RAPIDS, IA 52404

PH: 319-892-5000 | FAX: 319-892-5009

LinnCounty.org



**LINN COUNTY BOARD OF SUPERVISORS
MEETING AGENDA**

Monday, April 15, 2019

10 a.m.

Formal Board Room—Jean Oxley Public Service Center
935 2nd St. SW, Cedar Rapids, IA

Call to Order

Public Comment: Five Minute Limit per Speaker

This comment period is for the public to address topics on today's agenda.

Minutes

Discuss and decide on meeting minutes.

Discuss FY20 Management and Non-Bargaining Compensation and Pay Grades

Discuss Additional Insurance Allowance Request from eligible County employee

Approve an 8 Month Special Class C Liquor License for Culver's Lawn & Landscape, 1682 Dubuque Rd., noting all conditions have been met.

Discuss proposed revisions to Board of Supervisors Policy PM-001, Cell Phone Authorization and Use

Public Comment: Five Minute Limit per Speaker

This is an opportunity for the public to address the board on any subject pertaining to board business.

Payroll Authorizations

Discuss and decide on Employment Change Roster (payroll authorizations).

Claims

Discuss and decide on claims.

Correspondence

Legislative Update

Appointments

Adjournment

For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Board of Supervisors office at 319-892-5000 or at bd-supervisors@linncounty.org.



March 29, 2019

TO: Board of Supervisors

FROM: Lisa Powell, Human Resources Director

RE: FY20 Management and Non-Bargaining Salaries and Pay Grades

For FY20, I recommend an across-the-board increase to management and non-bargaining salaries of 3.0%. This is the placeholder amount put into the FY20 budget for non-bargaining wages. In FY17, FY18 and FY19, management salaries were increased by 3.25%, 3.00% and 3.00%. Averaged over three years, this represents a 3.08% annual increase. If you compare the average over six years, this represents a 2.71% average increase compared to 2.79% for elected officials and deputies, 2.43% for AFSCME bargaining unit employees and 2.78% for PPME bargaining unit employees over the same 6-year time period. The large AFSCME bargaining units and the Conservation ASFCME unit will receive 2.3% on July 1st (3rd year of a 4-year contract). PPME employees will receive 2.75% 3rd year of a 3-year contract). IBEW Sergeants will receive 5.00% and IBEW Assistant County Attorneys will receive an average of 4.88% across classifications (5th year of a 5-year contract). In July, an 8.6% increase in employee family premium contributions will occur for both management and bargaining unit employees.

WorldatWork's annual 2018-2019 salary planning survey showed a projected 3.0% for average employee increases for all organizations in Iowa for 2019. In 2018, the actual average employee increase amount for Iowa was 2.9%. The survey also indicates a 1.8% pay structure average increase for actual 2018 and planned 2.1% increase for 2019.

I also recommend an increase to the salary grades themselves of 3.0% in order to maintain relative market position for our management job classifications. Management pay grades need to be kept competitive with comparable counties and the local market. The fact that pay grades have been allowed to advance with annual increases over the years was a big factor in keeping the implementation costs of the study very manageable. The ability to hire and retain experienced and competent managers is essential and the County needs to maintain our current competitive posture. Not maintaining our pay structure puts the County at risk of losing managers to local competitors for higher wages.

In looking at local/regional comparables of like jurisdictions, the majority are planning for across-the-board increases for FY20. A market-based increase would be appropriate based on local public entity data shown below.

	FY20 Budget
Black Hawk County	3.00% increase
Dubuque County	3.00% increase
Johnson County	2.25% increase
Pottawattamie County	2.23% increase
Scott County	2.25% increase
Woodbury County	3.00% increase
Polk County	3.00% increase



BOARD OF SUPERVISORS

Linn County, Iowa

Subject: Cell Phone Authorization and Use		Policy Section & Number: PM-001
Approval Date: 00-00-2018	Effective Date: 00-00-2018	Revision No: 8
Reference: Initially Adopted: 07/14/2008 BOS Minutes: 7/14/2008 03/28/2007, 8/31/2005, 7/18/02, 11/07/2001 09/11/2001, 12/15/1999		Distribution: Elected Officials, Department Heads, County Employee Handbook, Intranet

I. POLICY

It is the policy of Linn County to administer uniform practices for the use of cell phones to conduct official County business by establishing provisions which:

- Stipulate guidelines for the authorization and ongoing use and review of cell phones
- Adequately monitor and control cell phone costs including billings and reimbursements
- Decrease administrative burden without jeopardizing oversight
- Ensure safe work practices for the use of a cell phone while performing official duties

II. SCOPE

This policy is applicable to all Linn County employees responsible to the Board of Supervisors; employees responsible to an elected official, including the elected official and their deputies; and the Conservation and Public Health Departments.

III. EXCEPTIONS

None.

IV. DEFINITIONS

- "Cell phone"** means a mobile communication device that uses cellular technology and is capable of voice communication, text messaging, producing electronic mail, or accessing the Internet.
- "Compliant with IRS cell phone allowance"** means an allowance by the County for the use of a personal cell phone to conduct official County business will not exceed the actual expense incurred by an individual for maintaining their personal cell phone. See [IRS September 14, 2011 Memorandum](#).
- "Chapter 22"** means the Code of Iowa, Examination of Public Records Act, Chapter 22 (and as amended from time to time).

- D. **"Market cost"** means the proximate monthly expense to an individual to maintain an unlimited cell phone plan based upon a sampling of vendors that provide such service for the Linn County coverage area. The market cost is used to set the maximum amount of reimbursement for the personal use of a cell phone for the purpose of conducting official County business. The maximum monthly amount of an allowance is ____.
- E. **"Substantial business need"** means the County has provided a County owned cell phone or approved an allowance for the use of a personal cell phone based primarily upon an important need to carry out official County business. IRS examples of a substantial business need include: 1) an employer's need to contact an employee at all times for work-related emergencies, or 2) an employer's requirement that an employee be available to speak with clients at times when the employee is away from the office, or 3) an employee needs to speak with clients in other time zones outside of the employee's normal work day.

Approval for the use of a County owned cell phone or an allowance for the use of a personal cell phone to promote good will among employees, to recruit employees, or to provide additional compensation does not comply with IRS requirements and is to be considered taxable compensation. See [IRS Notice 2011-72](#).

- F. **"Official County Business"** means any call, email, text, or Internet connection made by an individual for the purpose of conducting official County business is in direct support of their assigned duties and responsibilities.
- G. **"Personal use"** means any call, text, or Internet connection made by an individual when not conducting official County business.
- H. **"Service Agreement"** means the Acknowledgement and Authorization form used to document an individual's acknowledgement and certification for cell phone use and the approval and signature of the department head or elected official. The Service Agreement form will identify if either County owned equipment or personal cell phone reimbursement is authorized. An individual may not be approved for both.

V. **AUTHORIZATION FOR CELL PHONE USE**

A. **Business Need**

A department head or elected official is responsible for authorizing cell phone use for an individual. Approvals will be based on a substantial business need of the County. Approval will not be made or considered valid for the purpose of promoting good will, recruitment, or providing additional compensation.

Approval will be made based upon at least one of the following criteria, as evidenced by an individual's official County duties:

1. Involves emergency operations, response, or back up, or
2. Requires frequent absences from the work station, or work in the field that requires cell phone service to perform the job, or
3. Holds a high level of responsibility in the position, for example, direct responsibility for the operation or maintenance of critical services

A member of the Board of Supervisors will authorize cell phone use for a department head.

B. Funding

Prior to authorization, department heads and elected officials will ensure sufficient funding is provided for in the budget.

C. Service Agreement

A department head or elected official will approve cell phone use by ensuring the Service Agreement is completed in full. The form will be forwarded to the Auditor's Office.

VI. COUNTY ISSUED CELL PHONE

- A. With approval by the department head or elected official the County may purchase cell phones and pay for service in certain circumstances. All purchased equipment remains the property of the County. A calling plan must be on a County approved governmental contract and no contract will be longer than a year.
- B. For a County issued cell phone, the Service Agreement will be completed and signed by the individual and department head or elected official. The Service Agreement is required to be signed once, upon initial approval. It is the responsibility of the department head or elected official to ensure the County issued cell phone continues to be for a substantial County business purpose. If such a purpose changes, approval is invalid.
- C. All cell phone invoices will be charged to the proper department's telephone budget.
- D. Personal calls on County issued cell phones are highly discouraged. The County recognizes that brief personal calls for family or emergency matters may occur. Any monthly overage charges attributed to personal use will be reimbursed by the individual to the County.
- E. When terminating employment, County issued cell phones and related equipment will be returned to the department as instructed.

VII. CELL PHONE ALLOWANCE

- A. With approval by the department head or elected official an individual may be authorized for an reimbursement for the use of their personal cell phone to conduct official County business. The County will not pay for personal cell phone equipment such as insurance, batteries, a hands free device or related equipment.

B. Certification

An individual must certify that their personal cell phone number will be provided within five days of authorization and that they will be available for calls (in possession of the cell phone and have it turned on) as specified by the department head or elected official.

C. Initial Authorization

The first time an individual is approved for reimbursement, a complete invoice of the individual's most recent personal cell phone bill must be submitted to the County. The invoice will reflect actual expense detail for cell service costs. This information is typically in the front of the bill, reflected in the first two to three pages. Detail on individual calls or texts is not required. If an individual is on a family or shared plan, only expenses related to the individual to be approved is required.

The purpose of the submission is to confirm:

1. The service exists
2. The actual cost of the plan for the individual to be approved
3. That in-eligible costs are not reimbursed
4. The County's reimbursement is equal to or less than the cost of the plan.

If you have questions about the information that must be submitted, seek clarification from your supervisor.

D. Annual Confirmation

Annually by July 1, an individual that has been authorized for an allowance will submit their personal cell bill to the County as delineated in Section VII C. The purpose of the annual review is to confirm and document if any changes have occurred since initial approval and authorization.

E. Notice of Cancelled Service or Changes to Service

An individual must notify the County to discontinue reimbursement if they cancel their personal cell phone service, or if any changes to their cell phone plan occurs that changes the cost of the plan. If notification is not provided to the County within 30 days of cancellation or change to the personal cell phone plan cost, the individual must repay the County all reimbursement received for that period.

F. Leaving County Employment

When terminating employment, the cell phone allowance will terminate as of the last full month of employment with any overpayments being deducted from the employee's last paycheck.

VIII. REIMBURSEMENT PROCESS

A. Quarterly

The County will reimburse an individual on a quarterly basis the approved allowance amount as authorized by the department head or elected official, not to exceed \$80 per month. The amount will not exceed the actual cost of the personal cell phone plan. The monthly reimbursement is not considered part of base pay used for calculating salary or hourly wage increases.

IX. GENERAL CONDITIONS FOR CELL PHONE APPROVAL AND USE

A. Authorization subject to change

Approval for the use of a County issued cell phone or a County allowance for use of personal cell phone is subject to change or cancellation as determined by the department head or elected official.

B. Cost verification

Monthly invoices will be made available upon request for purpose of cost verification.

C. Payment of cell phone service

Individuals are responsible for the payment of their cell phone service. Use of vendor government employee discounts and automatic payment to reduce costs is encouraged.

D. Prohibited use

Cell phones may not be used to defame, harass, intimidate or threaten any person.

E. Safe Driving

Under no circumstances will an individual use a cell phone to write, send, or view an electronic message while driving. To observe safe vehicle operations, whenever practical and safely possible, an individual will pull over to a safe off-of-the-roadway location to initiate or continue any non-emergency call. Use of a cell phone in any manner contrary to County protocol and local, state or federal laws will constitute misuse, and may result in appropriate employee discipline.

Individuals charged with traffic violations resulting from the use of their cell phone will be solely responsible for all liabilities that result from such actions.

F. Public Record

An individual approved for a County issued cell phone or reimbursement for the use of a personal cell phone on behalf of County business use, acknowledge:

- A record generated by an individual for the purpose of conducting official county business, whether conducted over cellular, electronic, or telecommunication equipment or services (including, but not limited to smart phones, computers, or email accounts) whether owned by the County or privately owned by the individual is considered a public record
- The content of a record (for example, call, email, or text) governs if the record will be considered public. If the record concerns public business relating to the public duties of a government official or employee it is a public record
- If personal and business transactions are co-mingled, there is a possibility that personal transactions may at least be examined to assess whether it is public or not. Email communications are subject to review and disclosure, even if written, drafted, communicated and or stored on an individual's privately purchased and owned electronic device or email service. Use of a dedicated folder or flash drive should be considered
- Voice calls, texts, emails or other data from a County owned cell phone are considered public records and subject to relevant provisions of Chapter 22. These same records from a personal cell phone (used to conduct County business) could potentially, under certain circumstances or situations, also be subject.

LINN COUNTY ACKNOWLEDGMENT AND AUTHORIZATION FORM
Service Agreement
County Issued Cell Phone Equipment Authorization Form

**Instructions: This form is to be submitted when an individual is authorized for the first time for a County issued cell phone.
Please complete the form below, sign, and forward to the Auditor's Office.**

Employee Name: _____ Employee ID#: _____

Department: _____

Cell Service Provider: _____ Cell Phone Number: _____

Certification and Signature:

I certify that there is a substantial business need for the use of County issued cell phone equipment as defined in the policy. I further certify that I have read and understand the Linn County Cell Phone Authorization and Use Policy PM-001 which covers the policy and rules related to this County issued cell phone.

Employee signature: _____ **Date:** _____

Printed Name: _____

Authorized Signature: _____ **Date:** _____

Printed Name: _____

LINN COUNTY ACKNOWLEDGMENT AND AUTHORIZATION FORM
Service Agreement
Cell Phone Allowance Reimbursement Annual Form
For Fiscal Year _____

Instructions: This form is to be submitted annually by July 1 or when a change occurs. Please complete the form below, attach a copy of a recent bill, sign and then submit to your department for processing. Payments will be made quarterly.

Employee Name: _____ Employee ID#: _____

Department: _____

Cell Service Provider: _____ Cell Phone Number: _____

MUST ATTACH A FULL COPY OF A RECENT BILL FOR EMPLOYEE PORTION(S) OF THE BILL

Check one below:

- New Monthly Allowance \$_____ effective ____/01/____
- Renewal Monthly Allowance \$_____ effective ____/01/____
- Change Monthly Allowance from \$_____ to \$_____ effective
_____/01/____

Please note maximum monthly allowance is \$50, must be in \$5 increments, and cannot exceed employee's monthly cost.

Certification and Signature:

I certify that there is a substantial noncompensatory business need for use of my personal cell phone, as defined in the policy, and that the authorized allowance does not exceed my cellular service out of pocket costs. I further certify that I have read and understand the Linn County Cell Phone Authorization and Use Policy PM-001 which covers the policy and rules related to this cellular allowance.

Employee signature: _____ **Date:** _____

Printed Name: _____

Authorized Signature: _____ **Date:** _____

Printed Name: _____

Submit completed form to your department accounts payable staff for processing.			
Payments will be made quarterly through accounts payable.			

Fiscal Quarter	Fiscal Invoice #	Fiscal Invoice Date	Fiscal Pay Date
July-September	CELL ****QTR1	09/30/####	1st Wed. after quarter
October-December	CELL ****QTR2	12/31/####	1st Wed. after quarter
January-March	CELL ****QTR3	03/31/####	1st Wed. after quarter
April-June	CELL ****QTR4	06/30/####	1st Wed. after quarter
	****=fiscal year	####=calendar year	