

**Creation and Adoption of Policy 513**

**Resolution No 64-08**

**WHEREAS**, the Polk County Board of Supervisors approves all policies and;

**WHEREAS**, the Finance Committee has reviewed the current Internal Revenue Services (IRS) requirements;

**NOW THEREFORE BE IT RESOLVED** that the Polk County Board of Supervisors accordingly adopts

Policy 513 Cellular Devices

as attached hereto and incorporated herein.

Funding Amount: N/A

Funding Source: N/A

Date Finance Committee Advised: July 23, 2008

Date Personnel Committee Advised: July 24, 2008

Finance Committee Recommendation: Passage

Personnel Committee Recommendation:

Approved as to form: *Jeffrey B. Fuge*  
Jeffrey B. Fuge, Corporation Counsel

Date Submitted to County Board: August 19, 2008

County Board Action: *Adopted as Amended.* Effective: Upon passage

Submitted at the Recommendation of the Finance Committee:

\_\_\_\_\_  
Gary Bergstrom

\_\_\_\_\_  
Mick Larsen

\_\_\_\_\_  
Brian Masters

*[Signature]* 7/29/08  
\_\_\_\_\_  
Bryan Beseler

\_\_\_\_\_  
Kathryn Kienholz

This Resolution was enacted by the Polk County Board of Supervisors on August 19, 2008.

\_\_\_\_\_  
Bryan Beseler, Polk County Board Chairperson

Dated: \_\_\_\_\_

Attest: \_\_\_\_\_  
Catherine A. Albrecht, County Clerk

Dated: \_\_\_\_\_

**Polk County Wisconsin**

**CELLULAR DEVICES**

**Policy 513**

**Effective Date: August 19, 2008**

**Cellular Device Policy**

**Purpose and Scope**

The purpose of this policy is to provide a standard with respect to the use of County owned cellular devices as well as personal cellular devices used for County business. This policy is to ensure that cellular device usage by employees is an enhancement of communication while providing efficient and safe high-quality customer service.

**Cellular Devices are defined as but not limited to: Cellular Phones and Blackberry type devices etc.**

**Policy**

County cellular devices are provided to improve services and to enhance business efficiency. These devices are not a personal benefit and should not be used for personal communication; other than emergencies.

The use of these devices to conduct county business while operating a motorized vehicle is strongly discouraged. Employees should plan to allow placement of calls prior to driving or while on rest breaks. If an employee must use the device while driving, they should keep conversations brief, avoid unnecessary calls, and no calls should be made if driving is hazardous. If it is necessary for the employee to read or write while taking the call, the employee should be parked.

All employees should take time to become familiar with the various functions of the device. Employees should keep in mind that cell phone calls can be intercepted and should take proper precautions when discussing confidential information.

Any misuse of a device will be subject to discipline procedures within Policies 701 & 716, their Department and as contained in the personnel policies or applicable labor agreements.

**Procedures**

***For County Owned Devices:*** Each Department is responsible for budgeting the expenditure. All invoices will be itemized so each call can be identifiable.

*Each Department will be responsible for monitoring their employees usage; similar to the internet usage.*

**If the device is used exclusively for business it is excludable from income. However, if there are personal calls other than emergency, the employee will have a cell phone benefit allocated to wages as required by the Internal Revenue Service.**

**A flat fee that includes a portion of the monthly service fee will be assessed. Costs for cellular plans vary greatly. The assessment will be a monthly flat fee of \$10.00. Each Department will review their monthly invoices to determine whether or not there is non-emergency personal usage and then assess the monthly fee and submit that information to the Payroll Division for processing as income to wages on a monthly basis.**

***For Employee's Personal Cellular Devices:*** If an employee would like to be reimbursed for occasional business use on a personal device with an accountable plan, the County will need to see an itemized bill and the employee must clearly mark which are business and which are personal.

The employee may then submit an employee reimbursement form along with the itemized bill for approval to their Department; same as any other employee reimbursable expense. Then once approved it will be processed by the Payroll Division.

If a cellular device is lost or stolen, the employee must immediately notify their Department contact.

When the County issued cellular devices are upgraded; the initial device must be returned to the County upon receiving the new device or the employee will be charged for the new device.

County issued cellular devices must be returned to the County upon termination of employment in order for the termination of employment to be considered "in good standing".

POLK COUNTY BOARD OF SUPERVISORS  
6:30 p.m., Tuesday, August 19, 2008  
Polk County Government Center - County Board Room  
Balsam Lake, WI 54810

Chairman Beseler called the meeting of the Polk County Board of Supervisors to order at 6:30 p.m.

County Clerk informed the Chair that notice of the agenda was posted in three public buildings, mailed to all of Polk County media, published in the county's legal paper, Tri County and Indianhead Advertisers and posted on the county's website the week of August 11, 2008. Corporation Counsel verified that sufficient notice of the meeting was given.

Roll call was taken by County Clerk, Cathy Albrecht. 23 present.

Supervisor Bergstrom offered prayer.  
Chairman Beseler led the Pledge of Allegiance.

**Motion (Jepsen/Bergstrom) to suspend the Rules to accept on the agenda the Resolution to Approve State Trust Fund Loan without a signature. Motion carried** by a unanimous voice vote. Chairman Beseler asked to change the order by moving the Presentation by the Personnel Committee Report on Bargaining after the resolutions. **Motion (Masters/Stoneking) to approve the agenda with that change. Motion carried** by a unanimous voice vote.

**Motion (Schmidt/Larsen) to approve the minutes of July 15, 2008. Motion carried.**

Public comments were given.

Finance Report was given by Tonya Weinert, Finance Director.

**Res. 58-08 Approval of Town of St. Croix Falls Zoning District Map Amendment Motion (Edgell/Sample) to adopt Res. 58-08.** Sara McCurdy, Land Information Director, addressed the resolution. **Res. 58-08 was adopted** by a unanimous voice vote.

**Res./Ordinance 59-08 Amendment to the Polk County Shoreland Protection Zoning Ordinance Motion (Rediske/O'Connell) to adopt Res. 59-08.** Sara McCurdy addressed the resolution. **Motion (Gamache/Masters) to amend the resolution by striking "2) Add Article 8.D.1(a) – Tourist rooming houses are exempt from Article 8.D. setbacks but must meet the following setbacks: 50 feet from a residence other than that of the owner of the lot and 25 feet from any lot line."** Aye and Nay vote. 13 yes, 10 no. Those voting yes were Suprs. Dueholm, Peterson, Schmidt, Brown, Caspersen, Edgell, Masters, Arcand, Larsen, Bergstrom, Johnson, Gamache and Newville. Those voting no were Suprs. Johansen, Kienholz, Rediske, Sample, Messicci, Luke, Stoneking, Jepsen, O'Connell and Beseler. **Motion carried.** Aye and Nay vote on Res. 59-08 as amended. 20 yes, 3 no (Suprs. Dueholm, Larsen and Beseler). **Res. 59-08 as amended was adopted.**

**Res. 60-08 Cremation Permit Fee Motion (O'Connell/Masters) to adopt Res. 60-08.** Jonn Dinnies, Medical Examiner, addressed the resolution. **Res. 60-08 was adopted** by a unanimous voice vote.

**Res. 61-08 Withdrawal and Sale of County Forest Land Located in the Town of Sterling Motion (Larsen/Arcand) to adopt Res. 61-08.** Paul Pederson, County Forester, addressed the resolution. 2/3 vote needed. Aye and Nay vote. 22 yes, 1 no (Rediske) **Res. 61-08 was adopted.**

Chair called a 10 minute break.  
Meeting resumed.

**Res. 62-08 To Approve and Enter Into a Memorandum of Agreement with the Wisconsin Department of Natural Resources Regarding the Use and Development of the Amery to Dresser**

**Trail Motion (Arcand/Larsen) to adopt Res. 62-08 Motion (Arcand/Brown) to refer back to the committee.** It was asked of the committee to clarify obligations of the County regarding dollars and labor. Aye and Nay vote. 17 yes, 6 no. Those voting yes were Suprs. Peterson, Schmidt, Brown, Caspersen, Rediske, Edgell, Masters, Sample, Messicci, Arcand, Larsen, Jepsen, O'Connell, Bergstrom, Johnson, Gamache and Newville. Those voting no were Suprs. Dueholm, Johansen, Kienholz, Luke, Stoneking and Beseler. **Motion carried.**

**Res. 63-08 To Authorize a Highway Facility Plan Motion (Sample/O'Connell) to adopt Res. 63-08. Motion (Johansen/Sample) to amend the first "Be It Further Resolved" paragraph by replacing the words "land requisition" with "geographical location" and changing the date in same paragraph from December, 2008 to March, 2009. Motion carried by a voice vote. Motion (Messicci/Stoneking) to amend the first "Be It Further Resolved" paragraph by adding to the report "as well as assessment of currently county owned, but underutilized building space and land, and potential futures uses, included but not limited to use by the Polk County Highway Department. Motion (Sample/Gamache) to amend that amendment by striking the word "underutilized". Motion carried by a unanimous voice vote. The amended amendment was carried by a voice vote. Motion (Arcand/Jepsen) to add "Be It Further Resolved that a structural assessment be done on the buildings and that the cost not exceed \$50,000 with the funding source being the Contingency Fund. Motion (Sample/Johansen) to amend that amendment by adding "preceding the assessment to have a visit with Short, Elliott and Hendrickson Engineers to discuss what knowledge we already have in relation to the structural integrity and to change the funding amount from \$50,000 to \$25,000. Motion carried by a voice vote. Aye and Nay vote on the amended amendment. 17 yes, 6 no. Those voting yes were Suprs. Dueholm, Peterson, Johansen, Schmidt, Brown, Kienholz, Caspersen, Rediske, Edgell, Masters, Sample, Messicci, Arcand, Stoneking, O'Connell, Bergstrom and Beseler. Those voting no were Suprs. Larsen, Luke, Jepsen, Johnson, Gamache and Newville. The amended amendment carried. Res. 63-08 as amended was adopted by a unanimous voice vote.**

Chair called a 5 minute break  
Meeting resumed.

**Res. 64-08 Creation and Adoption of Policy 513 – Cellular Devices. Motion (Sample/Bergstrom) to adopt Res. 64-08. Motion (Masters/Larsen) to amend the policy under Procedures by changing the third and fourth paragraphs to read "If the device is used exclusively for business it is excludable from income. However, if there are personal calls other than emergency, the employee will have a cell phone benefit allocated to wages as required by the Internal Revenue Service.**

**A flat fee that includes a portion of the monthly service fee will be assessed. Costs for cellular plans vary greatly. The assessment will be a monthly flat fee of \$10.00. Each Department will review their monthly invoices to determine whether or not there is non-emergency personal usage and then assess the monthly fee and submit that information to the Payroll Division for processing as income to wages on a monthly basis." Motion carried by a voice vote.**

**Motion (Schmidt/Dueholm) to amend by replacing paragraph two under "Policy" with "County cell phones, hands-free devices, laptop computers, pagers, and walkie-talkie devices are not to be used for talking nor texting while driving a vehicle under any circumstances unless calling a local emergency service such as 911. If one cannot safely pull over to make or accept a call, that call should not be made nor answered until one can safely pull over. Under no circumstances are texting capabilities to be used while driving.**

**The term vehicle 'includes but is not limited to all of the following: vehicles owned by the county, vehicles leased by the county, client owned vehicles and personal vehicles used for county business.'**

**Any violations, tickets or finds one may receive related to the use of any of the above mentioned devices are the responsibility of the employee, not the county.**

**Law enforcement personnel on duty are exempt from these restrictions." Motion lost by a voice vote.**

**Motion (Luke/Newville) to remove the second paragraph under "Policy".**

Chair called a 5 minute break.

Meeting resumed.

A copy of a letter from County Mutual Insurance regarding cell phone usage while operating vehicles was distributed to the Board. **Motion (Luke/Masters) to withdraw the motion on the floor. Motion carried** by a unanimous voice vote.

**Motion (Dueholm/Jepsen) to add that anyone with a county cell phone be automatically be charged a \$5.00 benefit. Motion (Dueholm/Jepsen) to withdraw the motion on the floor. Motion carried** by a unanimous voice vote. **Res. 64-08 as amended was adopted.**

**Res. 65-08 Motion (Rediske/Larsen) to adopt Res. 65-08. To Authorize An Advisory Referendum Regarding Health Care Insurance** Supr. Rediske and Steve Carlson addressed the resolution. Ballot vote. 13 yes, 10 no. Those voting yes were Suprs. Dueholm, Kienholz, Caspersen, Rediske, Messicci, Arcand, Larsen, Luke, Stoneking, Jepsen, Gamache, Newville and Beseler. Those voting no were Suprs. Peterson, Johansen, Schmidt, Brown, Edgell, Masters, Sample, O'Connell, Bergstrom and Johnson. **Res. 65-08 was adopted.**

**Res. 66-08 Creation and Adoption of Policy 908 – Cash Handling Policy Motion (Newville/Bergstrom) to adopt Res. 66-08. Res. 66-08 adopted** by a unanimous voice vote.

**Res. 67-08 Resolution to Approve State Trust Fund Loan Motion (Bergstrom/Kienholz) to adopt Res. 67-08.** Resolution read by Supr. Bergstrom (page 3). Suprs. Sample asked that it be noted that the expenditure was approved by Res. 108-07 in November, 2007. Aye and Nay vote. 23 yes. **Res. 67-08 was adopted.**

**Motion (Newville/Arcand) to go into closed session pursuant to Wisconsin State Statute Section 19.85(1)(e) – conducting other specified public business, whenever competitive or bargaining reasons require a closed session to discuss strategy for upcoming negotiations for collective bargaining agreement.** Aye and Nay vote. 21 yes, 2 no (Suprs. Larsen and Luke) **Motion carried.** Those present other than Board were Tonya Weinert, Andria Jerrick, Jeff Fuge and Cathy Albrecht.

**Motion (Rediske/Peterson) to return to open session. Motion carried** by a unanimous voice vote.

Standing Committee reports were given.

**Motion (Masters/Jepsen) to suspend the rules in order to meet after 11:00 p.m. Motion carried** by a voice vote.

It was announced by the Chair that Jeff Peterson had declined the appointment to the Lake District. **Motion (Jepsen/Masters) to accept the appointment of Bill Alleva to the Human Service Board. Motion carried** by a unanimous voice vote.

**Motion (Luke/Jepsen) to accept the annual reports for Register of Deeds, Buildings, Parks and Solid Waste, Human Services and Golden Age Manor. Supr. Dueholm asked for the 2007 report for Golden Age Manor to be pulled. Motion and second agreed. Motion carried.**

Annual reports presented were Golden Age Manor for 2006, Child Support, Clerk of Circuit Court and Public Health.

Supervisors' reports were given.

The Chairman's/Administrative Coordinator's report was given.

Motion (Newville/Jepsen) to adjourn. Motion carried. (11:18 p.m.)