



ADMINISTRATIVE POLICIES AND PROCEDURES

TABLE OF CONTENTS

Policy Number	Subject	Effective Date	Superseded Version
COMMUNICATIONS DEPARTMENT (COM)			
COM-1	Social Media Policy	05/10/2021	
COM-2	Media Policy	04/05/2022	
GENERAL (GEN)			
GEN-1	Uniform Regulations	06/21/2004	
GEN-2	Standard Operating Procedures	06/21/2004	
GEN-3	Take-Home Use of County Vehicles	12/1/2005	
GEN-4	Reserved		Rescinded Vol FF
GEN-5	Preparing Correspondence	12/1/2005	
GEN-6	Customer Commitment Program	01/1/2006	
GEN-7	Code of Conduct	06/18/2002	
GEN-8	E-911 Open Records Act Requests	02/20/2007	
GEN-9	Open Records Act Requests	02/10/2017	
GEN-10	Reserved		
GEN-11	Reserved		
GEN-12	Reserved		
GEN-13	Document Management Plan	03/02/2022	
GEN-14	Agenda Policy	05/02/2022	02/12/2016
GEN-15	Records Retention Plan	03/09/2021	
HUMAN RESOURCES / PERSONNEL (HR)			
HR-1	Performance Appraisals	01/01/2005	
HR-2	Personnel Policies Manual	01/01/2019	3/02/2004
HR-3	Equal Employment Opportunity	07/27/2009	
HR-3.0	Emergency Telework	03/17/2020	
HR-3.7	Hiring Process	05/13/2016	
HR-4	Overtime Compensation	10/13/2004	
HR-5	Exit Interviews	11/01/2005	
HR-5.12.5	Motor Vehicle Record	09/07/2016	
HR-5.15	Benefits Committee	05/24/2016	
HR-6	Education Reimbursement	01/01/2006	
HR-7	Light Duty Assignment	09/01/2006	
HR-8	ADA Request and Review Procedure	11/01/2015	
HR-9	ADA Complaint Procedure	05/05/2015	
HR-10	Family Medical Leave Act	11/01/2015	
FINANCE (FIN)			
FIN-1.1	Travel and Offsite Training	05/16/2016	FIN-1 2/18/15
FIN-2	Accounts Payable	04/02/2015	

Policy Number	Subject	Effective Date	Superceded Version
MARSHAL'S OFFICE (MO)			
MO-1	Active Shooter Policy County Admin	07/05/2015	Moved from HR
PURCHASING/PROCUREMENT (PUR)			
PUR-01	Purchasing Requirement	02/07/2022	05/01/17 PUR-01
PUR-02	Ethics in Procurement Process	05/01/2017	
PUR-03	Procurement Card Policy	03/17/2021	08/29/2017
PUR-04	Procurement Delegation Policy	06/08/2017	
PUR-05	Single/Sole Source Procurements	03/20/2018	
RISK MANAGEMENT (RM)			
RM-1	Safety Program	On-Going	Risk Mgmt website
RM-2	Ambulance Transport Workers Comp	09/01/2022	
RM-3	Hands-Free (Distracted Driving)	03/14/2023	09/23/2016

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Social Media Policy
	NUMBER: COM-1.0	REVISIONS:	EFFECTIVE DATE: May 10, 2021
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

COM 1.0 - PURPOSE

When used appropriately, social media is an effective tool to update the general public and other interested parties on the County government’s actions.

Given the multitude of concerns (legal, political, and ethical) raised by social networking (Facebook, YouTube, LinkedIn, Twitter, Instagram, Snapchat, etc.), this policy establishes prudent and acceptable practices regarding usage of social networking by Cherokee County employees, both on and off duty.

COM 1.1 – DEFINITIONS

Social Media – Social media refers to any Internet-based software or service that allows users to interact with others via the posting of messages, files, or other content. Cherokee County, its agencies and departments, maintain social media sites on Facebook, Twitter, Instagram, LinkedIn and YouTube. The absence of or lack of a direct reference to a site does not limit the extent or the application of this policy.

Social Media Account – A personalized presence inside a social networking channel, initiated at will by an individual. Social networking channels allow users to sign up for their own social media account, which they can use to collaborate, interact and share content and status updates.

COM 1.2 – RESPONSIBILITY

Agency Director or designee as assigned

COM 1.3 – POLICY

1.3.1 **Terms of Service:** Know the terms of services of the platform you are using.

1.3.2 **Copyright:** Know how to identify copyrighted content and refrain from using copyrighted content. If you are unsure, do not copy or repost.

1.3.3 **Respect County Time:** While on duty, the use of County equipment or internet service by employees must be limited to work-related tasks. Social media activities should never interfere with work commitments. (Refer to Personnel Policy Section 7).

1.3.4 **Do not endorse on behalf of Cherokee County:** Employees may not post online content as a representative of the County, or on the County’s behalf without the approval of the Communications Director, County Manager or Board of Commissioners.

1.3.5 **Claim your statement as your own:** If discussing County-related issues, but not posting online content as an approved representative of the County or on the County’s behalf, all employees must make it clear that they are speaking for themselves, and not on behalf of the County by displaying a disclaimer

that states: “This is my own opinion and not necessarily an opinion or position held by Cherokee County or the Cherokee County Board of Commissioners.”

1.3.6 Report inaccurate, defamatory posts: Employees who observe inflammatory, inaccurate and/or defamatory posts should report them to the Communications Division.

1.3.7 All County-sanctioned social media sites shall be maintained by the County Manager or his/her designee. Any Agency social media site must be maintained by said Agency Director or his/her designee. Any County department or agency operating a County-sanctioned social media account must provide the Communications Division with administrative rights and/or username and password information to all associated accounts.

1.3.8 All employees who engage in social media activities on the County’s behalf and all County-sanctioned social media sites shall adhere to applicable federal and state laws and local ordinances and policies. All county-sanctioned social media sites must adhere to Georgia Open Records Act and the records retention schedules issued by the Georgia Archives. All content must be managed, stored and retrieved to comply with these laws.

1.3.9 Any content posted as a representative of the County, or content posted to a County-sanctioned social media site containing any of the following shall not be allowed:

- a. Comments not topically related to the particular site or blog article being commented upon;
- b. Profane language or content;
- c. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- d. Sexual content or links to sexual content;
- e. Conduct or encouragement of illegal activity;
- f. Information that may tend to compromise the safety or security of the public or public systems; or
- g. Content that violates a legal ownership interest of any other party.

1.3.10 All employees are representatives of Cherokee County and should protect the County brand at all times, including when using social media. Those who manage an agency’s or department’s social media pages should be well versed in the brand and brand guidelines. The County logo and/or seal should never be skewed, re-colored, or used in a way that violates the brand guidelines.

1.3.11 All County Social Media administrators/moderators/editors, etc. and department/agency directors must be familiar with the separate document “Guidelines for engaging with Cherokee County government on social media” and post a link to the document (housed at CherokeeGA.com) in the about section of every County-sanctioned social media page.

1.3.12 Hiding/Deleting inappropriate content: Any posts or comments made to a County-sanctioned

social media page containing any of the inappropriate content as mentioned throughout this policy will be hidden from view of the general public. The hidden post will be archived in accordance with the Georgia Open Records Act, Federal Freedom of Information Act and records retention schedules issued by the Georgia Archives. Any County Social Media administrator/moderator/editor must document any post/comment/image deletion by capturing a screenshot of the item to be deleted, dating the screenshot and including why the deletion was made (what section of the policy did it violate). Any post/comment/image made to a county-sanctioned page will be archived via Archive Social (accounts must be connected for this service to work).

1.3.13 In an effort to streamline communication from County government, it is important to not arbitrarily create social media accounts. Departments wishing to have a social media preference should have only one account on any given social media platform. All information posted to social media should be funneled through that one channel. Managing accounts this way allows for residents, business owners, taxpayers, and other interested parties to easily find County-sanctioned social media accounts.

1.3.14 Establishing a Social Media Presence

- a. Prior to its creation, a Cherokee County sanctioned social media account must receive approval from the appropriate department/agency director and the Communications Director. Unauthorized accounts and unauthorized use of services are subject to removal of posted information, deactivation of accounts, loss of access to accounts, and/or disciplinary action.
- b. When an agency director determines there is a business need and desires to establish a Cherokee County social media account, the agency director (or his/her designee) will submit a request for a social media account to the Communications Director.
- c. If the account is warranted, the Communications Director or designee shall establish the Cherokee County social media account in conjunction with departments and will provide login access to the department's social media manager or similar role.
- d. A Cherokee County social media account should be set up as a subsidiary of the main Cherokee County government social media page. When necessary due to the social media platform's requirements, accounts using email addresses must be established using an official Cherokee County email address, whether the address is specific to a person or a generic address. No personal email address should be used to establish a Cherokee County social media account.
- e. Social media accounts that require administration from personal accounts and do not have separate login capabilities must give administrative access to the Communications Division profile page.
- f. Cherokee County social media accounts will be maintained by one or more of the following as approved by the department/agency director:
 - i. Cherokee County employee
 - ii. Volunteers, interns, or vendors under the direction of department/agency directors, managers or supervisors.
 - iii. Vendors under contract to Cherokee County for the purpose of creating and maintaining such pages.
 1. Staff, volunteers, and vendors must follow this policy and any other applicable policies when creating content for Cherokee County social media accounts.

1.3.15 The Communications Division will keep record of all County-sanctioned social media accounts, the login information, and name of the social media manager from each respective department. Any changes to the information provided to the Communications Division must be updated when changes to

passwords or managers, etc. are made.

1.3.16 Any social media accounts found to be unused in 60 days are subject to deletion.

COM 1.4 – DISCIPLINARY ACTION

Employees found in violation of this policy may be subject to disciplinary action, up to and including, termination of employment.



Guidelines for engaging with Cherokee County government on social media

PURPOSE

The purpose of this policy is to establish terms of use regarding official Cherokee County government social media sites and to provide users of these accounts with procedures about public comment on county social media sites.

DEFINITIONS

Social Media – Social media refers to any Internet-based software or service that allows users to interact with others via the posting of messages, files, or other content. Cherokee County, its agencies and departments, maintain social media sites on Facebook, Twitter, Instagram, Linked In and YouTube. The absence of or lack of a direct reference to a site does not limit the extent or the application of this policy.

Social Media Account – A personalized presence inside a social networking channel, initiated at will by an individual. Social networking channels allow users to sign up for their own social media account, which they can use to collaborate, interact and share content and status updates.

GUIDELINES

1. The County supports the use of social media to share matters of public interest with the public, stakeholders, partners, and the media.
2. Official use of social media is intended to engage with stakeholders in the community, enhance external communications, increase government transparency and efficiency, educate about county operations, services, programs, events and meetings.
3. A person who posts or comments on any County social media platform does so by personal choice and takes personal responsibility for the comments, username, and information provided. Posting of any content on any County social media site by any visitor, follower, subscriber, or fan constitutes acceptance of the terms of use described in this Policy.
4. Social media sites are moderated discussion sites and not public forums. Comments are generally monitored during business hours. Therefore, comments that are made after business hours may not be seen by Cherokee County social media administrators until the following business day. Commenters should be aware that posts and comments are subject to public disclosure as required by law.
5. All social media platforms used by the County are designated as Limited Public Forums. The County welcomes a person's right to express his/her opinion and encourages commenters to keep comments relevant to the topic in question.

6. The County, including its agencies and departments, actively monitors the social media platforms used by the County. County social media administrators may remove inappropriate content as defined below, without prior notice.
7. Comments will not be removed solely because a commenter expresses disagreement with a County policy or action. Comments on any topic are subject to removal based on the criteria set forth in section 2.4 below.
8. A comment posted by any member of the public on any County social media site is the opinion of the commenter or poster only and publication of a comment does not imply endorsement of, or agreement by the County. Such comments do not necessarily reflect the opinions or policies of the County.

REMOVAL OF PUBLIC COMMENTS

Cherokee County respects a person's right to express his/her opinions. The County does not condone inappropriate content or language or threats on its social media pages. The County reserves the right to remove from public view the following types of comments.:

1. Vulgar Language;
2. Personal attacks or threats of any kind;
3. Obscene, pornographic, or other illegal materials;
4. Sexual comments about, or directed to, anyone;
5. Comments or content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, genetics, status with regard to public assistance, national origin, physical or intellectual disability, or sexual orientation;
6. Spam or unrelated links to other sites;
7. Comments that are unrelated to the County topic that is the subject of the post;
8. Comments that advocate illegal activity;
9. Comments that promote particular non-County services or products;
10. Comments that promote political organizations or campaigns;
11. Comments that infringe on copyrights or trademarks;
12. Comments that disclose personally identifiable information that may compromise an individual's financial or personal security, including social security numbers, passwords, or credit card information; and
13. Comments that contain information that may compromise the safety, security, or proceedings of public systems or any criminal or civil investigations.

PROCEDURE OF REMOVAL OF PUBLIC COMMENTS

1. Cherokee County social media administrators may remove from public view any comment that falls within the criteria set forth in this Policy. The social media administrator will retain a copy of the comment using a digital archival tool.
2. When a commenter repeatedly posts comments that fall within the criteria for removal set forth in this Policy, a Cherokee County social media administrator may block such person from future participation on social media platforms that permit organizations to block users.
3. Commenters should be aware that some social media platforms do not allow removal of posts, and, therefore, the County may not have the ability to remove content that is

inappropriate as defined in the criteria set forth. Commenters should be aware that all comments posted to any social media platform are bound by that platform's standards, rules, and/or guidelines, and the County reserves the right to report any violation of such standards, rules, and/or guidelines to the social media entity with the intent that such entity will take appropriate and reasonable responsive action.

4. A commenter who believes that his or her comment was improperly removed can e-mail communications@cherokeega.com to voice his or her concerns and/or to request additional information as to the basis for the removal of the comment.

APPLICABLE LAWS AND POLICIES

All County social media sites shall adhere to applicable federal and state laws and County ordinances, policies, and standards, including, but not limited to, legal requirements governing use of copyrighted materials, retention of records, and compliance with the Georgia Open Records Act, O.C.G.A. § 50-18-70, et seq., federal and state privacy laws, and County Human Resources and Information Services' policies.

SOCIAL MEDIA FAQs

1. Why are comments moderated?

Social media platforms allow users 13 and older, and some of the County social media users may fall into the younger age groups. We want to ensure content posted to the County social media sites contain quality information for all users.

2. What kind of comments are we looking for?

We welcome your input in a respectful and polite manner. We will not tolerate profanity, obscenity, vulgarity, personal attacks of any kind, commercial promotion, spam or bot posts, impersonations, and off-topic posts. Political campaigning on county social media pages is strongly discouraged.

3. Do we edit or remove comments?

Comments that violate our Terms of Use policy will be removed. Public comments are not edited by county staff.

4. When and where will be comments be displayed?



The County uses Facebook, Instagram, LinkedIn, Twitter and YouTube. We reserve the right to limit comments on specific posts.

5. I see an error in a post, what should I do?

We appreciate it when readers point out errors in any County post, and we will attempt to correct confirmed errors or inaccuracies.

6. Why was I blocked or my comment removed?

If allowed by a social media platform, we might respond to violations of our guidelines by blocking a user from further use on that platform or removing a comment from public view. Users can email communications@cherokeega.com with any questions they might have about comment removal or blocking. We will review your situation and if necessary, confer with the County Attorney's office.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Media Policy
	NUMBER: COM-2.0	REVISIONS:	EFFECTIVE DATE: April 5, 2022
	SUPERSEDES:	APPROVED BY:  Geoffrey E. Morton, P.E., County Manager	

COM 2.0 - PURPOSE

Clear, concise, and factual communication is important in any platform. Cherokee County recognizes the important role the media plays in a community, including informing the public and acting as a government watchdog. In an effort to ensure clear, transparent, and timely dissemination of information, this policy addresses how employees should handle media inquiries on behalf of Cherokee County. This policy does not supersede the county’s policy on Open Records Requests (refer to GEN 9.0 for the county’s policy related to the Open Records Act).

COM 2.1 – DEFINITIONS

Media – Media refers, but is not limited, to any traditional media platform, including newspapers, television, radio, blogs, internet-based media outlets, as well as social media influencers or social media accounts used as news dissemination sites.

Reporter/Journalist – A reporter/journalist is an individual who works for a media outlet full time, part time or on a freelance basis to gather information for reporting to the masses.

COM 2.2 – RESPONSIBILITY

Agency/Department Director or designee as assigned

COM 2.3 – POLICY

2.3.1 Spokesperson – The County Manager, Communications Director, a member of the elected Board of Commissioners, or a public information officer as designated by an elected official (such as Sheriff, Clerk of Courts, District Attorney, etc.) are the only persons authorized to speak on behalf of Cherokee County to the media.

2.3.2 Media Inquiries

a. If a county employee receives a media inquiry outside of normal departmental business (request for comments, documents, information, policies, access to facilities, etc.), the inquiry should immediately be forwarded to the Communications Director and the employee’s agency/department director. If the employee has pertinent information related to the media inquiry, that information should also be forwarded to the Communications Director.

b. If contacted by phone or in-person, the employee should inform the media outlet that all inquiries should be directed to the Communications Director. The employee should immediately contact the Communications Director and his/her agency/department director with the reporter’s name, contact information and information being requested.

c. Inquiries related to public safety (Cherokee Sheriff's Office or Cherokee County Fire & Emergency Services only) should be immediately forwarded to that agency's designated Public Information Officer.

d. Employees should never directly contact the media without guidance from the Communications Division.

2.3.3 Response

a. Once an inquiry is received, the Communications Director (or his/her designee) will gather the requested information as available and consult with the agency/department director and County Manager. The Communications Director will do his/her best to gather all requested information and respond by the reporter's stated deadline.

b. If the content necessitates a general press release or general statement, the Communications Division will facilitate the creation and release of such document.

c. The Communications Division will monitor media and follow up, when necessary, to inform the County Manager of any news articles/reports and social media posts that could influence county business.

2.3.4 General Guidance

a. Media access

1. Media access requests should always be directed to the Communications Director. The media has a right to access any Cherokee County government property that is traditionally or by designation deemed a forum for public communication.

2. Access can be restricted from any area not normally accessible to the public.

3. If the media causes a disruption, does not comply with reasonable requests, or interferes with operations, immediately report the situation to the Communications Director.

4. The Communications Director, with permission from the Agency/Department Director and County Manager, can grant media access to certain non-public areas of Cherokee County Government, if it helps facilitate the flow of information.

b. Press Releases – If any employee has a topic he/she feels would make a good news story, he/she should consult the Agency/Department Director and inform the Communications Director. The Communications Division will work with the department to create a press release to distribute to media outlets.

c. News Conferences – At the request of the County Manager, the Communications Division can arrange news conferences when warranted.


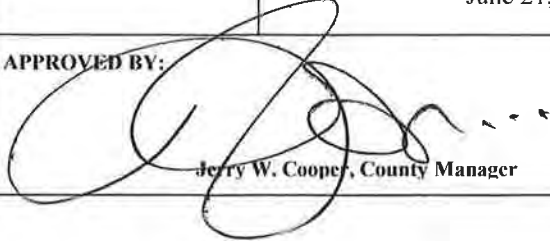
d. Social Media – News outlets use social media to get their news stories out to the public in an expeditious fashion. Additionally, some news outlets may only use social media or websites to disseminate information. Those outlets should be treated as any other outlet and employees contacted by such an outlet should follow this policy. (Please refer to COM 1.0 for the county's social media policy)

2.3.5 Elected Officials – The Board of Commissioners Chairman, County Commissioners, and Constitutional Officers are elected by the people to represent them and are free to speak to the media on any topic. The Communications Division is available to help facilitate interviews or prepare items to help them communicate with their constituents.

2.3.6 Appointed Officials – Individuals who are appointed to advisory boards by the Board of Commissioners should direct all media inquires received to the Communications Division.

COM 2.4 – DISCIPLINARY ACTION

Employees found in violation of this policy may be subject to disciplinary action, up to and including, termination of employment.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Uniform Regulations
	NUMBER: GEN - 1	REVISIONS:	EFFECTIVE DATE: June 21, 2004
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

GEN-1.0 PURPOSE

The purpose of this directive is to establish a uniform regulation directed toward developing a coherent and coordinated administrative policies and procedures manual and clarifying the issuance of any county correspondence or instruction which has or could be interpreted to be administrative regulations.

GEN-1.1 POLICY


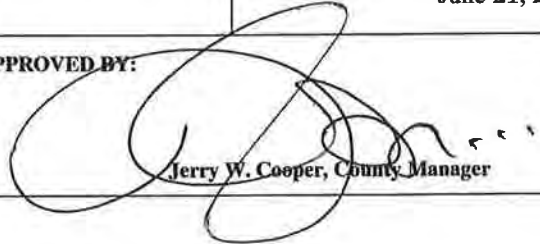
In accordance with Article I, §12, the County Manager shall be the chief executive officer of Cherokee County and he shall be responsible to the board of commissioners for the proper and efficient administration of all affairs of the county and shall exercise control over all departments and divisions of the county.

GEN-1.2 REGULATION

A. The County Manager is responsible for the direction and supervision of the administration of County departments and operations. In order to assure that the County organization operates in a uniform and professional manner, all administrative policies and procedures which affect the operations of the County or another department must be reviewed and approved in writing by the County Manager. This includes any proposed directive originated by a department director or staff member which is either directed to another department or affects the operations of the County.

B. Any administrative policy or procedure which impacts or affects the operations of the County, department and/or division will be prepared for inclusion in the Cherokee County Administrative Policies and Procedures Manual in the format as established by the County Manager. The format will generally identify (1) the purpose, (2) policy (County Council Policy should be referenced), (3) the specific regulation or procedure, and (4) other items such as responsibility. Due to subject matter, there may be exceptions to this format. Said regulation manual will be readily available in every department for review by any County employee, and a copy will be made available for public review.

C. All department directors and supervisors are expected to become thoroughly acquainted with the Administrative Policies and Procedures Manual and to participate in its implementation, development and update.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Standard Operating Procedures
	NUMBER: GEN - 2	REVISIONS:	EFFECTIVE DATE: June 21, 2004
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

GG-2.0 PURPOSE

The purpose of this directive is to establish a uniform policy and procedure for the development of Standard Operating Procedures for each County operation.

GG-2.1 POLICY

It is the policy of the County Manager that work processes be clearly defined by appropriate Standard Operating Procedures (SOPs). SOPs are seen as uniform and predictable but also as constantly evolving operating procedures. It shall be the goal of each department to constantly analyze and modify SOPs to make them more effective and efficient. Employees should be given opportunities to participate in the development of SOPs.

GG-2.2 RESPONSIBILITY

It is the responsibility of all department directors to ensure that the above policy is carried out.

GG-2.3 DEFINITIONS

"Standard Operating Procedures (SOPs)" - allow departments to create specific by-the-book rules about work processes in an effort to eliminate variation in tasks that are performed over and over again (ongoing and routine procedures).

"Work Process" - the process of taking a supply (i.e., purchase order) and performing some type of operation on that supply that adds value to it (a benefit for the customer). Think about the work you are doing; analyze the process of performing tasks; attempt to improve those processes. For example, designing a purchase requisition form so that the customer filling it out can get it right the first time.

GG-2.4 PROCEDURE

A. Management should ask the following questions in reviewing and developing SOPs.

1. Who is the customer?


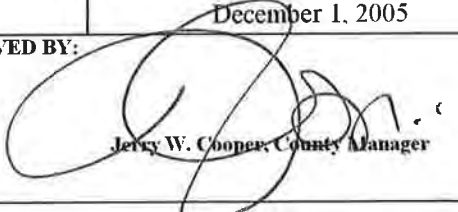
Is the customer an employee of the County or department? Is the customer a contractor, new resident, homeowner, or student, etc.?

2. What does the customer want and how was this ascertained?
Does the customer want a purchase order within two working days? If so, was this ascertained by engaging in a constant dialogue with the customer to identify, understand, and better define their needs.
3. Who are the suppliers and what is being done to communicate needs to them and to obtain higher-quality supplies in a more timely manner?
The Purchasing Office supplies paper to departments and divisions. Is the paper supplied to departments in a timely manner? In other words, is there always paper available when needed? And is the paper quality sufficient? These same questions can be asked of the supplier who provides the paper to the County.
4. What is the current level of performance of this task?
How long does it take to approve a purchase requisition and provide a purchase order to the customer?
5. How are you attempting to improve the process, and, consequently, the level of performance?
If it takes longer than two days to provide a purchase order to the customer, can the process be improved?

B. Each department should maintain a book containing all SOPs for the department, which should be prefaced by a table of contents.

C. Each SOP should have the following elements:

1. Department
2. Task
3. Date Updated:
4. Updated by: person writing the procedure
5. Frequency: of job task
6. Detailed description of the work process, preferably using numbered steps when possible.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Take-Home Use of County Vehicles
	NUMBER: GEN - 3	REVISIONS:	EFFECTIVE DATE: December 1, 2005
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

GEN-3.0 PURPOSE

The purpose of this directive is to establish uniform practices in the use of assigned vehicles.

GEN-3.1 POLICY

Cherokee County is committed to the efficient use of county-owned vehicles for the benefit of its citizens. In specific cases where allowing employees to commute to and from work in County vehicles which results in better customer service, especially for the purpose of emergency response, employees may be assigned a county vehicle for commuting purposes.

1. No county employee shall use county-owned vehicles, equipment, materials, money, or property for personal or private convenience or profit. Use is restricted to such services as are available to the public generally, for the authorized conduct of official business, and for such purposes and under such conditions as are approved by administrative order of the County Manager; provided, the use of a county vehicle by a County employee participating in a carpooling program established by the County, and for a purpose authorized under such program, shall not be considered a violation of this section or of any other provision of this chapter.
2. Use of a county vehicle for commuting must be authorized by the County Manager for one or more of the following reasons:
 1. Emergency Calls - The employee responds to emergency or after hours calls, and
 2. The cost of providing the vehicle is less than the expense of mileage reimbursements for using a personal vehicle on county business, or
 3. The vehicle carries special equipment or personnel to respond to an emergency. Delays in getting this equipment or personnel to the scene of the emergency would result in increased danger to the public.
3. The County may provide a vehicle as an additional fringe benefit for selected personnel.

GEN-3.2 REGULATION

To establish uniform practices in the use of assigned vehicles, the following provisions and procedures have been adopted.

Employees may be assigned vehicles for commuting purposes **only** when the following criteria are met:

1. The employee meets one of the following:

- a. Employee's job includes a primary emergency response function.
- b. Other employees on occasion, when directly assigned by the agency and department director and approved by the County Manager.

2. The "home" to which vehicles may be taken must be:

- a. Within 25 miles of the County Fleet Maintenance facility for employees on standby duty who may need to respond to emergencies.

3. The need to respond:

- a. To a work-related event from home outside of normal work hours occurs on an average of twice a week.
- b. When the job requires response to a fire or emergency scene or other situation which threaten life or county property. Employee must respond on a regular basis to qualify.

4. The County vehicle may only be used for the following purposes:

- a. To conduct official County business.
- b. To commute from work to home and home to work. Employees are prohibited from using county vehicles for personal purposes.

The following positions are provided a vehicle as an additional fringe benefit and are exempt from the procedures:

1. Fire Chief (Fire-Emergency Services Agency Director)
2. County Engineer (Public Works Agency Director)
3. County Manager

GEN – 3.2 PROCEDURES

When the above conditions are met, the Department Director may authorize an employee to use a County vehicle for the purpose of commuting to and from work.

1. Employees who are authorized to take home county vehicles must complete a **Special Use Request Form** to apply for take-home use of County vehicles. This request must be approved by the Department Director and the County Manager.
2. The employee must send the completed, approved Special Use Request Form to Fleet Services and send copies to the Human Resources Office.
3. For each month the employee uses a county vehicle for commuting purposes, s/he must complete a **Vehicle Travel Data Form** and submit it to the Finance Office. Questions about the appropriate reporting method should be directed to the Finance Director.

SPECIAL USE REQUEST FORM

Employee Title: _____ Employee No. _____

Last Name First Name Initial

Employee Address: _____

Explain why vehicle is taken home: _____

Is this commuting recorded and included in the employee's yearly wage calculations?

Yes _____ No _____ (Check one)

If No, explain why not (must comply with IRS guidelines): _____

From home during the past month, how many days did you respond in a county vehicle to a fire scene or emergency, or other situation which threatened human life or county property _____ days.

Additional Comments: _____

Department Head _____ Date _____
Signature

Agency Director _____ Date _____
Signature

County Manager _____ Date _____
Signature

Employee _____ Date _____
Signature

VEHICLE ASSIGNED (Year/Make/Model): _____

CHEROKEE COUNTY
VEHICLE TRAVEL DATA FORM
(Must be completed and submitted monthly to the Finance Office)

NAME: _____

TITLE: _____

YEAR/MAKE/MODEL OF VEHICLE: _____

MONTH _____ 20 ____

Cents-Per-Mile Valuation Method:

Odometer Reading:

Beginning: _____ Ending: _____

Mileage:

Total Used: _____

Commuting Mileage: _____


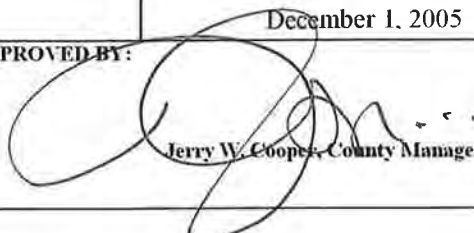
Business Mileage: _____

Employee Signature _____

Date _____

Department Head (Director) _____

Date _____

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Preparing Correspondence
	NUMBER: GEN - 5	REVISIONS:	EFFECTIVE DATE: December 1, 2005
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

GEN 5.0 SUBJECT TITLE: Instructions for Preparing Correspondence

GEN 5.1 PURPOSE:

1. To provide guidelines for the timely preparation of correspondence for Executive signature, ensuring that:

- all written communication shall be prepared consistently and in accordance with accepted business writing standards; and
- original correspondence is properly addressed, mailed, and the required copies are made, distributed, and filed.

2. To convey a professional, favorable impression of Cherokee County through the writing of concise and well-planned communications.

5.2 ORGANIZATIONS AFFECTED:

Applicable to all Cherokee County departments.

5.3 DEFINITIONS:

"Correspondence" means letters, memoranda, reports, policies and procedures, and handwritten notes.

"Letters" are formal means of communicating with the general public, outside agencies, or other elected officials of Cherokee County such as the Commissioners, Sheriff, District Attorney, or the judges.

"Memoranda" are the usual form the County Manager, Agency Directors or Department Directors use to communicate within the County government.

"Reports" provide an in-depth analysis of problems, issues, and projects. Transmittal letters generally accompany reports.

"Policies and procedures" are official statements and directives issued by the County Manager to the County departments. Predetermined formats are used.

"Author" means the person who prepared the correspondence.

"Executive" means County Manager, Agency Director, or Department Director.

5.4 POLICIES:

1. Written communications shall be prepared in accordance with accepted business writing standards.
2. The thoughts to be conveyed by correspondence shall be thoroughly analyzed and logically organized before the final document is prepared.
3. Accuracy is essential. Proofread carefully.
4. An impression of professional competence should be conveyed.
5. A sense of warmth and a helpful attitude should be included.
6. Proper grammar, neatness, and spelling are required.
7. Always use the simplest, clearest form of expression.
8. Unless otherwise required, the beginning paragraph should thank the addressee for the letter, report date of incoming letter (if available), and summarize the addressee's letter.
9. Enough background information should be included so those receiving copies of the response can understand the issue.
10. Write in the first person whenever possible. Reference should be made to County departments in instances where the signer is not directly responsible for the statement.
11. When correspondence is prepared in the name of the Executive, the appropriate person (and their phone number) who is available to answer questions should be included in the letter. As a rule, when responding to an elected official, the Executive shall answer questions directly.
12. Correspondence addressed to the Executive shall receive prompt attention and response.
 - a. Responses must be returned to the Executive by the assigned due date.
 - b. If a timely response is not possible, a standard written or oral interim response must be given. State something similar to: "A detailed response is being prepared and will be sent by (specific date)." When the final response will be prepared for Executive signature, a written interim for Executive signature shall be sent, unless otherwise noted.
13. Correspondence addressed to the Executive that requires a technical response should be answered by the appropriate department and not the Executive.
 - a. The following procedures shall be followed when a technical response is required.
 - a-1. It is the department's responsibility to determine if a technical response is required.

a-2. If a technical response is required, the department shall prepare the interim response for Executive signature (include a copy of the incoming letter).

a-3. When an interim response is required for a technical response, the following elements must be included:

- Standard Opening: "Thank you for your letter of (complete date)," and briefly summarize the addressee's letter.
- Referral: "Due to the technical nature of your (problem, complaint) I asked (Department Director's name), Director of the Department of (department) to review your (complaint, situation, etc.) and respond to you directly. If you have any questions in the interim, please feel free to contact (Mr. or Ms. Department Director) at (678) xxx-xxxx."
- Redress: "If after receiving the response from (Mr. or Ms. Department Director), you are not satisfied with the response or it does not address your concerns, please do not hesitate to contact me again."
- Closing: "Thank you for taking the time to write and for bringing this important matter to my attention. In the future, if I can be of any assistance, please let me know."

b. The department shall prepare the technical response.

- The department's response must address all of the constituent's concerns.
- The department's response shall be prepared on the department's letterhead.
- The department's response shall include a "cc" to the Executive. The department shall attach a copy of the incoming letter and the tracking form with the Executive's copy.


14. Executive correspondence that is likely to be used more than once (such as a form letter response) or mailed to more than one addressee (e.g., a response to a community issue) shall be prepared in draft form to be pre-approved by the Executive before the final responses are prepared.

- Drafts should be doubled-spaced and formatted accordingly.
- Include a sample of the incoming letters, if available.
- The draft and incoming letter may be faxed to the Executive's Office.
- After receiving the edits from the Executive Office, make the edits indicated and send the edited version for a final review.
- The Executive Office shall provide an oral approval for the final printing of the responses in a timely manner.

15. Official communications must be typed on appropriate letterhead.

16. The forms of written communication, as deemed appropriate, may include letters, memoranda, reports, policies and procedures, and handwritten notes.

17. Any correspondence addressed to the Board of Commissioners or other elected official must be approved by the County Manager.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Customer Commitment Program
	NUMBER: GEN-6	REVISIONS:	EFFECTIVE DATE: 12/8/2022
	SUPERSEDES: 1/1/2006	APPROVED BY: Geoffrey E. Morton, P.E., County Manager	

GEN-6.0 PURPOSE

The purpose of this directive is to establish customer service practices for county employees.

GEN-6.1 POLICY

It is the goal of the Board of Commissioners and County Manager to improve the way the County interacts with our customers and the quality of the services we all provide.

GEN-6.2 PROCEDURES

Application of Standards:

1. The standards will be applied to all areas that have customers, whether they are internal or external.
2. It is important that staff be involved in the setting of standards to be applied to their work area. This will ensure they know what the standards are and how to apply them.
3. Managers should regularly review the standards that have been set and determine where improvements are needed.
4. Recommendations for changes to the standards shall be submitted to the County Manager for consideration. Changes will only be implemented after approval of the affected Department Head and Agency Director, as well as the County Manager.
5. Changes to the way departments conduct business could come about as a result of the Customer Commitment Program, including training, re-organization, funding and other improvements necessary to improve service to customers.

CHEROKEE COUNTY GOVERNMENT
www.cherokeega.com



CHEROKEE COUNTY

Customer Service Standards

January 2006

FOREWORD

To all Agency Directors and Department Heads,

It is the goal of the Board of Commissioners and me to improve the way we interact with our customers and the quality of the services we provide. To accomplish this goal, I am implementing the *Cherokee County Customer Commitment Program*.

The *Program* involves essentially three elements for improving customer service. Briefly, these three components are:

- * *Customer Research* - asking our customers what services they think the County should provide and how we should provide them. The research will be centered on our customers' level of satisfaction with services - allowing us to pinpoint areas for improvement. A questionnaire will be provided to internal and external customers at least every two (2) years, or as often as necessary;
- * *Setting Standards* - this will involve a number of key processes. *Commitment to Service Statements* will be on display for customers and provide service commitments that a department guarantees their customers. The *Customer Service Standards* will provide staff with a minimum set of best practice standards they should apply to their work practices in dealing with internal and external customers. The third component in standard setting is the *Customer Service Awards (Above and Beyond)*. The Awards aim to recognize and reward excellence in customer service.
- * *Changing the way we do business* - Using the results of customer satisfaction research and feedback we will be able to look closely at our business processes and design better ways of doing things. A Customer Service Response Card (refer to attached example) will be provided to each customer contacted by a County employee. In addition, the County website (www.cherokeega.com) includes a Feedback Form for customers to provide comments. In addition, developers, buildings and homeowners who work with Planning, Engineering, Fire Marshal, Environmental Health and Building Inspection will be allowed access to a survey on line that will be password protected (refer to attached example). This aspect of the program is one of the most fundamental in bringing about changes for the customer.

While many improvements will occur in the way we serve our customers there will never be room for complacency. That is why these *Customer Service Standards* will be revised as necessary - to ensure they represent best practice and are applicable to each department.

The Standards should be applied to all areas that have customers, whether they are internal or external. It is important that staff be involved in the setting of standards to be applied in their work area. This will ensure they know what the standards are and how to apply them. Managers should regularly review the standards that have been set and determine where improvements are needed.

I am very pleased to present staff with the *Customer Service Standards* and urge you to adapt them to your workplace so that we can continue on our journey for a truly customer focused public service.



Jerry W. Cooper
County Manager
Cherokee County Board of Commissioners Office

January 2006

CUSTOMER SERVICE STANDARDS

Staff within public contact areas and, where applicable, internal service delivery areas, should implement strategies that demonstrate the following service standards:

Know your customer base

Staff should demonstrate a good understanding of their customer base.

Focus on Customer Needs

Customer-focused organizations base their business decisions around the needs of their customers. They ensure that they fully understand their customers' needs and provide their products and services in a way that suits them.

Individuals that are focused on customer needs will make an effort to empathize with customers, analyse inquiries or predicaments and adjust their service delivery to match. They also ask questions to clarify the customer's needs but don't assume that they fully understand their needs.

Use a Can-Do Approach

A *can do* approach is one where the service provider focuses on how much and how best they can help each customer rather than on what they can't do or how difficult it will be.

A *can do* approach can be taken in every interaction with customers, both internal and external ones.

A *can do* approach means interpreting the customer's stated requirements and considering whether you might have additional services or information to help them.

Customer Friendly Staff

The Customer Service *Code of Practice* (page 5) should be applied by all staff.

Customer Focused Public Contact Area

Departments will:

- Be clean, presentable and welcoming to customers.
- Be accessible to all customers including disabled access, customer friendly opening hours etc.
- Be customer oriented including integrating customer friendly initiatives such as seating for customers, pens available etc.
- Possess clear and customer-friendly sign-posting, instructions, brochures, forms and information.
- Clearly display *Commitment To Service* (CTS) Statements and performance targets in accessible areas.

Comprehensive Complaints Handling Process

The department should develop formal and effective complaints-handling processes. These processes will, as a minimum, satisfy the *Best Practice Complaints Handling Standards*.

**Customer Value
Performance
Measures &
Targets**

The department will:

- Develop performance measures and targets against a minimum of four (4) key customer priorities/values.
- Monitor and report performance against the targets.
- Integrate the performance measures and targets with your *Commitment To Service (CTS) Statements*.

**Telephone and
Counter
Techniques**

Departments should develop formal and effective telephone and counter techniques. The techniques will, as a minimum, satisfy the *Best Practice Telephone and Counter Standards*.

**Continuous
Improvement**

Departments should continually seek opportunities for customer-driven service delivery improvement.

CUSTOMER SERVICE CODE OF PRACTICE

County employees will demonstrate the following key standards of service:

1 Focus on the Customers Needs

- Always focus on solutions for the customer.
- Provide a 'can do' approach.
- Always provide alternatives and assistance for the customer.
- Anticipate, understand and focus upon customer needs.
- Follow up on customer needs where necessary.

2 Customer Friendly Presentation

- Always be neatly dressed and well presented for customers.
- Adopt and portray a friendly identity.
- Display a positive image to customers including customer-friendly body language and posture.
- Always project a positive attitude towards the customer.

3 Customer Friendly Attributes

- Demonstrate the following key customer service attributes:
 - Friendly, cheerful, courteous and helpful.
 - Understanding and empathy.
 - Patience, reliability and trustworthiness.
 - Promote a positive attitude to customers.
 - Display integrity, trust and respect.
 - Display loyalty to the organization.
 - Remain sensitive to your customer base.

4 Professional Skills & Knowledge

- Demonstrate the following key customer service skills/competencies:
 - Appropriate customer service skills/competencies relevant to your role
 - A sound knowledge of department services and products.
 - Clear and concise verbal and written skills.
 - Ability to listen to customers.
 - Conduct administrative processes in an accurate, rigorous manner.
 - Take responsibility for meeting customer needs.
 - Work well in a team environment.
 - Respect confidentiality of information where appropriate.
 - Meet the ethical obligations and requirements of the *Employee Code of Conduct*.

BEST PRACTICE TELEPHONE STANDARDS

3

Employees will demonstrate the following key telephone standards:

Telephone Operation

- Make sure you know how to put customers on hold, transfer them etc.
- Always have a pen and paper ready to record the caller's details.
- When absent from your work area for a long period, arrange to have calls answered by team members, an answering machine or voice mail etc.
- If you use answering machines or voice mail develop a protocol for responding to calls and ensure all staff are aware of it and apply it.
- When transferring calls, advise the recipient of the transfer of the caller's name and the nature of their enquiry.
- Never transfer a call more than once. Get the caller's number and ask the appropriate area to return their call.
- When placing customers on hold, check back regularly to see if they are happy to remain on hold. If there is a long delay, explain why and keep them informed.
- Advise the switchboard/call centre of any staffing changes and details of your service.
- Use the online Functional Directory and check that agency details are up to date. To do this, open your internet browser and type "directory" in the address field.

Answer Promptly

- Establish the maximum number of rings you will let phones ring within your work area. Review this number regularly.
- Always answer the phone promptly, ideally within {the standard you've set} rings, even if it is not your own.

Friendly Voice

- Use a friendly tone on the phone - your voice represents the organisation.

Answering the Phone

- Develop a formal, written, customer-friendly telephone greeting to be used by all staff.
- Ensure all staff are aware of and use the greeting.
- *Example* - Welcome the caller by saying:
 - Good morning/Good afternoon (Greet)
 - {Department Name} (Identify)
 - {Name} speaking (Introduce)
 - How may I help you? (Assist)

Listening

- Identify and use the caller's name.
- Concentrate on what the caller is saying.
- Don't make assumptions or interrupt unnecessarily.

Take Action

- Tell the caller what you intend to do to help them.
- Always look for positive solutions.
- Always provide alternatives and assistance for the customer.

Thank & Farewell

- Develop a formal, written, customer-friendly telephone farewell to be used by all staff.
- Ensure all staff are aware of and use the farewell.
- *Example* - Close the call by saying:
 - May I do anything else for you? *(Finalize)*
 - Thank you for calling *(Positive closure)*
 - Good bye *(Farewell)*

Follow up

- Make sure you keep the customer informed of any follow up action to be taken.
- Make sure you complete any follow-up action for the customer.
- If you have passed the enquiry on to someone else, ensure they complete the necessary follow-up action.

BEST PRACTICE COUNTER STANDARDS

Public contact areas should demonstrate the following key communication standards:

Customer Management

- Provide a customer-focused department.
- Create clear and customer-friendly sign-posting that includes:
 - How to obtain service.
 - Waiting times.
 - Opening hours.
 - Complaints.
 - Alternatives.
- Ensure forms and documents are customer-friendly and in plain English.
- Demonstrate pro-active customer management techniques.
- Provide a team approach to customer service.
- Educate the customer by informing them of alternative options etc.

Prompt Service

- Serve people as soon as you are able (ideally within the performance measures and targets set for response times).
- Apologize to customers if they had to wait a long time.
- Inform your supervisor promptly if the queue is unmanageable.
- Respond promptly to Email, faxes and telephone inquiries.

Greet Customer

- Ensure you are dressed neatly and are well presented for customers.
- Project a positive attitude and posture to your customer.
- Smile and use a friendly tone - your presentation represents the organisation.
- Develop a formal, written, customer-friendly counter greeting for all staff. Ensure all staff are aware of and use the greeting.
- *Example - Welcome the customer by saying:*
 - Good morning/Good afternoon *(Greet)*
 - How may I help you? *(Assist)*

Listening

- Concentrate on what the customer is saying.
- Identify the customer's needs.
- Paraphrase their inquiry so they know you have understood them.
- Don't make assumptions or interrupt.
- Take notes if necessary.

Take Action

- Conduct the transaction for the customer in a professional manner.
- Look for positive solutions.
- Always provide alternatives and assistance for the customer.

Thank & Farewell

- Develop a formal, written, customer-friendly counter farewell for all staff.
- Ensure all staff are aware of and use the farewell.
- *Example - Close by saying:*
 - May I do anything else for you? *(Finalize)*
 - Thank you *(Positive closure)*

Follow up

- Keep the customer informed of any follow-up action to be taken.
- Ensure that you complete any follow-up action.

BEST PRACTICE COMPLAINTS HANDLING STANDARDS

9

Departments shall develop formal and effective complaints handling processes. This will satisfy the minimum following requirements:

Commitment

The policy on complaints handling and the associated processes, procedures and responsibilities will be documented in writing and communicated to staff. There will be commitment by the team at all levels to this initiative.

Responsiveness

Complaints will be dealt with quickly and treated courteously. The service delivery area (department/division) will establish specific performance standards including response time targets reasonable for all stages of the complaints process. A complainant shall be:

- Informed of timeframes for action.
- Provided with other pertinent information including the contact officer's contact details and copies of documents as appropriate.
- Kept informed of progress.

Openness & Accessibility

The complaints handling process will:

- Provide relevant and simple information to customers about the complaint process including how, where and to whom to make complaints.
- Ensure information about the process is prominently displayed, circulated and publicised both to customers and staff.
- Provide complaint mechanisms which are customer-friendly, flexible and simple to meet the needs of all customers.
- Ensure customers know their complaints are being treated seriously and, when appropriate, in the strictest confidence.
- Provide special arrangements for customers with disabilities or specific needs.

Resources

There will be adequate resources for complaints handling including sufficient training and support to ensure complaints are dealt with efficiently and in a customer-friendly manner.

Monitoring & Review

The complaints handling process shall:

- Ensure appropriate and comprehensive recording of complaints and their outcomes.
- Be reviewed every 6 months (minimum) to improve customer and organizational outcomes.
- Provide appropriate monitoring and reporting against specific performance standards including analysis of complaints and the outcomes.

Continuous Improvement

The complaints handling process will link to organizational improvement mechanisms within the service delivery area.

CONTACT US

If you would like to know more about the Customer Commitment Program or have any comments about these Customer Service Standards, please contact the County Manager's Office.



Customer Service Comment Card

Cherokee County government is committed to becoming the premier provider of quality services in our community. Our mission is to be responsive, innovative, and efficient in using resources that promote a healthy, safe, and vibrant community. Your comments are very important to us. Please share your feedback with us by completing and returning this card.

Method of Contact with our departments/office:

Telephone Letter/E-Mail In Person

- 1. I was treated courteously and professionally. Yes No
- 2. Service was provided in a timely manner. Yes No
- 3. Were your questions answered/problem solved? Yes No
- 4. If problem was unresolved, were you told of other options? Yes No
- 5. Do you feel that the employee(s) you dealt with were knowledgeable & understood the business of the office? Yes No

6. Overall, how would you rate the quality of service(s) provided by the _____ department?

Excellent Good Average Fair Poor

Which staff member assisted you (optional)? _____

Comments: _____

Thank you for your comments! Date _____

Name (optional) _____

Address _____

Would you like a telephone reply? Yes No

Telephone (_____) _____

E-mail Address _____

0001

Cherokee County Development Review Process Customer Survey

County Planning, Building Inspections, Engineering and Fire Marshal's Offices, as well as the State of Georgia Office of Environmental Health, are responsible for reviewing all development plans. To help us provide quality services, we need your comments regarding our performance. Please share your thoughts with us by completing and submitting this survey.

	Strongly agree	Agree	Disagree	Strongly disagree
Staff was helpful, courteous and professional.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff was readily available to assist me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff provided me with clear, concise and correct information.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff was able to find a remedy for my problem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff responded to my needs in a timely manner.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff was a valuable resource to me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Were the criteria or development standard(s) presented a problem?

Yes No

If yes, please describe:

Please check all county processes that you used during your project:

- Erosion & Sediment Control Plan Review
- Design Review
- Building Permit Issuance
- Sewer System Review (Water & Sewerage Authority)
- Septic System Review (Georgia Department of Environmental Health)
- Zoning/Variances/Use Permits
- Tree Preservation
- Fire Marshal Office Review

Was there a certain development process that caused you difficulty?

Yes No

If yes, please describe:

[Empty text box]

Do you have additional comments regarding the County Development Review Process (e.g. staff service, codes/ordinances, development standards, etc.)?

[Empty text box]

Please check the category that applies to you:

- Owner/Builder
- Architect/Engineer
- Contractor
- Homeowner (Individual)
- Developer
- Other


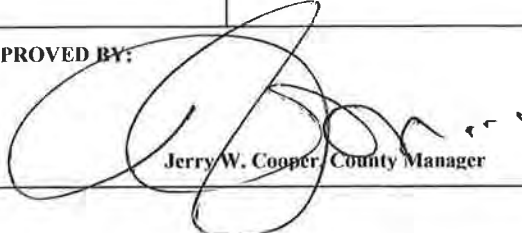
If a staff member provided exceptional service, please provide us with their name:

Name:

Date of visit:

Optional - Please contact me:

My name:	<input type="text"/>
Telephone:	<input type="text"/>
E-mail:	<input type="text"/>

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Code of Conduct
	NUMBER: GEN - 7	REVISIONS:	EFFECTIVE DATE: June 18, 2002
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

CODE OF CONDUCT

Sections:

- 7.1.1 Purpose.
- 7.1.2 Definitions.
- 7.1.3 Prohibited conduct.
- 7.1.4 Employment of relatives.
- 7.1.5 Complaint process.
- 7.1.6 Penalties for noncompliance.
- 7.1.7 Severability.
- 7.1.8 Disclosure.

7.1.1 Purpose.

A. It is the policy of the Cherokee County Board of Commissioners to uphold, promote, and demand the highest standards of ethics from all of its employees. County employees shall maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants including the appearance of impropriety, and never use their County position or powers for improper personal gain.

B. It is the intention of the Board of Commissioners that this chapter is liberally construed to accomplish its purpose of protecting the public against decisions that are affected by undue influence, conflicts of interest, or any other violation of this Code of Conduct.

In construing this chapter, County employees should be guided by common sense and practicality.

7.1.2 Definitions.

The following words and phrases as used in this chapter, unless the context clearly indicates otherwise, shall have the following meanings:

A. "*Business*" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, consultant, holding company, joint stock company, receivership, trust, or any legal entity organized for profit.

B. "*Commercially reasonable loan*" means any loan between a person and employee that does not provide the employee with significant benefit, such as an unusual discount.

C. "*County employee*" means every individual hired to an office or position with the County – under the jurisdiction of the Board of Commissioners, whether such individual is paid or unpaid. For the purposes of this ordinance, the County Manager is defined as a county employee. Volunteer Board Members appointed by the Board of Commissioners are not considered county employees

D. "*Compensation*" means payment in any form for real or personal property or services of any kind.

E. "*Gift*" means a voluntary transfer of real or personal property of any kind or the voluntary rendition of services of any kind

without consideration of equal or greater value, but not including any reasonable hosting, including travel expenses, entertainment, meals, or refreshments furnished in connection with appearances, ceremonies, and occasions reasonably relating to official County business, where otherwise permitted by law.

F. *"Immediate family"* shall mean spouse, mother, father, grandfather, grandmother, brother, sister, son, daughter, uncle, aunt, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law and daughter-in-law.

G. *"Interest"* means direct or indirect pecuniary or material benefit accruing to a County employee as a result of a contract or transaction which is or may be the subject of an official act by an employee, committee, or Board of Commission, or action by or with the County. For the purpose of this ordinance, an employee is deemed to have an interest in the affairs of:

1. Any partner in the joint ownership of real estate with another person, excluding immediate family member;
2. The counterparty in any purchase or sale of real estate within one year before or after the employee's interaction with that counterparty on behalf of the county.
3. Any person of the employee's immediate family;
4. Any business entity in which the stock of, or legal or beneficial ownership of, excess of one percent of the total stock or total legal and beneficial ownership, is controlled or owned directly or indirectly by the employee;
5. Any person with whom a contractual relationship exists with the employee; provided, that a contractual obligation of less than \$500.00, or a commercially reasonable loan made in the ordinary course of business or a contract for a commercial retail sale at prices available to the general public shall not be deemed to create an interest in violation of this ordinance.

H. *"Legislation"* means any ordinance, resolution, or official approved action on the part of the Board of Commissioners.

I. *"Person"* means any individual or corporation, business, or other entity, however constituted, organized, or designated.

7.1.3 Prohibited conduct.

The following shall constitute violations of this Code of Conduct:

A. *General Prohibition Against Conflicts of Interest.* In order to avoid becoming involved or implicated in a conflict of interest or impropriety, or an appearance of conflict of interest or impropriety, no current County employee should be involved in any activity that might be seen as conflicting with the conduct of official County business or as adverse to the interests of the County. Even the appearance of the following prohibited conduct alone may be sufficient to constitute a violation of this Code of Conduct.

B. *Beneficial Interests in Contracts Prohibited.* No County employee shall participate in his or her capacity as a County employee in the making of a contract in which he or she has a financial interest, direct or indirect, or performs in regard to such a contract some function requiring the exercise of discretion on behalf of the County. Except, that this prohibition shall not apply where the County employee has only a remote interest in the contract, and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the County prior to formation of the contract, and thereafter the governing body authorizes, approves, or ratifies the contract in good faith.

For purposes of this section, a "remote interest" means:

1. That of a non-salaried officer of a nonprofit corporation;
2. That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary;
3. That of a landlord or tenant of a contracting party;
4. That of a routine purchaser or seller of residential real estate within one year before or after the county employee's interaction on behalf of the county with the counterparty to that purchase or sale, where such real estate is used by the employee or his/her immediate family.
5. That of a holder of less than 1 percent of the shares of a corporation, limited liability company, or other entity which is a contracting party.

C. *Beneficial Influence in Contract Selection and Other County Business Prohibited.* No County employee shall influence the

County's selection of, or its conduct of business with a person having or proposing to do business with the County if the County employee has a financial interest in or with the person, unless such interest is a remote interest and where the fact and extent of such interest is disclosed and noted in the official minutes or similar records of the County prior to formation of the contract, as defined in the preceding section. "Conduct of business" includes a county employee's exercise of judgment with regard to approving plans, inspections, variances, waivers, etc. Delegation of decisions to a subordinate does not relieve a county employee's disclosure obligations under this ordinance in circumstances where it is reasonable to believe that the employee would have influence over the subordinate's decisions.

D. Representation of Private Person at County Proceeding Prohibited. No County employee shall appear on behalf of a private person, other than himself or herself or an immediate family member or except as a witness under subpoena, before any regulatory governmental agency or court of law in an action or proceeding to which the County or a County employee in an official capacity is a party, or accept a retainer or compensation that is contingent upon a specific action by the County.

E. Certain Private Employment Prohibited. No County employee shall engage in or accept private employment, or render services for, any private interest when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties.

F. Beneficial Interest in Legislation Prohibited. No County employee, in appearing before the Board of Commissioners or when giving an official department or individual opinion, recommendation or stating a position before the Board of Commissioners, shall have an interest in any legislation coming before the Board of Commissioners and participate in discussion with or give an official opinion to the Board of Commissioners, unless such interest is a remote interest and where the fact and extent of such interest is disclosed and noted on the record of the Commission, or similar records of the County, prior to consideration of the legislation by the Board of Commissioners.

G. Disclosure of Confidential Information Prohibited. No County employee shall disclose or use any confidential, privileged, or proprietary information gained by reason of his or her official position for a purpose which is for other than a County purpose; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.

H. Improper Use of Position Prohibited. No County employee shall knowingly use his or her office or position to secure personal benefit, gain or profit, or use his or her position to secure special privileges or exceptions for himself, herself, or for the benefit, gain, or profits of any other persons.

I. Improper Use of County Personnel Prohibited. No County employee shall employ or use any person under the employee's official control or direction for the personal benefit, gain, or profit of the employee, or another.

J. Improper Use of County Property Prohibited. No County employee shall use County-owned vehicles, equipment, materials, money, or property for personal or private convenience or profit. Use is restricted to such services as are available to the public generally, for the authorized conduct of official business, and for such purposes and under such conditions as are approved by administrative order of the County Manager; provided, the use of a County vehicle by a County employee participating in a carpooling program established by the County, and for a purpose authorized under such program, shall not be considered a violation of this section or of any other provision of this chapter.

K. Acceptance of Compensation, Gifts, Favors, Rewards, or Gratuity Prohibited. No County employee may, directly or indirectly, give or receive, or agree to give or receive, any compensation, gift, favor, reward, or gratuity for a matter connected with or related to the employee's services with the County of Cherokee, except this prohibition shall not apply to:

1. Attendance of a County employee at a hosted meal when it is provided in conjunction with a meeting directly related to the conduct of County business or where official attendance by the officer or employee as a County representative is appropriate;
2. An award publicly presented in recognition of public service; or
3. Any gift valued at \$50.00 or less, which cannot reasonably be presumed to influence the action, judgment of the employee, or be considered as part of a reward for action or inaction.

L. Political Activities.

1. No employee shall use his official authority or influence for the purpose of interfering with or affecting the result of an

election for a position on the Cherokee County Board of Commission, or any elected office in Cherokee County.

2. No employee shall take an active part in the political management or political campaign of a candidate for a position on the Board of Commission, or any elected office in Cherokee County.
3. No employee shall use or authorize the use of the facilities or resources of the County for the purpose of assisting a campaign for the election of any person to any office, or for the promotion or opposition to any ballot proposition.
4. Nothing in this section shall prevent an employee from fully exercising those rights to participate in political activities granted by the laws of the State of Georgia.

7.1.4 Employment of Relatives

Immediate family members may not be employed in position where one supervises or is supervised by the other. Immediate family members shall not be employed in the same department when, in the opinion of the Department Head, Human Resources Director, and/or the County Manager, safety, efficiency, morale, or effective administration of the department's operations will be adversely affected. If it is determined that continued employment of an immediate family member within the same department is in conflict with any of the above listed factors, one of the two employees must competitively transfer to another County department or be terminated from County employment with six months from date of such determination.

7.1.5 Complaint process.

A. A complaint that this Code of Conduct has been violated may be filed with any one of the following, or his or her designee(s):

1. County Manager;
2. County Attorney; or
3. Human Resources Director

B. No person shall knowingly file a false complaint or report of violation of this Code of Conduct.

C. Any individual receiving a complaint that this Code of Conduct has been violated has an obligation to promptly forward the complaint, in writing, to the County Manager for matters concerning County government. The County Manager shall promptly designate an individual to conduct an investigation of the complaint, and notify the Board of Commissioners.

D. The individual designated to conduct the investigation shall complete the investigation and prepare written findings and conclusions within 15 business days of the date the complaint was received by the County Manager, unless an extension is granted in writing by the County Manager. A copy of the written investigation findings and conclusions shall be provided to the County Manager.

E. Within five business days of receipt of the investigator's written findings and conclusions, the County Manager shall prepare a written recommended disposition of the complaint. Copies of the recommended disposition and the investigation findings and conclusions shall be forwarded by certified mail to the complaining party and the party complained against at their last known addresses. Additional copies of the recommended disposition shall be forwarded to the County Attorney and the person(s) responsible for acting on the recommended disposition. The recommended disposition shall not be implemented until the time for requesting a formal hearing, pursuant to Section F below, has lapsed and no such hearing has been requested.

F. The party complained against may, within ten business days following the date of the recommended disposition finding a violation of this Code of Conduct, request in writing a formal hearing before the County Attorney. In the event a formal hearing is requested, the County Attorney shall conduct the hearing process in a manner consistent with procedures established.

G. Within 30 days after the conclusion of the hearing, the County Attorney shall, based upon a preponderance of the evidence, prepare findings of fact, conclusions of law, and his or her order. Copies of the County Attorney's findings, conclusions, and order shall be forwarded by certified mail to the complaining party and the party complained against at their last known addresses.

7.1.6 Penalties for noncompliance.

Any person found, by a preponderance of the evidence, to have violated any provision of this Code of Conduct may be

subject to discipline, up to and including termination or removal from any position whether paid or unpaid, only after notice and hearing as provided by law.

7.1.7 Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter.

7.1.8 Disclosure.

- A. All employees are required to file disclosure documents as described by administrative order of the County Manager.
- B. The County Manager will provide a disclosure report to the Board of Commissioners.

ADOPTED BY THE BOARD OF COMMISSIONERS, CHEROKEE COUNTY THIS 18th DAY OF JUNE, 2002.


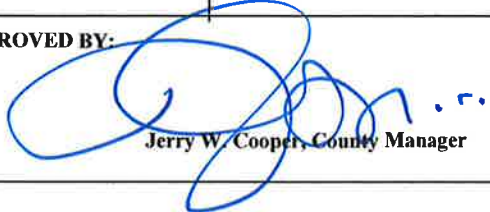
CERTIFICATION – Code of Conduct

I certify that I have read and understand the County’s Statement of Policy regarding the Code of Conduct. I will comply with the Code of Conduct policy.

Signature: _____

Date: _____

Print name: _____

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: E-911 Open Records Act Request
	NUMBER: GEN - 8	REVISIONS:	EFFECTIVE DATE: February 20, 2007
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

GEN-8.0 PURPOSE & POLICY

The purpose and intent of this policy is to ensure that records are disclosed in strict compliance with the Georgia Open Records Act, O.C.G.A. § 50-18-70 *et seq.*

GEN-8.1 POLICY & PROCEDURES

I. THE REQUEST

The requesting party should be asked to fill out the Open Records Act Request form. A copy is attached hereto as Appendix "A." On the form, individuals making document requests will be asked to state whether an arrest resulted from the incident and, if so, to state the related charge(s). This information will aid the offices of the District Attorney, the Solicitor, and the SAG for DFACS in determining if the request involves a pending investigation or prosecution. Please note, however, that the Open Records Act does not allow us to require this information prior to fulfilling the request.

- (a) **Responses to Open Records Act requests are due within three (3) days of receipt of the request. If the documents cannot be provided in that time frame, immediately request an appropriate time extension from the individual requesting the documents, and once the individual agrees to the extension, send a letter in the form contained in Appendix "B" to the individual confirming the extension and its duration.**
- (b) Also, a **knowing failure to provide documents** as required by the Open Records Act is a **misdemeanor** and can result in a **fine of up to \$100.**
- (c) Be mindful that the **Open Records Act applies** not just to paper documents, but also to **any medium for the storage of information**, including audio and visual recordings, compact discs, computer portable discs and hard drives, and ZIP drives.

II. UPON RECEIPT OF REQUEST

Immediately upon receipt of each request, review the request and forward a copy of the

request to the offices of the District Attorney, the Solicitor, and the SAG for DFACS for a determination **if the records are exempt as part of a pending investigation or prosecution**. In such event, **only initial police arrest reports and initial incident reports (i.e. CAD reports) are disclosed**, subject to potential redactions of information contained therein as discussed below.

The fees and procedures of the Open Records Act **do not apply** to written requests by state or federal grand juries, taxing authorities, law enforcement agencies or prosecuting attorneys in conjunction with an ongoing administrative, criminal, or tax investigation. In such cases, records are to be provided, unless disclosure is forbidden by some other provision of law. Consequently, requests by the offices of the District Attorney, Solicitor, and SAG for DFACS should be honored immediately, unless there is reason to believe that some other provision of law prohibits the disclosure. However, medical information should be redacted.¹

III. RESPONDING TO THE REQUEST

Please use the form letter in Appendix "C" for those requests for which responsive records exist. This form letter will serve as the pre-retrieval estimate (which is required prior to the imposition of charges if the County wishes to pursue collection) and constitutes the citation of applicable exemptions under the Act (which is required if we wish to rely upon any exemption). It will be most convenient to utilize this single letter, Appendix "C," for most requests.

However, if you have a very broad request that will require an extended amount of time to compile and duplicate the records, it is advisable to send the letter contained in Appendix "D" as only a pre-retrieval estimate – prior to actually performing all the work associated with the request. This letter seeks confirmation of the requesting party's intent to pay the costs. Upon such confirmation of the requesting party's willingness to pay the costs, you should then gather and copy the requested records. Upon completion, send the letter contained in Appendix "E," which will advise that the records are ready, confirm actual costs, and specify applicable exemptions.

Finally, if no records exist, or if all of the records requested are exempt from production, please utilize the letter contained in Appendix "F."

¹ HIPAA protects an individual's medical information from disclosure without the individual's consent. This prohibition even applies to law enforcement and other such agencies absent: (1) a court order, warrant or subpoena; (2) a situation where a person may have been exposed to a communicable disease; (3) a situation involving a serious and imminent threat to the health or safety of a person or the public; (4) pursuit of a fugitive from justice, criminal witness, or missing person; or (5) a victim of abuse, neglect or domestic violence. As all of these exceptions to the prohibition on disclosure are subject to limitations, the County Attorney should always be consulted before disclosure of any individual's medical information, except for disclosure to the individual himself or herself.

IV. REDACTION OF INFORMATION CONTAINED IN RECORDS SUBJECT TO DISCLOSURE

In responding to the request as addressed above, some records may be subject to disclosure, but may require redaction of certain exempt information. In the event of any uncertainty regarding the redaction of information, contact the County Attorney's office for review and confirmation. The following is a list of the most likely exemptions and redactions:

(a) 911 Exemption.

The name, address, and telephone number of the person placing a 911 call should be redacted **if** necessary to prevent:

- (1) Disclosure of the identity of a confidential source;
- (2) Disclosure of material that would endanger an individual's life or safety;
or
- (3) Disclosure of a confidential surveillance or investigation.

County staff should be especially careful not to reveal the name, address and telephone number of **witnesses to unlawful activity** who could suffer retaliation from alleged violators.

This **exemption does not apply** to a request by the accused in a criminal case or his/her attorney.

(b) Universal Exemptions.

In all records, the following information about individuals must be redacted:

- Social Security Number (**but** may be requested by news media for news gathering and reporting upon submission of affidavit that should be reviewed by the County Attorney)
- Mother's Birth Name (**unless** individual is deceased)
- Credit Card Information
- Debit Card Information
- Bank Account Information
- Financial Data or Information
- Insurance or Medical Information (contact County Attorney before disclosing medical information under any exemption below)

- Day and Month of Birth, if technically feasible at reasonable cost (**unless** individual is deceased; **and** may be requested by news media for news gathering and reporting upon submission of affidavit that should be reviewed by the County Attorney)

These **exemptions do not**, however, **apply to**:

- Court records regarding secured transactions
- Disclosure to a court, prosecutor, or publicly employed law enforcement officer, or authorized agent thereof, seeking records in an official capacity
- Disclosure to a public employee of the state, its political subdivisions, or the United States for administrative purposes
- Disclosure authorized by court order
- Disclosure of an individual's information to the individual or his/her agent with proof of authorization
- Disclosure of credit or payment information regarding a request by a consumer reporting agency under the Fair Credit Reporting Act
- Disclosure by an agency in connection with its fulfilling of its duties, including collection of debts owed to the agency or entities whom the agency assists in collecting debts
- Disclosure to comply with legal or regulatory requirements or for legitimate law enforcement purposes.

Note that the Georgia Code provides a procedure for the custodian of records to obtain a protective order from the Superior Court in the event of suspicion of a fraudulent attempt to gain access information subject to redaction above.

Regarding medical information, the prudent approach is **always** to **redact** such information, and if someone purports to request information under an exception to the general rule of exclusion, discuss the request with the County Attorney.

Also, be wary of the form of document requests and make sure that requests are not artfully phrased so as to obtain medical information about an individual. For instance, a request for "documents regarding any individual who suffered a gunshot wound to the abdomen on January 1, 2007" would, if responded to, arguably link an individual to medical information about that individual in violation of both the Open Records Act and HIPAA (which carries very serious potential penalties). When encountering such a tricky request, please feel free to

consult with the County Attorney.

(c) Georgia Uniform Motor Vehicle Accident Reports Exemptions.

Be aware that Georgia Uniform Motor Vehicle Accident Reports are exempt from disclosure absent a showing of one of eleven (11) categories of "need." O.C.G.A. § 50-18-72(a)(4.1)

(d) Security Exemption for Certain Public Employees.

Regarding Department of Revenue employees, law enforcement officers, judges, scientists employed by the Division of Forensic Sciences of the Georgia Bureau of Investigation, correctional employees, and prosecutors, the home address and telephone number and identification of immediate family members or dependents must be redacted.

(e) General Public Employee Exemption.

Regarding public employees and public school teachers and employees, the home address and telephone number must be redacted.

(f) Alarm System Exemption.

"[D]ata or information (including names) developed, collected, or received by counties...in conjunction with the installation, servicing, maintaining, operating, selling, or leasing of burglar alarm systems, fire alarms, or other electronic security systems" is exempt from disclosure.

(g) Terrorism Exemption.

Records that would compromise security against sabotage or criminal or terrorist acts **and** the nondisclosure of which is necessary for the protection of life, safety, or public property are exempt from disclosure. **Such records are specifically limited to:**

- (1) Security plans and vulnerability assessments for any public utility, technology infrastructure, building, facility, function, or activity in effect at the time of the request for disclosure or pertaining to a plan or assessment in effect at such time;
- (2) Any plan for protection against terrorist or other attacks, which plan depends for its effectiveness in whole or in part upon a lack of general public knowledge of its details;
- (3) Any document relating to the existence, nature, location, or function of security devices designed to protect against terrorist or other attacks,

which devices depend for their effectiveness in whole or in part upon a lack of general public knowledge; and

- (4) Any plan, blueprint, or other material which if made public could compromise security against sabotage, criminal, or terroristic acts.

GEN-8.2 RESPONSIBILITY

It is the responsibility of the Director of E9-1-1 to ensure that the policies and procedures provided are carried out.

APPENDIX A

ORA REQUEST FORM

SEE ATTACHED FORM.



Cherokee County E 9-1-1

Open Records Request

Requestor: _____

Phone Number: _____

Date of Request: _____ Date Needed: _____

Information Requested: (Check all that apply)

CD ___ CAD Report ___ Transcription ___ Phone Call ___ Radio Traffic ___ Letter of Authenticity ___

Incident Information: Agency: _____

Case Number: _____ Date: _____ Time: _____

Address: _____

Type of Call/Brief Description: _____

Name of Individual (victim/suspect): _____

Did Arrest Result? Yes ___ No ___ If Yes, state charge(s) _____

Signature of Requestor: _____

Recorded By: _____ Date: _____

Calltaker: _____ Dispatcher: _____

Released To: _____ Date: _____

CONTACT:

Vicki Kull
vkull@cherokeega.com
678-493-4071 office
678-493-4093 fax

APPENDIX B

CONFIRMATION OF EXTENSION

[CHEROKEE COUNTY E-911 LETTERHEAD]

_____, 200__

Dear _____:

This correspondence is to confirm your gracious grant of a ____-day extension of time for Cherokee County to respond to your Open Records Act request. By my calculation, the County's response is now due on or before _____, 2007. Thank you for your cooperation.

Sincerely,

APPENDIX C

RESPONSE LETTER WITH PRE-RETRIEVAL ESTIMATE AND EXEMPTIONS

[CHEROKEE COUNTY E-911 LETTERHEAD]

_____, 200__

Dear _____:

We are in receipt of your Open Records Act request dated _____, 2007. In accord with O.C.G.A. § 50-18-70, *et seq.*, we are responding within three (3) days of your request or pursuant to your agreed upon extension of time.

The records that you requested have been compiled and are ready for you to retrieve. You may retrieve the requested records during regular business hours. Moreover, please allow this to serve as a pre-retrieval assessment of the costs incurred should you wish to obtain the requested records.

Responding to your Open Records Act request resulted in the generation of approximately ____ CD(s)/document(s) at \$0.25 per page/\$10.00 per CD, thereby resulting in copying charges of \$____. Additionally, after the first fifteen minutes of administrative time, it took an employee earning an hourly rate of \$____ per hour an additional ____ (____) hour(s) to retrieve and prepare the requested records, resulting in administrative retrieval costs of \$____. Therefore, the total amount due to Cherokee County for retrieval of the requested records is \$____. Please remit a check in this amount made payable to Cherokee County when you pick up your records.

The following records you seek, or portions thereof, have been withheld or redacted pursuant to the exemption(s) specifically noted below:

- Records of law enforcement or prosecution that would reveal confidential information. O.C.G.A. § 50-18-72(3).
- Records of a pending investigation or prosecution. O.C.G.A. § 50-18-72(4).
- Georgia Uniform Motor Vehicle Accident Reports. O.C.G.A. § 50-18-72(4.1).
- Records containing alarm system information. O.C.G.A. § 50-18-72(11.2).
- Personal individual information. O.C.G.A. § 50-18-72(11.3).
- Personal information of investigative/prosecutorial personnel and/or judges. O.C.G.A. § 50-18-72(13).

- Personal information of public employees. O.C.G.A. § 50-18-72(13.1).
- Security/terrorism information. O.C.G.A. § 50-18-72(15).
- Exempt emergency 9-1-1 system information. O.C.G.A. § 50-18-72(16).
- Other, specifically _____.

Thank you for your request.

Sincerely,

APPENDIX D

RESPONSE LETTER WITH PRE-RETRIEVAL ESTIMATE ONLY

[CHEROKEE COUNTY E-911 LETTERHEAD]

_____, 200__

Dear _____:

We are in receipt of your Open Records Act request dated _____, 2007. In accord with O.C.G.A. § 50-18-70, *et seq.*, we are responding within three (3) business days of your request or pursuant to our agreed upon extension of time.

It is estimated that responding to your Open Records Act request will result in the generation of approximately ____ CD(s)/document(s) at \$0.25 per page/\$10.00 per CD, thereby resulting in copying charges of \$____. Additionally, it is estimated that, after the first fifteen minutes of administrative time, it will take an employee earning an hourly rate of \$____ per hour an additional ____ () hour(s) to retrieve and prepare the requested records, resulting in administrative retrieval costs of \$____. Therefore, the total estimated amount due to Cherokee County for retrieval of the requested records is \$____.

If you remain interested in receiving these records, please contact the undersigned and confirm your willingness to pay the charges indicated above. Upon receipt of such confirmation, we will promptly compile and duplicate the requested records.

Thank you for your request.

Sincerely,

APPENDIX E

RESPONSE LETTER CONFIRMING COST AND EXEMPTIONS

[CHEROKEE COUNTY E-911 LETTERHEAD]

_____, 200__

Dear _____:

Please accept this letter as a follow-up to our correspondence dated _____, 200__, wherein we provided you with a pre-retrieval estimate of costs. You have since confirmed your willingness to pay such costs. Accordingly, the records that you requested have been compiled and are ready for you to retrieve. You may retrieve the requested records during regular business hours.

Responding to your Open Records Act request resulted in the generation of approximately ____ CD(s)/document(s) at \$0.25 per page/\$10.00 per CD, thereby resulting in copying charges of \$_____. Additionally, after the first fifteen minutes of administrative time, it took an employee earning an hourly rate of \$_____ per hour an additional ____ (____) hour(s) to retrieve and prepare the requested records, resulting in administrative retrieval costs of \$_____. Therefore, the total amount due to Cherokee County for retrieval of the requested records is \$_____. Please remit a check in this amount made payable to Cherokee County when you pick up your records.

The following records you seek, or portions thereof, have been withheld or redacted pursuant to the exemption(s) specifically noted below:

- Records of law enforcement or prosecution that would reveal confidential information. O.C.G.A. § 50-18-72(3).
- Records of a pending investigation or prosecution. O.C.G.A. § 50-18-72(4).
- Georgia Uniform Motor Vehicle Accident Reports. O.C.G.A. § 50-18-72(4.1).
- Records containing alarm system information. O.C.G.A. § 50-18-72(11.2).
- Personal individual information. O.C.G.A. § 50-18-72(11.3).
- Personal information of investigative/prosecutorial personnel and/or judges. O.C.G.A. § 50-18-72(13).
- Personal information of public employees. O.C.G.A. § 50-18-72(13.1).

- Security/terrorism information. O.C.G.A. § 50-18-72(15).
- Exempt emergency 9-1-1 system information. O.C.G.A. § 50-18-72(16).
- Other, specifically _____.

Thank you for your request.

Sincerely,

APPENDIX F

RESPONSE LETTER IF NO RESPONSIVE RECORDS

[CHEROKEE COUNTY E-911 LETTERHEAD]

_____, 200__

Dear _____:

We are in receipt of your Open Records Act request dated _____, 2007. In accord with O.C.G.A. § 50-18-70, *et seq.*, we are responding within three (3) days of your request or pursuant to our agreed upon extension of time.

[OPTION 1]

Your request seeks “[DESCRIBE REQUEST].” Please be advised that Cherokee County was unable to locate any documents responsive to your request.

OR

[OPTION 2]


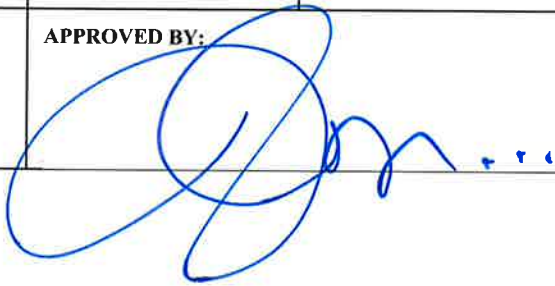
Based upon a review of your request, it appears that the records you seek are not subject to public disclosure pursuant to the exemption(s) specifically described below:

- Records of law enforcement or prosecution that would reveal confidential information. O.C.G.A. § 50-18-72(3).
- Records of a pending investigation or prosecution. O.C.G.A. § 50-18-72(4).
- Georgia Uniform Motor Vehicle Accident Reports. O.C.G.A. § 50-18-72(4.1).
- Records containing alarm system information. O.C.G.A. § 50-18-72(11.2).
- Personal individual information. O.C.G.A. § 50-18-72(11.3).
- Personal information of investigative/prosecutorial personnel and/or judges. O.C.G.A. § 50-18-72(13).
- Personal information of public employees. O.C.G.A. § 50-18-72(13.1).
- Security/terrorism information. O.C.G.A. § 50-18-72(15).
- Exempt emergency 9-1-1 system information. O.C.G.A. § 50-18-72(16).

Other, specifically _____.

Thank you for your request.

Sincerely,

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Open Records Act Requests
	NUMBER: GEN-9	REVISIONS:	EFFECTIVE DATE: February 10, 2017
	SUPERSEDES:	APPROVED BY: 	

GEN-9.0 PURPOSE

The purpose and intent of this policy is to define the procedures for production of public records and to ensure that records are disclosed in compliance with the Georgia Open Records Act, O.C.G.A. § 50-18-70 *et seq.*

GEN-9.1 APPLICABILITY

The Open Records Act applies to all public records. Public records as defined by O.C.G.A. § 50-18-70 (b)(2) includes all documents: papers, letters, maps, books, tapes, photographs, computer based or generated information, email, data, data fields, books, videos, audio tapes, or similar material prepared and maintained or received by the County.

Nothing in this procedure shall change the manner in which subpoenas and formal judicial discovery requests are handled.

Any questions about this procedure shall be directed to the County Clerk or Staff Attorney.

GEN-9.2 RESPONSIBILITY

A. County's Open Records Officers

The Cherokee County Board of Commissioners, by adoption of Resolution 2014-R-002, has designated the Directors of the following Agencies/Departments as the **County's Open Records Officers** for the purpose of handling requests for records over which their respective Agencies/Departments have custody and control:

- Community Development
- County Clerk
- County Marshal
- Elections & Voters Registration
- Emergency Communications (911)
- Finance

Fire & Emergency Services
Human Resources
Information Technology
Parks and Recreation
Public Works
Senior Services
Tax Assessor

B. Compliance of the Open Records Act

It is the responsibility of the Director of the Agency/Department in charge of the requested documents to ensure compliance of the Open Records Act. A knowing failure to provide the documents as required by the Open Records Act is a misdemeanor and, upon conviction, can be punished by a fine of up to \$1,000.00 for the first violation. [See O.C.G.A. 50-18-74(a)]. Disciplinary action by the County may also be imposed.

All employees should have basic knowledge of the Open Records Act in order to avoid delays in getting requests to the appropriate Open Records Officer.

C. Retention Period of Open Records Requests

The Agency/Department Open Records Officer will retain a copy of the Open Records Request, including response letter(s) and other communication with the requestor, for a period of three (3) years in accordance to the County's Record Retention Schedule.

9.3 PROCEDURES

I. THE REQUEST

Open Records Requests should be made to the Records Officer of the documents being requested. Requests may be made verbally, through a written communication or electronically.

A. When a request for records is received by the Records Officer, immediately the following procedures shall apply:

1. Date and time stamp the request if not received electronically;
 - a. If a request is received in person or by telephone, you may suggest to the individual to submit the request online. If the requestor does not wish to submit the request online, the form attached hereto as "**Appendix A**" may be used to capture the information needed to fill the request.

- b. If a request is received other than through JustFOIA, the receiving department shall enter the request into JustFOIA. (For efficient routing and tracking purposes, all requests must be entered into JustFOIA.)
 2. Determine if the records exist and if such records (or portions thereof) are exempt from public disclosure; (If assistance is needed, please contact the County Clerk or Staff Attorney.)
 3. Determine an estimate to produce the records. [Refer to Section IV of this policy, or O.C.G.A. 50-18-71(c)].
- B. When a request includes records not under the receiving department's custody or control, the receiving department shall immediately copy involved department(s) in JustFOIA no later than the end of the business day in which the request was received.

II. RESPONDING TO THE REQUEST

- A. The Open Records Officer shall respond using the applicable form letter attached to this document as appendages "**B**" through "**F**" as described below:

1. If the records exist and are subject to public disclosure, but cannot be provided in the allowed time frame, immediately request an appropriate time extension from the individual requesting the documents. [See O.C.G.A. 50-18-71(b)(1)(A)].

Upon approval of the extension by the requestor, send the letter attached as **Appendix "B" confirming the extension** and its duration. Note that available responsive documents shall be released within the three (3) business days, with the remaining identified responsive documents released by the agreed upon date.

2. If the records exist and are available for public disclosure and the cost to produce and compile the documents including retrieval is estimated to be **less than \$25**, use form letter attached hereto as **Appendix "C"**. Note: Response letter AND responsive documents are due within the three (3) days.
 3. If the records exist and the cost is estimated to be **over \$25**, use the form letter attached hereto as **Appendix "D"** prior to performing the work associated with the request. This letter serves to notify the individual requesting the records of the estimated cost of the records and seeks confirmation of the party's intent to pay. The letter also serves as

notification that **estimates exceeding \$500** are subject to **pre-payment** before compilation of the requested documentation begins. (Note: Often the requestor is willing to narrow the scope of the request if contacted, saving time and effort for both parties.)

4. Upon completion of compiling documents referenced in Section (A)(3) above, send the letter hereto attached as **Appendix "E"** which will advise that the records are ready, confirm actual costs and specify applicable exemptions. Note: This form is used in conjunction with form **Appendix "D"** referenced above.
5. If the records do not exist or they are exempt, use the attached form **Appendix "F"**

III. Preparing Documents - Exempt Records & Redaction of Information

In responding to the request, some records may be subject to disclosure, but may require redaction of certain exempt information. It is the Agency/Department Open Records Officer's responsibility to see that protected information is redacted. In the event of any uncertainty regarding the redaction of information, contact the County Clerk or Staff Attorney.

- A. As a general rule, the following information about individuals must be **redacted**: Social security numbers, mother's birth name, credit/debit card information, bank account information, financial data or information, insurance information, medical information, day and month of birth, (driver's license/birth certificate), personal email addresses, unlisted home phone numbers, cell phone numbers, and attorney-client privileged communication. [See O.C.G.A. 50-18-72(a)(20)].
- B. For additional information regarding exemptions, Refer to O.C.G.A. 50-18-72 or contact the County Clerk or Staff Attorney.

IV. Open Records Fees

It is the responsibility of the Director of the Agency or Department of the requested records to collect the fees; collection of fees prior to releasing the documents is not required, except in cases where the estimate exceeds \$500. (Or, as noted in the Open Records Act 50-18-71(d), when a requestor has not paid lawfully incurred fees for a prior request, an agency may require prepayment on future requests until fees associated with the prior request have been paid.)

- A. Reasonable fees may be assessed for direct administrative costs associated with production of the records. [Refer to O.C.G.A. 50-18-71]. Refer to **Appendix "G"**, Fee Calculation Worksheet.

1. The hourly charge for search, retrieval, redaction, supervision of records inspections, and other direct administrative costs for fulfilling a request shall be paid at the hourly rate of the lowest paid employee able to prepare the documents. There shall be no charge for the first quarter hour.
 2. The fees for letter size and legal size copies shall not exceed ten cents (\$.10) per page.
 3. The fees for copies of odd sized copies shall not exceed the actual cost of printing the document.
 4. The fees for electronic copies shall not exceed the actual cost of the digital media used to provide the documents, i.e. CD, flash drive.
 5. The most economical means reasonably calculated to produce the documents shall be utilized for providing the public records. This includes paper copies, electronic copies via Internet access, email and digital media. Postage charges shall not exceed actual cost.
- B. In lieu of providing copies, the County may provide access to records through a website accessible by the public.
- C. If there are no records which comply with the open records request, the County is not required to prepare reports, summaries, or compilations or create any new records not in existence at the time of the request.

V. References

For additional guidance, the following publications are located on the county website at <http://www.cherokeega.com/transparency/>:

- A. The Open Records Act 2016 / O.C.G.A. § 50-18-70 et. seq.
- B. *Georgia's Open Meetings and Open Records Laws – A Guide for County Officials, 6th Edition, 2013, as amended.*

VI. APPENDIX

- A. Open Records Request Form for Verbal Requests**
- B. Extension Confirmation**
- C. Response Letter with Retrieval Cost and Exemptions Cited if applicable (Under \$25)**
- D. Response Letter with Pre-Retrieval Estimate Only - With or without Exemptions Cited (Over \$25)**
- E. Response Letter Confirming Cost and Exemptions; Used in Conjunction with Letter "D" Above**
- F. Response Letter for No Responsive Record**
- G. Fee Calculation Worksheet**



CHEROKEE COUNTY
OPEN RECORDS ACT REQUEST FORM

REQUESTOR NAME: _____

EMAIL: _____

TELEPHONE #: _____ FAX #: _____

MAILING ADDRESS:

PREFERRED METHOD FOR RECEIVING RESPONSIVE RECORDS:

Prepare Records for Inspection Only

Email

Fax

CD

Mailed
Pick Up

Paper Copy

Mailed
Pick Up

PLEASE IDENTIFY REQUESTED RECORD(S):

By submitting this request, pursuant to Georgia law, O.C.G.A. 50-18-71, I agree to pay copying and/or administrative charges incurred with fulfilling my Open Records Request up to \$25. These charges may include the hourly wage of the lowest paid full-time employee able to perform the search (after first fifteen minutes), retrieval and production of the requested documents and 10 cents per page for photo copies. For requests over \$25, I understand that I will be provided a pre-retrieval estimate for approval before the production of documents begins.

REQUESTOR'S SIGNATURE

DATE

Appendix "B"

CONFIRMATION OF EXTENSION

[CHEROKEE COUNTY DEPARTMENT LETTERHEAD]

_____, 201__

Dear _____:

This correspondence is to confirm your gracious grant of a ____-day extension of time for Cherokee County to respond to your Open Records Act request. By my calculation, the County's response is now due on or before _____, 201__. Thank you for your cooperation.

Sincerely,

Appendix "C"

**RESPONSE LETTER WITH PRE-RETRIEVAL ESTIMATE AND DOCUMENTS
(WHEN THE PRE-RETRIEVAL ESTIMATE IS \$25.00 OR LESS)**

[CHEROKEE COUNTY DEPARTMENT LETTERHEAD]

_____, 201__

Dear _____:

Cherokee County is in receipt of your Open Records Act request dated _____, 201__. In accord with O.C.G.A. § 50-18-71, Cherokee County hereby responds to your request within three (3) days of receipt or pursuant to your agreed upon extension of time.

Your request seeks the following documents:

The records that you requested have been compiled and are ready for you to retrieve. You may retrieve the requested records during regular business hours. The records you seek, or portions thereof, have been withheld or redacted pursuant to the exemption(s) specifically noted below:

- Records that are not required to be released pursuant to a court order. O.C.G.A. § 50-18-71(a).
- Records that are specifically required by federal statute or regulation to be kept confidential. O.C.G.A. § 50-18-72(a)(1) and _____ (insert the citation to the federal code or regulation that requires the document to be kept confidential).
- Medical or veterinary records and similar files, the disclosure of which would be an invasion of personal privacy. O.C.G.A. § 50-18-72(a)(2).
- Records compiled for law enforcement or prosecution purposes to the extent that production of such records is reasonably likely to disclose (1) the identity of a confidential source, (2) confidential investigative or prosecution material which would endanger the life or physical safety of any person or persons, or (3) the existence of a confidential surveillance or investigation. O.C.G.A. § 50-18-72(a)(3).

- Records of law enforcement, prosecution, or regulatory agencies in a pending investigation or prosecution of criminal or unlawful activity. O.C.G.A. § 50-18-72(a)(4).
- Booking photographs. (These may only be released when the requester has provided a statement affirming that his or her use of the photograph will comply with O.C.G.A. § 35-1-18(c).) O.C.G.A. § 50-18-72(a)(4).
- Georgia Uniform Motor Vehicle Accident Reports. (These may only be released to certain individuals who complete a statement of need or individuals or entities whose name or identifying information is contained in the report.) O.C.G.A. § 50-18-72(a)(5).
- Records containing jury list data. O.C.G.A. § 50-18-72(a)(6).
- Records consisting of confidential evaluations prepared in connection with the appointment or hiring of a public officer or employee. O.C.G.A. § 50-18-72(a)(7).
- Records consisting of material obtained in investigations related to the suspension, firing, or investigation of complaints against public officers or employees (provided that such records have not been withheld if ten (10) days have expired since such material was presented to the agency or an officer for action or the investigation is otherwise concluded or terminated). O.C.G.A. § 50-18-72(a)(8).
- Real estate appraisals, engineering or feasibility estimates, or other records relative to the pending acquisition of real property. O.C.G.A. § 50-18-72(a)(9).
- Pending, rejected, or deferred sealed bids or sealed proposals and detailed cost estimates related thereto (provided that such records have not been withheld if the final award of the contract has been made or the project has been terminated or abandoned). O.C.G.A. § 50-18-72(a)(10).
- Records identifying individuals applying for or under consideration for employment/appointment as executive head of an agency (provided such records have not been withheld if the exemption has expired). O.C.G.A. § 50-18-72(a)(11).
- Records containing data or information developed, collected, or received in connection with neighborhood watch or public safety notification programs, or with the installation, servicing, maintaining, operating, selling, or leasing of an alarm system. O.C.G.A. § 50-18-72(a)(19).
- Personal individual information, including an individual's social security number, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information, insurance or medical information in all records, unlisted telephone number if so designated, personal e-mail address or

cellular telephone number, day and month of birth, and information regarding public utility, television, Internet, or telephone accounts held by private customers (provided that nonitemized bills showing amounts owed and amounts paid shall be available). (Certain exceptions exist related to news media, courts, prosecutors or law enforcement officers, government employees, individuals for whom the records are maintained, etc.) O.C.G.A. § 50-18-72(a)(20)(A).

- Personal information of public employees, including the public employee's home address, home telephone number, day and month of birth, social security number, insurance or medical information, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information other than compensation by a government agency, unlisted telephone number if so designated in a public record, and the identity of the public employee's immediate family members or dependents. (Note: This paragraph shall not apply to public records that do not specifically identify public employees or their jobs, titles, or offices. Where not so identified, see O.C.G.A. § 50-18-72(a)(20)(A) regarding personal individual information.) O.C.G.A. § 50-18-72(a)(21).
- Information that could compromise public security, including vulnerability assessments, security plans and blueprints of public facilities, plans for protection against attacks or information regarding security devices designed to protect against terrorist attacks that depend for their effectiveness upon lack of public knowledge, and information regarding training relative to security measures that would identify those trained or reveal other information otherwise exempt for security reasons. O.C.G.A. § 50-18-72(a)(25)(A).
- Exempt emergency 9-1-1 system information, including portions of records identifying callers to the 911 center by name, address and phone number where redaction of such information is necessary to prevent the disclosure of the identity of a confidential source, to prevent disclosure of material which would endanger the life or physical safety of any person or persons, or to prevent the disclosure of the existence of a confidential surveillance or investigation. (Exceptions exist related to disclosure to an accused in a criminal case or his/her attorney.) O.C.G.A. § 50-18-72(a)(26).
- Exempt 9-1-1 audio recordings, including calls to a public safety answering point where (1) the caller is in distress and dies during the call or (2) the caller was a minor at the time of the call. (Exceptions exist, but the person seeking the otherwise exempt audio recordings must submit a sworn affidavit that attests to the facts necessary to establish eligibility to receive the recording under this Code section.) O.C.G.A. § 50-18-72(a)(26.1).
- Law Enforcement Audio and Video Recordings from devices used by law enforcement officers in a place where there is a reasonable expectation of privacy when there is no pending investigation. (Exceptions exist under certain

circumstances where a sworn affidavit is provided.) O.C.G.A. § 50-18-72(a)(26.2).

- Attorney-client privileged information (O.C.G.A. § 50-18-72(a)(41)) or attorney work product (O.C.G.A. § 50-18-72(a)(42)).
- Computer program or software used or maintained in the course of operation of a public office or agency. O.C.G.A. § 50-18-72(a)(44). (This does not include data generated, kept, or received by an agency.)
- Other, specifically _____.

Pursuant to the Open Records Act, the County is authorized to charge for the search, retrieval, redaction, and production or copying costs involved in responding to your request, after the first 15 minutes of department employee time expended, at the hourly rate of the lowest paid, full-time employee who possesses the necessary skill to so respond. The County may also charge ten (10) cents for each letter or legal-sized page that you request to have copied, the actual cost for producing electronic copies (such as CDs), and an additional fee for certified copies or other copies for which a fee is specifically authorized or otherwise provided for by law.

In accord with O.C.G.A. § 50-18-71, *et seq.*, we ask that you pay the cost related to this response, which we have calculated utilizing the above methodology. Responding to your Open Records Act request resulted in the generation of _____ page(s)/CD(s) at \$.10 per page/\$_____ per CD, thereby resulting in actual copying charges of \$_____. Also, after the first fifteen minutes of administrative time, it took an employee earning an hourly rate of \$_____ per hour _____ (____) hour(s) and _____ (____) minute(s) to retrieve and prepare the requested records, resulting in an actual administrative cost of \$_____. Therefore, the total amount due to Cherokee County for retrieval of the requested records is \$_____. Please remit a check in this amount made payable to Cherokee County and mail your payment to:

Thank you for your request.

Sincerely,

Appendix "D"

**RESPONSE LETTER WITH PRE-RETRIEVAL ESTIMATE ONLY
(WHEN THE PRE-RETRIEVAL ESTIMATE IS MORE THAN \$25.00)**

[CHEROKEE COUNTY DEPARTMENT LETTERHEAD]

_____, 201__

Dear _____:

Cherokee County is in receipt of your Open Records Act request dated _____, 201__. In accord with O.C.G.A. § 50-18-71, Cherokee County hereby responds to your request within three (3) days of receipt or pursuant to your agreed upon extension of time.

Your request seeks the following documents:

Pursuant to the Open Records Act (the "Act"), the County is authorized to charge for the search, retrieval, redaction, and production or copying costs involved in responding to your request, after the first 15 minutes of department employee time expended, at the hourly rate of the lowest paid, full-time employee who possesses the necessary skill to so respond. The County may also charge ten (10) cents for each letter or legal-sized page that you request to have copied, the actual cost for producing electronic copies (such as CDs), and an additional fee for certified copies or other copies for which a fee is specifically authorized or otherwise provided for by law.

In accord with O.C.G.A. § 50-18-71, *et seq.*, we are providing you with a pre-retrieval estimate utilizing the above methodology. A preliminary search of documents responsive to your request resulted in approximately _____ page(s)/CD(s) at \$0.10 per page/\$_____ per CD, thereby resulting in an estimate of \$_____ for copying charges. Additionally, it will take an employee earning an hourly rate of \$_____ per hour approximately _____ () hour(s) to compile the requested documents, resulting in an approximate administrative cost of \$_____. Therefore, the total pre-retrieval estimate for the requested documentation is approximately \$_____.

Pursuant to O.C.G.A. § 50-18-71(d), if this estimate exceeds \$25.00, the County may defer search and retrieval of the records until you agree to pay the estimated costs, unless you have already stated your willingness to pay an amount greater than \$25.00. [If this estimate exceeds \$500.00, the County may insist upon prepayment of the costs prior to beginning its search,

retrieval, review or production of the records.] Please confirm your willingness to be responsible for the total amount of fees identified above [and remit payment] so that we may begin to compile the requested documentation.

Please know that the amount set forth in this correspondence is an estimate, and Cherokee County reserves the right to adjust upward or downward depending upon the actual time and number of copies it takes to respond. Cherokee County also reserves the right to review and redact the documents responsive to your request pursuant to the Open Records Act.

Thank you for your request.

Sincerely,

Appendix "E"

**RESPONSE LETTER CONFIRMING COST AND EXEMPTIONS
(WHERE A PRE-RETRIEVAL ESTIMATE WAS PREVIOUSLY PROVIDED –
BUT NO DOCUMENTS)**

[CHEROKEE COUNTY DEPARTMENT LETTERHEAD]

_____, 201__

Dear _____:

Please accept this letter as a follow-up to our correspondence dated _____, 201__, wherein we provided you with a pre-retrieval estimate of costs. You have since confirmed your willingness to pay such costs. Accordingly, the records that you requested have been compiled and are ready for you to retrieve. You may retrieve the requested records during regular business hours.

Responding to your Open Records Act request resulted in the generation of _____ page(s)/CD(s) at \$0.10 per page/\$_____ per CD, thereby resulting in actual copying charges of \$_____. Additionally, after the first fifteen minutes of administrative time, it took an employee earning an hourly rate of \$_____ per hour _____ () hour(s) to retrieve and prepare the requested records, resulting in an actual administrative retrieval cost of \$_____. Therefore, the total amount due to Cherokee County for retrieval of the requested records is \$_____. Please remit a check in this amount made payable to Cherokee County.

Some of the records you seek, or portions thereof, have been withheld or redacted pursuant to the exemption(s) specifically noted below:

- Records that are not required to be released pursuant to a court order. O.C.G.A. § 50-18-71(a).
- Records that are specifically required by federal statute or regulation to be kept confidential. O.C.G.A. § 50-18-72(a)(1) and _____ (insert the citation to the federal code or regulation that requires the document to be kept confidential).
- Medical or veterinary records and similar files, the disclosure of which would be an invasion of personal privacy. O.C.G.A. § 50-18-72(a)(2).
- Records compiled for law enforcement or prosecution purposes to the extent that production of such records is reasonably likely to disclose (1) the identity of a confidential source, (2) confidential investigative or prosecution material which would endanger the life or physical safety of any person or persons, or (3) the existence of a confidential surveillance or investigation. O.C.G.A. § 50-18-72(a)(3).

- Records of law enforcement, prosecution, or regulatory agencies in a pending investigation or prosecution of criminal or unlawful activity. O.C.G.A. § 50-18-72(a)(4).
- Booking photographs. (These may only be released when the requester has provided a statement affirming that his or her use of the photograph will comply with O.C.G.A. § 35-1-18(c).) O.C.G.A. § 50-18-72(a)(4).
- Georgia Uniform Motor Vehicle Accident Reports. (These may only be released to certain individuals who complete a statement of need or individuals or entities whose name or identifying information is contained in the report.) O.C.G.A. § 50-18-72(a)(5).
- Records containing jury list data. O.C.G.A. § 50-18-72(a)(6).
- Records consisting of confidential evaluations prepared in connection with the appointment or hiring of a public officer or employee. O.C.G.A. § 50-18-72(a)(7).
- Records consisting of material obtained in investigations related to the suspension, firing, or investigation of complaints against public officers or employees (provided that such records have not been withheld if ten (10) days have expired since such material was presented to the agency or an officer for action or the investigation is otherwise concluded or terminated). O.C.G.A. § 50-18-72(a)(8).
- Real estate appraisals, engineering or feasibility estimates, or other records relative to the pending acquisition of real property. O.C.G.A. § 50-18-72(a)(9).
- Pending, rejected, or deferred sealed bids or sealed proposals and detailed cost estimates related thereto (provided that such records have not been withheld if the final award of the contract has been made or the project has been terminated or abandoned). O.C.G.A. § 50-18-72(a)(10).
- Records identifying individuals applying for or under consideration for employment/appointment as executive head of an agency (provided such records have not been withheld if the exemption has expired). O.C.G.A. § 50-18-72(a)(11).
- Records containing data or information developed, collected, or received in connection with neighborhood watch or public safety notification programs, or with the installation, servicing, maintaining, operating, selling, or leasing of an alarm system. O.C.G.A. § 50-18-72(a)(19).
- Personal individual information, including an individual's social security number, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information, insurance or medial information in all records, unlisted telephone number if so designated, personal e-mail address or

cellular telephone number, day and month of birth, and information regarding public utility, television, Internet, or telephone accounts held by private customers (provided that non-itemized bills showing amounts owed and amounts paid shall be available). (Certain exceptions exist related to news media, courts, prosecutors or law enforcement officers, government employees, individuals for whom the records are maintained, etc.) O.C.G.A. § 50-18-72(a)(20)(A).

- Personal information of public employees, including the public employee's home address, home telephone number, day and month of birth, social security number, insurance or medical information, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information other than compensation by a government agency, unlisted telephone number if so designated in a public record, and the identity of the public employee's immediate family members or dependents. (Note: This paragraph shall not apply to public records that do not specifically identify public employees or their jobs, titles, or offices. Where not so identified, see O.C.G.A. § 50-18-72(a)(20)(A) regarding personal individual information.) O.C.G.A. § 50-18-72(a)(21).
- Information that could compromise public security, including vulnerability assessments, security plans and blueprints of public facilities, plans for protection against attacks or information regarding security devices designed to protect against terrorist attacks that depend for their effectiveness upon lack of public knowledge, and information regarding training relative to security measures that would identify those trained or reveal other information otherwise exempt for security reasons. O.C.G.A. § 50-18-72(a)(25)(A).
- Exempt emergency 9-1-1 system information, including portions of records identifying callers to the 911 center by name, address and phone number where redaction of such information is necessary to prevent the disclosure of the identity of a confidential source, to prevent disclosure of material which would endanger the life or physical safety of any person or persons, or to prevent the disclosure of the existence of a confidential surveillance or investigation. (Exceptions exist related to disclosure to an accused in a criminal case or his/her attorney.) O.C.G.A. § 50-18-72(a)(26).
- Exempt 9-1-1 audio recordings, including calls to a public safety answering point where (1) the caller is in distress and dies during the call or (2) the caller was a minor at the time of the call. (Exceptions exist, but the person seeking the otherwise exempt audio recordings must submit a sworn affidavit that attests to the facts necessary to establish eligibility to receive the recording under this Code section.) O.C.G.A. § 50-18-72(a)(26.1).
- Law Enforcement Audio and Video Recordings from devices used by law enforcement officers in a place where there is a reasonable expectation of privacy when there is no pending investigation. (Exceptions exist under certain

circumstances where a sworn affidavit is provided.) O.C.G.A. § 50-18-72(a)(26.2).

- Attorney-client privileged information (O.C.G.A. § 50-18-72(a)(41)) or attorney work product (O.C.G.A. § 50-18-72(a)(42)).
- Computer program or software used or maintained in the course of operation of a public office or agency. O.C.G.A. § 50-18-72(a)(44). (This does not include data generated, kept, or received by an agency.)
- Other, specifically _____.

Thank you for your request.

Sincerely,

Appendix "F"

RESPONSE LETTER IF NO RESPONSIVE RECORDS

[CHEROKEE COUNTY DEPARTMENT LETTERHEAD]

_____, 201__

Dear _____:

Cherokee County is in receipt of your Open Records Act request dated _____, 201__. In accord with O.C.G.A. § 50-18-71, *et seq.*, Cherokee County hereby responds to your request within three (3) days of receipt or pursuant to our agreed upon extension of time.

[OPTION 1]

Your request seeks "[DESCRIBE REQUEST]." Please be advised that Cherokee County was unable to locate any documents responsive to your request.

OR

[OPTION 2]

Based upon a review of your request, it appears that the records you seek are not subject to public disclosure pursuant to the exemption(s) specifically described below:

- Records that are not required to be released pursuant to a court order. O.C.G.A. § 50-18-71(a).
- Records that are specifically required by federal statute or regulation to be kept confidential. O.C.G.A. § 50-18-72(a)(1) and _____ (insert the citation to the federal code or regulation that requires the document to be kept confidential).
- Medical or veterinary records and similar files, the disclosure of which would be an invasion of personal privacy. O.C.G.A. § 50-18-72(a)(2).
- Records compiled for law enforcement or prosecution purposes to the extent that production of such records is reasonably likely to disclose (1) the identity of a confidential source, (2) confidential investigative or prosecution material which would endanger the life or physical safety of any person or persons, or (3) the existence of a confidential surveillance or investigation. O.C.G.A. § 50-18-72(a)(3).
- Records of law enforcement, prosecution, or regulatory agencies in a pending

investigation or prosecution of criminal or unlawful activity. O.C.G.A. § 50-18-72(a)(4).

- Booking photographs. (These may only be released when the requester has provided a statement affirming that his or her use of the photograph will comply with O.C.G.A. § 35-1-18(c).) O.C.G.A. § 50-18-72(a)(4).
- Georgia Uniform Motor Vehicle Accident Reports. (These may only be released to certain individuals who complete a statement of need or individuals or entities whose name or identifying information is contained in the report.) O.C.G.A. § 50-18-72(a)(5).
- Records containing jury list data. O.C.G.A. § 50-18-72(a)(6).
- Records consisting of confidential evaluations prepared in connection with the appointment or hiring of a public officer or employee. O.C.G.A. § 50-18-72(a)(7).
- Records consisting of material obtained in investigations related to the suspension, firing, or investigation of complaints against public officers or employees (provided that such records have not been withheld if ten (10) days have expired since such material was presented to the agency or an officer for action or the investigation is otherwise concluded or terminated). O.C.G.A. § 50-18-72(a)(8).
- Real estate appraisals, engineering or feasibility estimates, or other records relative to the pending acquisition of real property. O.C.G.A. § 50-18-72(a)(9).
- Pending, rejected, or deferred sealed bids or sealed proposals and detailed cost estimates related thereto (provided that such records have not been withheld if the final award of the contract has been made or the project has been terminated or abandoned). O.C.G.A. § 50-18-72(a)(10).
- Records identifying individuals applying for or under consideration for employment/appointment as executive head of an agency (provided such records have not been withheld if the exemption has expired). O.C.G.A. § 50-18-72(a)(11).
- Records containing data or information developed, collected, or received in connection with neighborhood watch or public safety notification programs, or with the installation, servicing, maintaining, operating, selling, or leasing of an alarm system. O.C.G.A. § 50-18-72(a)(19).
- Personal individual information, including an individual's social security number, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information, insurance or medial information in all records, unlisted telephone number if so designated, personal e-mail address or cellular telephone number, day and month of birth, and information regarding public

utility, television, Internet, or telephone accounts held by private customers (provided that nonitemized bills showing amounts owed and amounts paid shall be available). (Certain exceptions exist related to news media, courts, prosecutors or law enforcement officers, government employees, individuals for whom the records are maintained, etc.) O.C.G.A. § 50-18-72(a)(20)(A).

- Personal information of public employees, including the public employee's home address, home telephone number, day and month of birth, social security number, insurance or medical information, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information other than compensation by a government agency, unlisted telephone number if so designated in a public record, and the identity of the public employee's immediate family members or dependents. (Note: This paragraph shall not apply to public records that do not specifically identify public employees or their jobs, titles, or offices. Where not so identified, see O.C.G.A. § 50-18-72(a)(20)(A) regarding personal individual information.) O.C.G.A. § 50-18-72(a)(21).
- Information that could compromise public security, including vulnerability assessments, security plans and blueprints of public facilities, plans for protection against attacks or information regarding security devices designed to protect against terrorist attacks that depend for their effectiveness upon lack of public knowledge, and information regarding training relative to security measures that would identify those trained or reveal other information otherwise exempt for security reasons. O.C.G.A. § 50-18-72(a)(25)(A).
- Exempt emergency 9-1-1 system information, including portions of records identifying callers to the 911 center by name, address and phone number where redaction of such information is necessary to prevent the disclosure of the identity of a confidential source, to prevent disclosure of material which would endanger the life or physical safety of any person or persons, or to prevent the disclosure of the existence of a confidential surveillance or investigation. (Exceptions exist related to disclosure to an accused in a criminal case or his/her attorney.) O.C.G.A. § 50-18-72(a)(26).
- Exempt 9-1-1 audio recordings, including calls to a public safety answering point where (1) the caller is in distress and dies during the call or (2) the caller was a minor at the time of the call. (Exceptions exist, but the person seeking the otherwise exempt audio recordings must submit a sworn affidavit that attests to the facts necessary to establish eligibility to receive the recording under this Code section.) O.C.G.A. § 50-18-72(a)(26.1).
- Law Enforcement Audio and Video Recordings from devices used by law enforcement officers in a place where there is a reasonable expectation of privacy when there is no pending investigation. (Exceptions exist under certain circumstances where a sworn affidavit is provided.) O.C.G.A. § 50-18-72(a)(26.2).

- Attorney-client privileged information (O.C.G.A. § 50-18-72(a)(41)) or attorney work product (O.C.G.A. § 50-18-72(a)(42)).
- Computer program or software used or maintained in the course of operation of a public office or agency. O.C.G.A. § 50-18-72(a)(44). (This does not include data generated, kept, or received by an agency.)
- Other, specifically _____.

Thank you for your request.

Sincerely,

Appendix "G"
Open Records Fee Calculation Worksheet

Administrative time includes, retrieval, record preparation, copying, redacting and supervision during records inspections if applicable, minus the first fifteen (15) minutes.

Administrative Time	No. of Hrs.	x Hourly Rate	Total \$	
Letter/Legal size copies	No. Pages	x \$0.10	Total \$	
Large or odd-sized copies Actual Cost	No. Pags	x \$	Total \$	
Digital Media (CD, Flashdrive, etc.) Actual Cost	No. Media	x \$	Total \$	
Postage - Actual Cost	\$	N/A	Total \$	
Other Cost	No.	x \$	Total \$	
Other Cost	No.	x \$	Total \$	
<input type="checkbox"/> Total Estimate OR <input type="checkbox"/> Final Cost			Total \$	

Questions and Answers –Open Records Act Requests

How does the County comply with the open records law?

The County must respond to a request within three business days of receiving the request. Failure to respond to a request in three days constitutes a violation of the open records law.

Note: if the request cannot be completed within three business days, the County must offer a timeline as to how long this will take. Refer to the Open Records Policy and Procedures Section II, Responding to the Request, related to requesting an extension.

What if a citizen makes a request for documents that the County does not have?

The citizen must be notified, preferably in writing, within three business days of making the request that there are no documents responsive to the request.

When does the three-day period start?

The three-day period begins when the Open Records Officer receives the request.

The absence or lack of availability of the Open Records Officer may not delay the County's response. All agencies should have an alternate custodian to handle open records in the absence of the designated Open Records Officer.

Who responds to the request?

The Open Records Officer in charge of the requested documents responds to the request. If the request involves multiple departments, the receiving department will coordinate the response. (Refer to appendix "G" Related Policy Information - Routing Open Records Requests.) Communication shall be maintained in JustFOIA for tracking and for records retention purposes.

What if an employee who is not the records custodian receives a request?

Any County employee receiving an open records request has an obligation to refer the requestor to the appropriate Open Records Officer. If the employee needs assistance in determining the appropriate department/custodian, they may refer the request to their supervisor or County Clerk or the Staff Attorney.

After being provided the documents, what if a citizen says that they aren't the 'correct' documents?

If the documents were retrieved according to the requestor's description, the citizen is responsible to pay for the records, even if they 'refuse' the records.

Can the County require the requestor to pay for the documents prior to releasing them?

No. Unless 1) the requestor has an outstanding balance from a previous request, then the County can require prepayment of future requests until the previous request is paid, or 2) the estimated cost to produce the records exceeds \$500.

What if a citizen requests documents, but does not reference the open records law?

The request should be treated as an open records request and handled accordingly.

Must an open records request be made in writing?

No. The County cannot require an open records request be made in writing. An open records request may be made verbally, by electronic means i.e. email, the County's online software, or in writing. An employee can suggest a requestor submit the request in writing in order to provide clarification.

*The exception to this is, requests made by a litigant where the County is a party to litigation must be made in writing. Questions related to these types of requests should be addressed to the Staff Attorney, Opie Bowen.

Does the County have to respond to an open records request made by an out of state resident who does not own property in the county?

Yes.

May the County require the name of the person requesting documents before providing access to requested documents?

No.

May the County require the reason for a records request before providing access to the documents?

No.

Must the County allow a requester to review (inspect) requested records?

Yes. The law gives citizens the right to both inspect and to make copies of documents.

HOWEVER, you have three days to retrieve and compile the documents and to submit a response as you would to a typical request. If portions of a document are confidential, copies may be provided to allow for redaction.

Can the County restrict access to public records to times when an employee is present to monitor the inspection? (Schedule an appointment.)

Yes. However, every effort should be made to accommodate the requestor.

What if a citizen wants to review records maintained electronically on an employee's computer?

The County is not required to allow a citizen access to its computers. If the documents are not exempt from public disclosure, they can be provided electronically to the citizen or, if they prefer, paper copies at \$0.10 per page.

What if the request includes asking for employee(s) emails?

Emails are treated like any other electronic document, including exempted records and redaction, if applicable. It is the responsibility of the employee(s) whose emails are being requested to search for responsive records.

What if an employee has deleted email they believe to be responsive to a request?

Employees should keep email based on the content of the email according to the County's record retention schedule. If a request is received from an attorney and/or a party of a lawsuit against the County or for an investigation, IT may be asked to assist in the request.

Must an employee produce documents if they are available on the County's website?

No. The open records law allows an agency to provide access to records through the County's website accessible by the public.

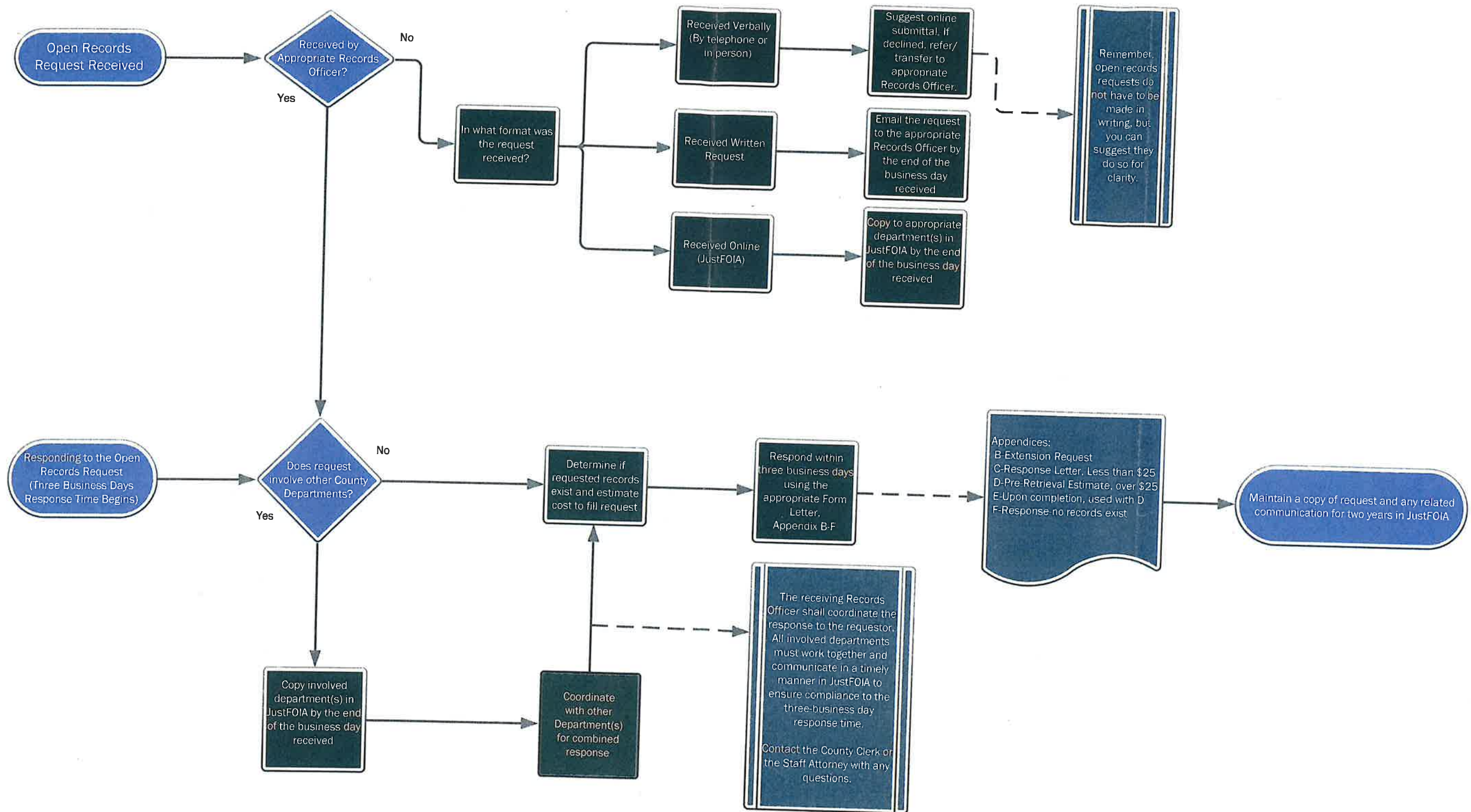
What if the scope (search criteria) of the requested documents is very broad or unclear?

If a request fails to name the specific record(s), or requires extensive research to be conducted, the requestor should be contacted to narrow the scope and/or to provide more details. A requestor is almost always willing to do this in deference to saving time and cost to both parties. It is preferable to get the new search criteria in writing as the three days begins upon receiving the 'revised' request.

Who should an employee contact with questions about open records requests?

Employees who have a question about a request or about the Open Records Act in general may contact the County Clerk, Christy Black or Staff Attorney, Opie Bowen.

Open Records Policy and Procedures – Routing Open Records Requests



The above workflow scenarios are based on requests for records that are under custody and control of County Agencies and Departments as defined in the County's Open Records Resolution 2014-R-002. Requests for records that fall under the Sheriff's Office or Judicial Services, etc. should be referred accordingly by the end of the business day that the request was received. If the requested documents fall under another entity, i.e., Health Department, Water Authority, the requestor shall be notified of such by the end of the business day that the request was received.

allowing up to a week to coordinate signatures which are dependent upon County Officials' schedules.

- (D) If the document requires a vendor or other party's signature, such signature(s) shall be obtained prior to submitting the document to the County Clerk for County execution.

GEN-9.4 DISSEMINATION OF EXECUTED DOCUMENTS

- (A) Upon execution of documents, the County Clerk's office will distribute documents to staff according to the document routing cover.
- (B) It is the responsibility of the Agency/Department to distribute executed documents to vendors and other parties.

GEN-9.5 FILING AND MAINTENANCE OF FULLY EXECUTED DOCUMENTS

- (A) The County Clerk's Office will file and maintain all executed documents electronically in a central repository in accordance to the County's Records Management Plan and State Law.
- (B) The County Clerk's Office will publish all executed documents, not including those of a confidential nature, to the County's website in accordance to the County's Transparency Ordinance.
- (C) The Agency/Department will keep a copy of the executed document on file for Agency/Department use.

Attachments:

- (1) Appendix 1 – Contract Routing Cover
- (2) Appendix 2 – Document Routing Flowchart

LETTER OF TRANSMITTAL



Cherokee County Board of Commissioners
 1130 Bluffs Parkway
 Canton, GA 30114
 (678) 493-6001
 Fax: (678) 493-6013

Date: _____

To _____
 Title _____
 From _____
 Title _____
 Agency _____

WE ARE SENDING YOU

<input type="checkbox"/>	Contract	<input type="checkbox"/>	Letter/Memo
<input type="checkbox"/>	Contract Change Order	<input type="checkbox"/>	Grant
<input type="checkbox"/>	Resolution/Ordinance	<input type="checkbox"/>	Pay Request
<input type="checkbox"/>	Lease	<input type="checkbox"/>	Other: _____

Section below is for documents submitted for signature after Board Approval.

Quantity	BOC Meeting Date	Agenda No.	Description

TRANSMITTED as checked below

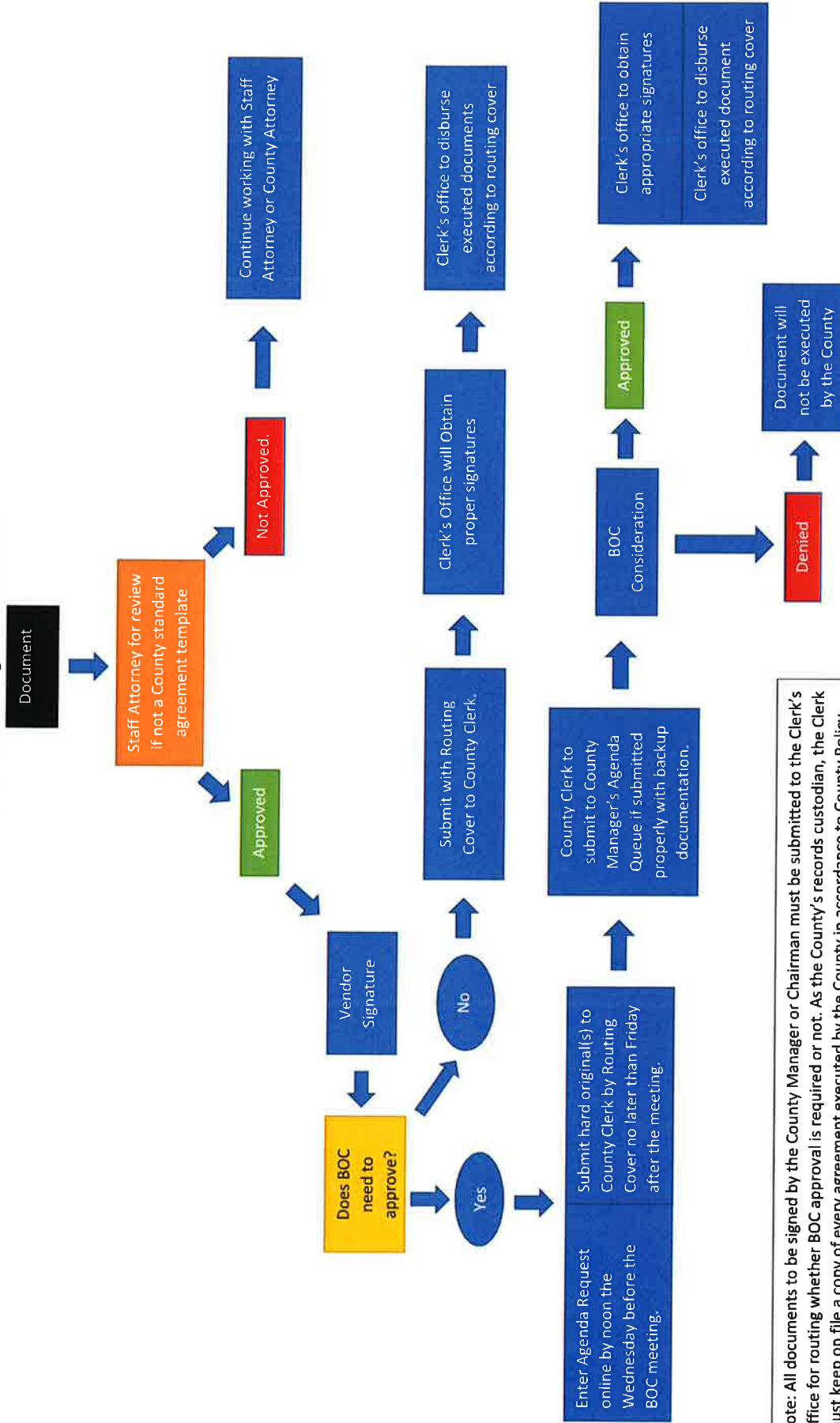
For Signature:

<input type="checkbox"/>	Chairman	<input type="checkbox"/>	As Requested	<input type="checkbox"/>	Approved as noted
<input type="checkbox"/>	County Manager	<input type="checkbox"/>	For Your Use		
<input type="checkbox"/>	Other: _____	<input type="checkbox"/>	Returned for Corrections		



Remarks: Return to Requester
 Return to: _____

AGENCY DIRECTOR SIGNATURE _____

Document Routing Workflow Process



Note: All documents to be signed by the County Manager or Chairman must be submitted to the Clerk's Office for routing whether BOC approval is required or not. As the County's records custodian, the Clerk must keep on file a copy of every agreement executed by the County in accordance to County Policy.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Submission of Agenda Items
	NUMBER: GEN – 14	REVISIONS:	EFFECTIVE DATE: May 3, 2022
	SUPERSEDES: February 26, 2016	APPROVED BY: 	

GEN-9.0 PURPOSE

The purpose of this policy is to:

- (1) Establish policies and procedures for placing items on an agenda for review, information, or action by the Board of Commissioners (BOC); and
- (2) Comply with requirements of Georgia Open Meetings and Open Records Act; and
- (3) Comply with Georgia’s Local Government Records Retention Schedules; and
- (4) Provide order and structure by staff to the Work Session and Regular Meetings of the BOC.

In order to accomplish this purpose, it is necessary that agenda items, including all supporting documentation, be properly prepared and processed prior to being scheduled for review and action in BOC meetings.

GEN-9.1 DEFINITIONS

As used in this policy, the term:

- (A) **“Agenda item”** means a request made by an Agency Director, Department Head, County Attorney or County Manager for consideration by the BOC.
- (B) **“Entering an agenda item”** means entering information into the County’s online agenda software to define the request.
- (C) **“Agenda Cover Sheet”** means the one-page document summarizing the request autogenerated upon entering an agenda item. See Appendix 1.
- (D) **“Submit an agenda item”** means to submit the request electronically through the workflow process upon completion of entering the item into the County’s agenda software.

GEN-9.2 POLICY

In order to allow for expeditious review, consideration, and action on every item submitted to the BOC, an employee must submit an agenda item to be reviewed by the BOC for action as set forth in this policy.

GEN-9.3 PROCEDURES FOR SUBMITTING AGENDA ITEMS TO BOC

- (A) All items to be placed on the Work Session or BOC Meeting Agendas must be entered in the County’s online agenda software and submitted to the County Manager’s queue as set forth in this section.
- (B)
 1. All contracts and agreements require review and approval by the Staff Attorney prior to being scheduled for review and action in BOC meetings. The County’s Standard Professional Services Agreements and Standard Construction Agreements that have not been significantly modified may not require Staff Attorney review and approval.
 2. **Regular Meeting** details in the ‘Suggested Action’ field appear on the distributed agenda and

should be as clear and concise as practical to include the following:

- a. Special formatting should be avoided. i.e., bold text, underlining.
- b. For contracts/agreements the vendor name, product or services being purchased, the purchasing agency/department, project name if applicable, and total cost should be included in this section.
- c. If the agenda item includes a budget amendment, resolution, or ordinance, it should be referenced in this section and included as an attachment.
- d. Additional information may be summarized in the 'Facts & Issues' field. Additional information can also be included as an attachment.

3. **Work Session Meeting** items should be entered under the Category '**Call to Order**' and only the 'Title' field appears on the Work Session Agenda. Details for the remaining fields will appear on the Work Session Agenda cover page, however.

4. By submitting an item through the workflow process for approval by the County Manager, the requestor, who in this instance shall be identified as the Agency Head of the requesting agency, is confirming that the item has been reviewed by appropriate staff. (i.e., Staff Attorney, Procurement Department.)

(C) Items must be entered and submitted online to the County Manager, including all supporting materials, no later than **12:00 p.m.** on the Wednesday preceding the Work Session or BOC Meeting.

1. In general, items should be entered individually with backup material attached for each agenda item. Contracts must be signed by vendor and/or other party prior to being submitted for BOC approval in accordance with the County's Document Management Policy unless authorized by the County Manager.

Note: Material submitted with an agenda item must not disclose confidential information as outlined in the Open Records Act, i.e., social security numbers, birthdates. (See Appendix 2, Common Exemptions from the Open Records Act, for more information.)

2. If an item will have a **presentation during the meeting such as a PowerPoint** or other material not included in the attachments when entered in accordance with Section (C) above, it should be emailed to the County Clerk by **5:00 p.m.** the Friday before the meeting. If the file is too large to email, contact the County Clerk who will provide a link to upload the file to a shared drive. The County Clerk will load presentations on the podium computer.

Open Meetings Act Note: It is imperative that the County Clerk has a copy of all presentations as they are considered part of the meeting minutes. If there are any changes made to the presentation between Work Session and the Regular Meeting, the updated copy must be emailed to the County Clerk as soon as possible.

(D) An exception to the deadlines required by Section (C) must be approved by the County Manager.

(E) The submitter will be contacted if there are questions about the agenda item. If advance explanations are necessary, the submitter may contact the County Manager.

(F) Prior to entering an agenda item for **Public Hearing**, a Consent Agenda item to 'Call for a Public Hearing' shall be placed on a preceding meeting, with all supporting materials attached. Public Hearings are to be scheduled on the second BOC Regular Meeting of each month and must meet advertising requirements. An exception to any portion of this section must be authorized by the County Manager.

GEN-9.4 APPROVAL, PREPARATION, AND DISTRIBUTION OF AGENDAS

- (A) BOC Items will be scheduled by the County Manager's Office and draft agendas will be prepared and distributed by the County Clerk electronically by Wednesday at 5:00 p.m. prior to the BOC Meeting. (Planning Staff will submit Planning Commission agendas to the County Clerk by Wednesday at noon prior to the Planning Commission/BOC meeting to be distributed with BOC draft agendas.)
- (B) Before the agenda is finalized, the County Manager will review and determine which items will appear on the agenda, and under what section the item will appear.
- (C) Final Work Session, BOC Meeting and Planning Commission Agendas will be distributed by the County Clerk electronically on the Friday before the meeting date.
- (D) The County Clerk will publish all agendas and supporting materials to the County's website on the Friday before the meeting date. Additionally, the County Clerk will provide the BOC with a meeting binder of materials to include Agenda Cover Sheets, Procurement Summaries and other documentation as requested.

Planning and Zoning Staff will submit a binder of materials for each Commissioner, the County Manager, and the County Attorney to the County Clerk's Office by 5:00 p.m. the Friday prior to the meeting date for Planning and Zoning Items scheduled before the BOC. Additional documentation received by Planning/Zoning staff once books are submitted to the Clerk shall immediately be distributed via email to the County Clerk if time permits, otherwise, copies shall be provided to the Clerk to distribute to the Board.

- (E) Printed agendas for Work Session, Regular Meetings and Planning Commission Meetings will be placed on a table outside Cherokee Hall by the County Clerk prior to start of meetings.

GEN-9.5 PREPARATION AND DISTRIBUTION OF PLANNING COMMISSION MEETING MATERIALS FOR MEMBERS OF THE BOC

- (A) All monthly zoning packets are to be distributed via email to the County Clerk one month in advance of the Public Hearing date, or as far in advance as possible. The County Clerk will distribute to the BOC, County Manager and Staff Attorney.
- (B) Planning Staff shall post Planning Commission agenda materials on the County's website by 5:00 p.m. on the Friday prior to the Planning Commission Meeting. Additionally, Planning Staff will distribute materials to the County Clerk in a binder for each Commissioner by 5:00 p.m. on the Monday prior to the Planning Commission Meeting.
 1. Additional documentation received by Planning Staff after binders have been submitted to the clerk shall immediately be distributed via email to those listed in section (A) above as time permits, otherwise, copies shall be provided to the Clerk to distribute to the Board.
 2. Planning Staff shall update the documentation online and in the binders to include staff reports, Planning Commission recommendation and conditions, etc., before the case is scheduled for consideration by the BOC at the subsequent **BOC Meeting** and submitted in accordance with Section 9.3 (C) above.

GEN-9.6 DISPOSITION OF AGENDA ITEMS AFTER THE BOC MEETING

The County's Document Management Policy will apply to this section related to obtaining signatures and distributing documents after Board Approval.

- (A) The requestor shall verify with the County Clerk if an agenda item was approved or denied.
- (B) It is the responsibility of the requestor to submit to the County Clerk all Documents for signatures prior to the meeting or no later Friday following the meeting.
 - 1. Hardcopy originals should be submitted with signature page(s) tagged at signature lines and in the correct order in the document to ensure proper order for scanning and copying.
 - 2. If the document is in an electronic format and/or is to be signed electronically, it is the requestor's responsibility to email or otherwise provide the document to the County Clerk for signatures.
 - 3. All ordinances and resolutions must be submitted to the County Clerk in Word format prior to the meeting date, when possible, but no later than the day after the meeting, for numbering according to the ordinance and/or resolution index. All exhibits or appendices must be submitted to the County Clerk along with the ordinance or resolution to ensure that the correct version is included in the final document for posting and for codification purposes if applicable.

Attachments:

- (1) Appendix 1 – Agenda cover sheet
- (2) Appendix 2 – Common Exemptions from the Open Records Act



Cherokee County, Georgia Agenda Request

Item #:

SUBJECT:

MEETING DATE:

SUBMITTED BY:

SUGGESTED ACTION:

FACTS AND ISSUES:

BUDGET:

Budgeted Amount:

Account Name:

Amount Encumbered:

Account #:

Amount Spent to Date:


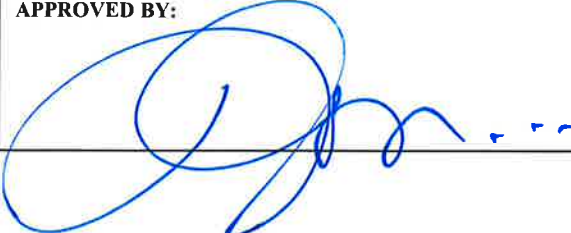
Remaining Budget:

Amount Requested:

ADMINISTRATIVE RECOMMENDATION:

ATTACHMENTS:

- Records that are not required to be released pursuant to a court order. O.C.G.A. § 50-18- 71(a).
- Records that are specifically required by federal statute or regulation to be kept confidential. O.C.G.A. § 50-18-72(a)(1).
- Real estate appraisals, engineering or feasibility estimates, or other records relative to the pending acquisition of real property. O.C.G.A. § 50-18-72(a)(9).
- Pending, rejected, or deferred sealed bids or sealed proposals and detailed cost estimates related thereto (provided that such records have not been withheld if the final award of the contract has been made or the project has been terminated or abandoned). O.C.G.A. §50-18-72(a)(10).
- Personal individual information, including an individual's social security number, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information, insurance or medial information in all records, and unlisted telephone number. O.C.G.A. § 50-18-72(a)(20)(A).
- Personal information of public employees, including the public employee's home address, home telephone number, day and month of birth, social security number, insurance or medical information, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information other than compensation by a government agency, unlisted telephone number if so designated in a public record, and the identity of the public employee's immediate family members or dependents. (Note: This paragraph shall not apply to public records that do not specifically identify public employees or their jobs, titles, or offices. Where not so identified, see O.C.G.A. §50-18-72(a)(20)(A) regarding personal individual information.) O.C.G.A. § 50-18-72(a)(21).
- Medical or veterinary records and similar files, the disclosure of which would be an invasion of personal privacy. O.C.G.A. § 50-18-72(a)(2).
- Records compiled for law enforcement or prosecution purposes to the extent that production of such records is reasonably likely to disclose (1) the identity of a confidential source, (2) confidential investigative or prosecution material which would endanger the life or physical safety of any person or persons, or (3) the existence of a confidential surveillance or investigation. O.C.G.A. § 50-18-72(a)(3).
- Records of law enforcement, prosecution, or regulatory agencies in a pending investigation or prosecution of criminal or unlawful activity. O.C.G.A. § 50-18-72(a)(4).
- Booking photographs. (These may only be released when the requester has provided a statement affirming that his or her use of the photograph will comply with O.C.G.A. § 35-1-18(c).) O.C.G.A. § 50-18-72(a)(4).
- Georgia Uniform Motor Vehicle Accident Reports. (These may only be released to certain individuals who complete a statement of need or individuals or entities whose name or identifying information is contained in the report.) O.C.G.A. § 50-18-72(a)(5).
- Records containing jury list data. O.C.G.A. § 50-18-72(a)(6).

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Records Management Plan
	NUMBER: GEN – 15	REVISIONS:	EFFECTIVE DATE: March 9, 2021
	SUPERSEDES:	APPROVED BY: 	

GEN-15.0 PURPOSE

Cherokee County has a responsibility to its citizens to manage, protect, preserve and make available County records. The purpose of this policy is to provide secure and effective controls over the management, retention, and disposition of all records of Cherokee County.

GEN-15.1 POLICY

The Cherokee County, Georgia Records Management Plan is adopted in compliance with the Georgia Records Act to establish the framework of rules and guidelines for handling the County's records throughout the lifecycle, including creation, access, use, storage, retention and disposal in accordance with pertinent statutes and rules and regulations, including, but not limited to, the Georgia Archives University System of Georgia "Local Government Record Retention Schedules", O.C.G.A. 50-18-90, *et.seq.*, O.C.G.A. § 36-9-5 and Rules and Regulations 590-6-3.

GEN-15.2 OWNERSHIP AND CUSTODY OF COUNTY RECORDS

Every County record is the property of Cherokee County. No County officer or employee has any personal or property right to a County record even though they may have developed, compiled, or received the record. The unauthorized alteration, destruction, deletion, or use of a County record is prohibited. A County record exempted from public disclosure under State or federal law is not made subject to disclosure by its designation as County property under this section.

It is the responsibility of each Agency Director to ensure that records in his or her respective department(s) are created and maintained according to the County's Records Management Plan.

Every official or employee shall make available to any successor all County records pertaining to the office held by the County officer or employee.

GEN-15.3 RESPONSIBILITY

The Cherokee County Board of Commissioners appointed the County Clerk as the County's Records Management Officer to prepare guidelines, implement and supervise the County's Records Management Plan with the adoption of ordinance 2018-O-002.

1. The County's **Records Management Officer** shall coordinate the County's Records Management Plan and provide advice and assistance to Agency Directors in its implementation; and
 - a. Monitor retention schedules and administrative rules issued by the Georgia Archives University System of Georgia;
 - b. Disseminate information concerning State laws and administrative rules relating to County records to Agency Directors;
 - c. Review County-wide policies to ensure compliance with the Records Management Plan and State law;
 - d. Serve as the County's liaison to the Georgia Archives University System of Georgia for Records Management Plan requirements;
 - e. Bring to the County Manager's attention any noncompliance by an agency or personnel with the requirements, policies, and procedures of the Records Management Plan or State law.

2. Each Agency Director shall serve as the **Records Management Liaison** for his or her respective Agency or designate in writing to the Records Management Officer a member of the Agency's staff to serve as his or her Records Management Liaison; and
 - a. Coordinate records inventory, oversee requirements, policies, and procedures of the Records Management Plan for the agency or department;
 - b. Disseminate information to agency staff concerning records management;
 - c. Review the agency's retention schedules by accessing the latest version of the Georgia Archives University System of Georgia's "Local Government Record Retention Schedules" (See Section V, 'References');
 - d. Maintain County records in their custody and carry out the preservation, microfilming, scanning, electronic storage, destruction, and other disposition of records only in accordance with this policy and State law;
 - e. Notify the Records Management Officer within 24 Hours of the discovery of any loss, theft or damage to a County record;
 - f. Ensure the ability to access records regardless of medium.

GEN-15.4 PROCEDURES

All County records must be managed, maintained, inventoried and disposed of in accordance with this policy and State law.

I. RECORDS INVENTORY

All agencies shall maintain an inventory of records, regardless of format or location, and ensure that all records are included in approved retention schedules. The Records Inventory Form, attached as Appendix A, shall be used for this process.

1. Records Inventory must be updated on an annual basis by each agency to include any new records series maintained by the agency or to indicate a status change of previously inventoried records. Records Inventory Forms are due to the Records Management Officer no later than March 31st each year to indicate any of the following change(s) to the previous year's inventory:
 - a. Updated records series inclusive dates;
 - b. New Records Series maintained by the agency;
 - c. Records moved to another location;
 - d. Records converted to a different media;
 - e. Records removed from inventory (destroyed according to retention schedule and policy);
 - f. Other status change of previously inventoried records.

II. RECORDS STORAGE

Records that are used infrequently, but are not past their retention period, may be stored in a designated area within the department or an approved off-site storage facility. All file boxes must be labeled on the front side and back side of the box for convenient inspecting. Appendix B, Label Template for Storage Boxes, attached, contains fields to indicate record series title, inclusive dates, retention period and destruction date if applicable. Records in storage fall under the same policies and procedures of the Records Management Plan and should be inventoried, destroyed and otherwise managed according to policy.

III. ELECTRONIC RECORDS

Electronic records must be managed through the entire life cycle, from creation, through retention period, until final disposition. As with any other format, an electronic record's retention period is determined by its content. Agencies must save electronic records in a manner that ensures their continued preservation and accessibility throughout its retention period.

Agencies must provide the name of software applications used for electronic record keeping, if applicable, and the format and location of electronic records to the County's Information

Technology Department to ensure systems comply with the Records Management Plan and State law. (Recording this information in Section 2 of the Records Inventory Form and submittal to the Records Management Officer will meet this requirement.)

Electronic records fall under the same policies and procedures of the Records Management Plan and should be inventoried, destroyed and otherwise managed according to policy.

IV. DESTRUCTION OF RECORDS

No original record shall be permanently destroyed without the Records Management Officer's prior approval. The Agency Director shall be responsible to identify, review and approve records proposed for destruction. The Records Management Officer will approve such destruction according to the description and retention period indicated on the Records Disposition Form as approved and submitted by the Agency Director.

1. The Records Disposition Form, attached as Appendix C, shall be used to submit for approval to destroy records (shred, incinerate, delete, demagnetize, etc.) as follows for the permanent destruction and/or conversion of documents to electronic format:
 - a. Destruction of paper records that have been duplicated or have been scanned and maintained electronically.
 - b. Destruction of paper records, no backup copies maintained. (Records have met or exceeded retention period.)
 - c. Destruction (Deletion / Demagnetization) of electronic records. (Records have met or exceeded retention period.) Records designated confidential by law shall be destroyed in such a manner that they cannot be read, interpreted, or reconstructed.
2. The destruction of a County record involved in a pending request under the Georgia Open Records Act, pending litigation, or a pending audit is prohibited by law and this policy, even if the destruction of the record is authorized by an approved Records Retention Schedule.

V. REFERENCES

The following publications are available on the County's Intranet site on the County Clerk's page for additional guidance.

- A. The Georgia Records Act / O.C.G.A. § 50-18-90 et. seq.
- B. Georgia Archives Local Governmental Record Retention Schedules
- C. Cherokee County Records Retention Ordinance, 2018-O-002.

VI. APPENDIX

The following fillable form templates are available on the County's intranet site at <http://help.cherokeega.com> under the County Clerk tab.

- A. Records Inventory Form
- B. Label Template for Records Storage Boxes
- C. Records Disposition Form
- D. Records Management Guidelines and Definitions
- E. How to Read Records Schedules

APPENDIX "A" Records Inventory Form



CHEROKEE COUNTY RECORDS INVENTORY FORM

Agency / Department	Contact/Records Management Liaison	Phone No.
Location of Records	Retention Period (No. Years)	Destroy Date
Records Series Category	Records Series Title	

Records Description (Contents, Purpose, and Use)

Record Type

Paper – Complete Sections 1, 3 and 4 below. Electronic – Complete Sections 2, 3 and 4 below.

1. Paper Records

8-1/2" x 11" (letter size) 8-1/2" x 14" (legal size) 11" x 17" Bound books, catalogs, plans, maps

Other

2. Electronic Records

a. When was the record created?

b. What is the file format? (.doc, .xls, .tif, .rtf, pdf., etc.)

c. What operating system is required to retrieve/view files?

d. What application software is needed to retrieve and view files?

e. What type media is used to store the records? (County Server, CD, Hard Drive, Cloud, Flash Drive, etc.)

3. Record Information Calendar Year Fiscal Year

Inclusive Dates	Paper	Electronic	Paper Records Storage Box Number & Label Info (If applicable)	Arrangement
	Cubic Feet	Bytes/Item Count		
				<input type="checkbox"/> Alphabetic by <input type="checkbox"/> Alphanumeric by <input type="checkbox"/> Numeric by <input type="checkbox"/> Chronological by <input type="checkbox"/> Other

4. Records Details. Place an "X" in the proper column.	YES	NO
a. Are these records the original and/or official copy of the record? *	<input type="checkbox"/>	<input type="checkbox"/>
* If yes, where are the required back-up files stored?		
b. Does this record series contain information exempt from public access?	<input type="checkbox"/>	<input type="checkbox"/>
c. Is there any legal requirement affecting disposal of this record series?	<input type="checkbox"/>	<input type="checkbox"/>
d. Are these vital/permanent records?	<input type="checkbox"/>	<input type="checkbox"/>

Date Inventory Completed	Departmental Inventory Form No. if applicable 001
Records Liaison Signature, if Applicable	Initial Records Inventory <input type="checkbox"/> Record Inventory Update <input type="checkbox"/>
Agency Director Signature	Department Director Signature, if applicable
	Records Management Officer Signature and Date Received

APPENDIX "B" Label Template for Records Storage Boxes

AGENCY NAME & LOCATION	DEPARTMENT BOX NUMBER
AGENCY/DEPARTMENT CONTACT PERSON & PHONE NUMBER	*DESTROY DATE
RETENTION SCHEDULE NUMBER: RECORD SERIES TITLE: RECORD RETENTION PERIOD:	FROM DATE: TO DATE:
DESCRIPTION OF RECORDS (When describing records, avoid vague terms such as "Miscellaneous." If describing a person's files, include the person's position title.)	
Records Property of: Cherokee County, Georgia Administrative Complex 1130 Bluffs Parkway Canton, GA 30114 678-493-6000	Additional notes regarding contents: *Destroy only in accordance to the County's Records Management Policy and Exhibit C.

AGENCY NAME & LOCATION	DEPARTMENT BOX NUMBER
AGENCY/DEPARTMENT CONTACT PERSON & PHONE NUMBER	*DESTROY DATE
RETENTION SCHEDULE NUMBER: RECORD SERIES TITLE: RECORD PERIOD:	FROM DATE: TO DATE:
DESCRIPTION OF RECORDS (When describing records, avoid vague terms such as "Miscellaneous." If describing a person's files, include the person's position title.)	
Records Property of: Cherokee County, Georgia Administrative Complex 1130 Bluffs Parkway Canton, GA 30114 678-493-6000	Additional notes regarding contents: *Destroy only in accordance to the County's Records Management Policy and Exhibit C.

APPENDIX "C" Records Disposition Form



**CHEROKEE COUNTY RECORDS DISPOSITION FORM
AND DISPOSAL CERTIFICATE**

YEAR _____
PAGE ___ **OF** ___ **PAGE(S)**

1. AGENCY/DEPARTMENT NAME AND ADDRESS () - Ext.	2. AGENCY/DPT. CONTACT (Name and Telephone Number) Phone No. or extension
---	---

3. NOTICE OF INTENTION: The scheduled records listed in Item 5 are to be disposed of in the manner checked below (specify only one).

<input type="checkbox"/> a. Destruction (No backup copies) (Complete 'g' below)	<input type="checkbox"/> b. Destruction after Scanning/Storing Electronically (Complete 'h' below)
<input type="checkbox"/> c. Copy to Microfilm/Destruction	<input type="checkbox"/> d. Other

4. SUBMITTED BY: I hereby certify that the records to be disposed of are correctly represented below, that any audit requirements for the records have been fully justified, and that further retention is not required for any litigation pending or imminent.

Signature _____	Agency Director _____	Date _____
Signature _____	Department Director _____	Date _____

5. LIST OF RECORDS SERIES

a. Series (Category)	c. Title	d. Retention Period (No. Years)	e. Inclusive Dates	f. Volume In Cubic Feet or box size and number of boxes	g. Destruction Method (For use with a,b,c,d above)	h. New File type and location (For use with b,c,d above)

AUTHORIZATION

6. DISPOSAL AUTHORIZATION: Disposal for the above listed records is authorized. Any deletions or modifications are indicated below.

Cherokee County Records Custodian _____

Date _____

7. DISPOSAL CERTIFICATE: The above listed records have been disposed of in the manner and on the date shown in column 'g'.

Signature _____	Date _____
Name and Title _____	
Witness Name _____	Signature _____

APPENDIX "D" Records Management Plan Guidelines and Definitions

Records Management Plan - Guidelines and Definitions

(The Records Management Plan, including useful links and fillable forms, are available on the County's Intranet at <https://help.cherokeega.com>.)

1. Conducting Records Inventory

As inventory is conducted, the following guidelines should be adhered to for future maintenance, searching, and destruction of records.

- a. Current records and/or records that are accessed frequently should be easily accessible by the agency.
- b. When storing records, box like records series together with the same retention period for efficient destruction at the end of the retention period.
- c. Records that are currently stored, but not inventoried, should be boxed while conducting inventory to ensure contents and destruction date; affix Storage Box Label.

2. Submittal of the Records Inventory Form Electronically

- a. Complete the Records Inventory Form and email to the Records Management Officer (County Clerk).

3. Maintaining Records Inventory

Records inventory must be updated annually on a calendar year basis as needed to indicate revised inclusive dates to a series or other status change of previously inventoried records, or to add a new records series that the agency maintains.

- a. By the end of the first quarter each calendar year, new Inventory Forms and updated Inventory Forms are due to the County Clerk for the previous year's records. See item 2(a) above.

4. Records Disposition

Records that have reached the retention period are ready for destruction, according to policy and using the Records Disposition Form. (Unless record is otherwise required to be kept due to litigation, audit, open records request, etc.).

Records that are not the official copy may be destroyed as long as the official record is maintained in accordance to policy, example, after converting or scanning to electronic format, paper copies may be destroyed in compliance to policy and State law, using the Records Disposition Form.

- b. Complete the appropriate fields on the Records Disposition Form; Obtain Agency Head's signature and email the form to the Records Management Officer (County Clerk.)

Definitions

GEORGIA OPEN RECORDS ACT - O.C.G.A. § 50-14-70 through 77. The Georgia Open Records Act governs which government records are to be open for public inspection.

OFFICIAL RECORD – all documents, papers, letters, books, maps, photos, sound or video recordings, microfilm, magnetic tape, electronic media, other information recording media, regardless of physical form or characteristics, regardless of whether public access is open or restricted under the Georgia law.

PERMANENT RECORD - any County record for which the retention period on a Records Retention Schedule is given as permanent.

RECORD RETENTION AND DISPOSITION SCHEDULE - a set of disposition instructions prescribing how long, where, and in what form a record series shall be kept. The approved Georgia Retention Schedules for Local Government Records will be the record retention and disposition schedule for Cherokee County. A link to the retention schedule site is provided on the Intranet under the County Clerk's tab.

RECORDS DISPOSITION - the removal or destruction of a County record from a department or Records Center that has passed its minimum legal retention period and no longer has value to the County, or for a permanent County record, transfer of the record to the RECORDS CENTER for permanent archival.

RECORDS INVENTORY - the process of locating, identifying, and describing in detail the records of a department.

RECORDS LIAISON - a person(s) designated by each Agency to implement the Records Management Plan in their department.

RECORDS MANAGEMENT - the creation and implementation of systematic controls for County records from the point where they are created or received through final disposition or archival retention, including distribution, use, maintenance, storage, retrieval, protection, preservation and disposal, for the purpose of achieving adequate and proper documentation of the policies and transactions of County government and reducing costs and improving the efficiency of record keeping. The term includes: development of Records Retention and Disposition Schedules; management of filing and information retrieval systems; protection of essential and permanent

records; economical and space-effective storage of non-current records; control over the creation and distribution of forms, reports, and correspondence; management of manual, micrographic, electronic, and other records storage systems; and identification of functional record keeping requirements that ensure County records are created to adequately document the County's business transactions.

RECORDS MANAGEMENT OFFICER - the person appointed by the Board of Commissioners to administer the County's Records Management Program. The County Clerk was appointed as Cherokee County's Records Management Officer.

RECORDS MANAGEMENT PLAN - the requirements, policies, and procedures developed by the County.

RECORDS CENTER - the facility used to provide centralized and secure storage for non-current and permanent County records; also referred to as off-site storage.

RETENTION PERIOD - the minimum time that must pass after the creation, recording, or receipt of a County record, or after the fulfillment of certain actions associated with a County record before the record is eligible for disposition.


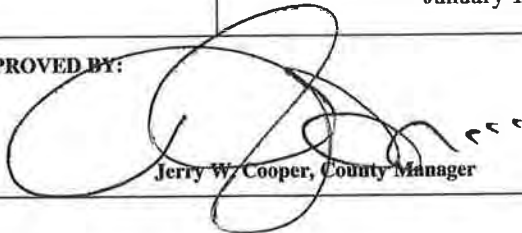
VITAL RECORD - any record vital to the resumption or continuation of operations or both; to the re-creation of legal and financial status of government in the state; or to the protection and fulfillment of obligations to citizens of the state.

APPENDIX "E" How to Read Records Schedules

How to Read the Schedules

The six columns in the schedules are:

RECORD TITLE	The common name of the records and the information contained therein. Record title may also include the designation "VR" identifying the record as a vital record for disaster recovery.	
DESCRIPTION	A brief summary of the records.	
RETENTION	The period of time the record or information must be kept. Retention periods are stated from the creation of the record (i.e., Retain for 5 years) or triggered by an event (i.e., Retain for 5 years after settlement of case).	
LEGAL CITATION	The specific Federal and/or State Code which stipulates the retention period. This information may not exist for certain records.	
RETENTION CLASSIFICATION		
	TRANSITORY	Information of a temporary nature that does not meet the requirements for longer retention prescribed by O.C.G.A. §50-18-94(1).
	TEMPORARY-SHORT TERM	Information that needs to be retained less than fifteen years.
These classifications can also serve as a guideline when selecting appropriate record formats (paper, film, electronic).	TEMPORARY-LONG TERM	Information that needs to be retained for fifteen years or longer, but which does not need to be retained permanently.
	PERMANENT	Information that for legal, historical, fiscal, or administrative reasons needs to be retained forever.
SPECIAL INSTRUCTIONS	Procedural instructions provided by the Georgia Archives to assist agencies in implementing retention classifications. These instructions may also denote vital records needed in the event of a disaster.	

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Performance Appraisals
	NUMBER: HR - 1	REVISIONS:	EFFECTIVE DATE: January 1, 2005
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR - 1.0 POLICY:

It is the policy of the County Manager that the job performance of each employee should be evaluated periodically by the employee's supervisor utilizing approved performance evaluation forms.

HR - 1.1 PURPOSE:

A formal system for evaluating employee performance can help the County identify and correct performance problems, plan employee career development, assess readiness for transfer or promotion, determine compensation, and improve productivity by communicating goals and expectations to employees.

Good performance is to be reinforced through discussion. Suggestions, assistance and support should be offered to aid in areas of needed performance improvement.

HR - 1.2 RESPONSIBILITY:

Immediate Supervisors and the Department Director have the ultimate responsibility of completing their employees' performance evaluations in a timely, accurate manner. The Department Director will obtain from the Human Resources Department the due dates of evaluations.

HR - 1.3 PROCEDURES:

1. Performance evaluation forms, either field or standard that have been adopted by the County Manager, are to be used to record the results of an evaluation.
2. Supervisors should complete performance appraisals upon the following occasions:
 - (a) By the end of the first three months of employment;
 - (b) At the completion of the initial probationary period;
 - (c) An annual appraisal is required. The annual performance appraisal anniversary date is established as the month in which the employee was hired, or in the event of an intervening status change with an increase in pay, twelve months from the date of the last increase;
 - (d) When the employee is transferred or promoted to a new job;
 - (e) When the employee is assigned to a new supervisor; and
3. If a performance appraisal has been completed within one month of the above occasions, a new appraisal does not need to be completed. Between scheduled appraisals, supervisors should discuss with employees on an informal basis any performance issues that require attention and should keep records of

any significant incidents.

4. In evaluating employees, supervisors should consider factors such as the experience and training of the employee, the job description, and the employee's attainment of previously set objectives and goals. Other factors that normally should be considered include knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, initiative, reliability, attendance, judgment, conduct, and acceptance of responsibility.
5. Supervisors should prepare a written appraisal of each employee's job performance. The appraisal should include the supervisor's comments and recommendations, an action plan for both the employee and supervisor, and performance goals for the next evaluation period.
6. Department directors should review each supervisor's written evaluation to help assure that the evaluation function has been properly completed in as fair and objective a manner as possible.
7. After the written evaluation has been reviewed by the department director, the supervisor and employee should meet and discuss the evaluation, assess the employee's strengths and weaknesses in a constructive manner, and set objectives and goals for the period ahead. The employee should be given the opportunity to examine the evaluation and make written comments about any aspect of it. The employee, supervisor and department director should then sign and date the evaluation and forward it to the Human Resources Department for review and inclusion in the employee's personnel file.
8. Information derived from the performance appraisal may be considered when making decisions affecting training, pay, promotion, transfer, or continued employment.



Performance Appraisal Process Updated 12/09/2021

Cherokee County is implementing a new Performance Appraisal form and process for 2022. The new Employee Performance Appraisal form is designed to facilitate a performance conversation between the employee and the supervisor/manager. Each employee will be evaluated on eight different areas of behavior and skill using a 3 points scale. Comments will be provided for areas with a rating of 1 or 3. The employee and supervisor/manager will also have an interactive discussion of goals and opportunities.

The first Performance Appraisal meetings should be completed in Q1 of 2022. At the end of the meeting, the manager and employee will decide when to schedule the next performance meeting. Meetings should be held at least annually, but should be held more often when needed to address improvement opportunities or shorter term project goals.

It's important to ensure that two-way conversations occur between managers and employees, resulting in a complete understanding of what is required, when it is required and how everyone's contribution measures up.

Everyone benefits when:

- The employee knows exactly where he or she stands in relation to achieving goals and reaching performance milestones that contribute to career development, promotions and more.
- The manager gains insights into the motivations of the people working for him or her through the required conversations.
- The County retains motivated employees who understand their role and the roles of others in contributing to the overall success.

When setting goals with employees, keep these common types of goals in mind:

- Job description goals - Goals may be based on the achievement of a pre-established set of job duties from the description. These goals are expected to be accomplished continuously until the job description changes. Examples might be financial, customer oriented, or process- or system-oriented goals.
- Project goals - Goals may be based on achievement of a project objective. These goals may be set for a single year and changed as projects are completed. Job description and project goals are "what" needs to be accomplished.
- Behavioral goals - Goals may be based on certain behaviors. These goals are expected to be accomplished continuously. Behavioral goals are "how" things need to be accomplished.
- Stretch goals - Goals that are especially challenging to reach are sometimes referred to as stretch goals. Stretch goals are usually used to expand the knowledge, skills and abilities of high-potential employees

Recommendations for an effective performance review process include:

- A feedback process that is continuous and timely so that employees know what is expected and how they are doing.
- A dialogue that includes performance feedback measured against clear and specific goals and expectations.
- A process for acknowledging the outcomes of the performance review process that is documented between the manager and the employee.
- A two-way individual conversation between the manager and the employee (preferably face-to-face) at least once a year, but more often if needed.

After the performance meetings, scan signed copies to Madelyn Chester in HR for the employee file.



PERFORMANCE IMPROVEMENT PLAN

A FORMAL PLAN FOR IMPROVEMENT WHEN AN EMPLOYEE SHOWS A PATTERN OF UNDER-PERFORMANCE

Employee Information

Employee Name: _____ Date: _____ Job Title: _____

Department: _____ Supervisor: _____

Details of the Plan

Improvement Needs (*List performance areas that need to improve in order to meet the expectations of the position*):

Action Plan (*Outline specific action items that will support the employee in achieving the desired performance improvement. Incorporate due dates for completion of action items, and ask for the employee's input into the action plan; consider a variety of tools and resources that can be effective in improving performance*):

Due Date: _____ Action Item: _____

Due Date: _____ Action Item: _____

Due Date: _____ Action Item: _____

Due Date: _____ Action Item: _____

*** Attach additional sheets if necessary ***

Acknowledgment

Expected results from this Performance Improvement Plan are for the employee's performance to improve to a level of consistently meeting the expectations of the position, as well as, sufficiently completing all action items within the Performance Improvement Plan by the stated due date. However, if under-performance continues, further disciplinary action up to and including termination may occur.

The above has been discussed with me by my supervisor. I understand the contents and acknowledge and understand the corrective action required. I also acknowledge and understand the potential consequences of noncompliance.

Employee Signature: _____ Date: _____

Supervisor Signature: _____ Date: _____

Department/Agency Director Signature: _____ Date: _____

This review is designed to facilitate a performance conversation between an employee and the supervisor/manager annually. The supervisor/manager is to evaluate the individual in terms of fit with the position and with the County, assess the employee’s performance in the role and future goals/professional development plans.

Employee Name _____	Department: _____
Employee Title _____	Date of Hire: _____
Supervisor Name _____	Date of Review: _____

SUPERVISOR/MANAGER: Please evaluate the employee against the criteria listed below using a 3 point scale. A rating of “1” = below expectations and requires improvement, “2” = at expectations, and “3” = exceeds expectations. Ratings of “1” or “3” should include comments.

ATTENDANCE & PUNCTUALITY – Please rate the employee’s attendance including timeliness in arriving to/departing from work. Does the employee demonstrate an appropriate work ethic and commitment to the job?

Comments:

JOB KNOWLEDGE & UNDERSTANDING OF RESPONSIBILITIES – Please rate the employee’s abilities to do the work assigned, to understand directions, and to effectively apply training (formal or informal) to the actual work. Does the employee understand the issues relevant to the department and the work that must be done?

Comments

CUSTOMER SERVICE MINDSET – Please rate the employee’s interaction with internal and external customers. Is the employee professional and courteous when communicating and interacting with the general public and/or internal customers?

Comments

COMMUNICATION SKILLS – Please rate the employee’s ability to inform, listen, and follow directions. Does the employee communicate effectively, either verbally or written, as appropriate for their position?

Comments:

INTERPERSONAL SKILLS – Please rate the employee’s ability to interact positively and work effectively with others. Does the employee display the appropriate behaviors and attitude with supervisor, manager and coworkers?

Comments:

ORGANIZATION SKILLS – Please rate the employee’s ability to manage work details, organize work into reasonable and thorough plans, and set objectives and priorities. Does the employee demonstrate the ability to work efficiently and effectively within the department?

Comments:

INITIATIVE – Please rate the employee’s willingness and drive to complete tasks and responsibilities. Does the employee start and finish work without prompting? Does the employee seek opportunities for improvement and efficiency? Does the employee identify problems and take appropriate action for resolution?

Comments:

WORK QUALITY & ACCURACY – Please rate the quality of the employee’s work. Is the employee’s work generally of high quality without errors, accurate and neat? How often is re-work required?

Comments:

SUPERVISOR/MANAGER WITH EMPLOYEE: Complete this section during interactive discussion of goals and accomplishments during review meeting.

Goals met or accomplishments in the past year:

Goals not met or opportunities for improvement:

Goals for the next year (include any planned professional development):

Next Performance Meeting to be scheduled: **3 Months** **6 Months** **12 Months**

Employee Signature: _____ Date: _____

Supervisor/Manager Signature: _____ Date: _____

Agency Director/ Designee _____ Date: _____

(Use for disciplinary actions involving Adverse Action to include: suspension, disciplinary demotion, disciplinary salary reduction, or termination) – Delete this instruction from the final letter before giving to the employee and place the memorandum on letterhead.

Memorandum

To:

From:

Date:

Subject: Notice of Pending Disciplinary Adverse Action

In accordance with section 8.2.4 of the Cherokee County Personnel Policies Manual, I am notifying you of the following pending disciplinary adverse action against you and that a pre-disciplinary meeting has been scheduled for _____ to review the incident(s) leading to the action. Please understand, if you elect not to attend the scheduled pre-disciplinary meeting your decision will constitute a waiver of your right to appeal this action in the future.

I acknowledge receipt of this Notice and the accompanying Disciplinary Action Form.

Employee Signature

Date

encl: Disciplinary Adverse Action Form

cc: Kathy Lambert HR Director



DISCIPLINARY ADVERSE ACTION FORM

TO BE COMPLETED IN ACCORDANCE WITH PERSONNEL POLICIES MANUAL §8.2

Employee Information

Employee Name: _____ Date: _____ Job Title: _____

Department: _____ Supervisor: _____

Type of Action (check all that apply)

___ **Suspension Without Pay:** # of Workdays Unpaid: _____ From: _____ To: _____

___ **Salary Reduction:** Percentage or Amount of Reduction: _____

___ **Demotion:** Effective Date: _____ New Job Title: _____

___ **Termination:** Effective Date: _____

Cause of Action

Reason for administering Adverse Action:

Brief Summary, with Dates, of Prior Discussions or Reprimands regarding under performance or inappropriate conduct (if any):

Relevant County Policy Violated (if any):

Plan for Improvement (not applicable for termination):

Acknowledgment

I acknowledge receipt of this disciplinary adverse action and that its contents have been discussed with me. I have also been made aware that further disciplinary action up to and including termination may take place if continued performance and/or conduct issues occur.

I understand that my signature does not necessarily indicate agreement with the action taken.

Employee Signature: _____ Date: _____

Supervisor Signature: _____ Date: _____


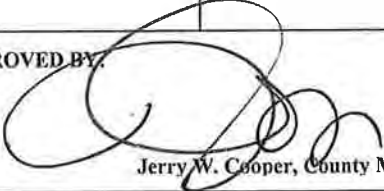
Agency Director Signature: _____ Date: _____

Open PPM on Human Resources Intranet page.



Personnel Policies Manual

January 1, 2019

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Equal Employment Opportunity Policy
	NUMBER: HR - 3	REVISIONS:	EFFECTIVE DATE: July 27, 2009
	SUPERSEDES: HR-3: June 18, 2004	APPROVED BY:  Jerry W. Cooper, County Manager	

HR - 3.0 POLICY

The County is committed to maintaining a work environment that is free of inappropriate or unlawful conduct. In keeping with this commitment, the County will not tolerate harassment, discrimination or the unlawful treatment of employees by anyone, including any supervisor, co-worker, vendor, client or customer of the County.

HR - 3.1 OPERATING PROCEDURES:

1.0 Application

1.1 This policy applies to all employees of the County. This policy also includes employees of Constitutional Officers and other elected officials within the County.

2.0 Definition

2.1 Prohibited Conduct. Harassment, discrimination and/or improper conduct consists of misconduct that includes unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, color, race, religion, national origin, age, disability or other protected group status or activity (e.g. opposition to prohibited discrimination or participation in the statutory complaint process) as provided for by law. This includes conduct by someone to another of the same gender. The County will not tolerate conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. No supervisor or County employee has authority to engage in such conduct. If you feel you have been subject to the type of conduct prohibited by this policy, you must report this conduct. You are specifically authorized to bypass your supervisor and directly file an EEO complaint with the Human Resources Department as provided for in this policy. If you complain to your supervisor and no action is taken, you are directed to report the conduct as described below to the Human Resources Department. You should report any improper conduct before it becomes severe or pervasive and do not have to wait until it rises to the level of an unlawful action.

2.2 Sexual Harassment. Sexual harassment deserves special mention. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Inappropriate conduct may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body.

2.3 What is Not Harassment. Harassment does not include the normal and lawful exercise of supervisory responsibilities, including direction, counseling, and discipline when necessary.

3.0 No Retaliation

The County will not tolerate any retaliation against anyone pursuing in good faith the objectives or acting in accordance with this policy.

4.0 Complaint Procedure

All employees should help to assure that we avoid any form of unlawful or inappropriate treatment. If you feel that you have experienced or witnessed harassment, discrimination or unlawful or inappropriate treatment, you are to notify immediately (preferably in writing within 24 hours) the Director of Department of Human Resources. The address and telephone number for the Human Resources Department is 1130 Bluffs Parkway; Canton, GA 30114, (678) 493-6000.

If you are not contacted promptly about your complaint, you are to re-file it with the Director of Human Resources and also send a copy by certified mail or contact the County Manager at 1130 Bluffs Parkway; Canton, GA 30114, (678) 493-6000. The County forbids retaliation against anyone who has made a complaint or provides information related to a complaint.

The County will undertake an objective and appropriate review of any complaint. To the extent practicable and appropriate, the County will keep any complaint and the terms of its resolution confidential. The County will take corrective action as it determines is appropriate, including such discipline up to and including immediate termination of employment. The County will undertake corrective action to stop inappropriate conduct before it rises to the level of an unlawful action. You will be notified as to the outcome of your complaint. If you have any questions about the status of your complaint, you should contact the Director of Human Resources at the above telephone number and address.

Each employee should be aware they have the right to file a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) or other state agency as provided by law. According to the EEOC, the deadline for filing any such charge runs from the last date of unlawful harassment, not from the date that the complaint to the County is resolved.

5.0 Malicious or Bad Faith Complaints:

The County recognizes that intentional or malicious false accusations of misconduct can have a serious effect on innocent men and women. Individuals falsely accusing another of misconduct will be disciplined in accordance with the nature and extent of his or her false accusation. The County encourages any employee to raise questions he or she may have regarding misconduct or this policy with the Director of Human Resources or higher level officer.

I hereby acknowledge that I have received and have reviewed the EEO policy.

Employee Signature

Date

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Emergency Telework
	NUMBER: HR-3.0	REVISIONS:	EFFECTIVE DATE: March 17, 2020
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

PRC-5.14.1 PURPOSE

Telework is a critical component of each agency’s COOP. Use of telework in this capacity enables the County agencies to continue functioning through hazardous weather, pandemic, physical attacks, or any other event that would result in the closure of Government buildings.

There is a direct relationship between an agency’s COOP plan and telework. Both programs share a basic objective: to perform and maintain agency functions from an alternative location. Telework can help ensure that essential functions continue during emergency situations.

PRC-5.14.2 POLICY

I. Agency Responsibilities:

Telework allows key employees to conduct some or all of their work at an alternative worksite away from the employee’s regular worksite since that may not be viable during an emergency. Agencies should develop an Emergency Telework Plan as part of their COOP. Agencies should communicate expectations to employees in case of an emergency, and/or conduct exercises to help employees gain experience with teleworking in an emergency.

II. Records Management and Emergency Planning

The identification, protection, and ready availability of essential records, databases, and hardcopy documents needed to support essential functions under the full spectrum of all-hazards emergencies are critical elements of a successful continuity plan and program. Agencies should have a plan in place to address records management, to include whether electronic/email approvals are acceptable for documents/forms requiring approval signatures. The plan should also address the return of any hard copy documents when regular operations resume.

PRC-5.14.4 PROCEDURE

I. To ensure successful use of telework in the event of an emergency each Agency should:

- a. Establish a policy under which eligible employees are authorized to telework during a continuity event.
- b. Notify all key employees of their eligibility to telework during a continuity activation.
- c. Ensure that each eligible employee is authorized to telework during a continuity activation by obtaining their signature on the following forms:
 - i. Temporary Remote Work Agreement
 - ii. Remote Network Access Acknowledgement & Request Form
 - iii. If utilizing personal equipment, employee must also sign a Use of Personally Owned Device Policy

- d. Coordinate with the County's IT Department when developing and integrating the Agency's continuity plan.
- e. The key to successful use of telework in the event of an emergency is an effective telework program. An Agency's telework plan should include information on:
 - i. Who is expected to telework in an emergency, and
 - ii. What is expected of teleworkers in the event of an emergency.

II. Key employees should be prepared to telework with:

- a. Signed documents in place:
 - i. Temporary Remote Work Agreement
 - ii. Remote Network Access Acknowledgement & Request Form
 - iii. If utilizing personal equipment, employee must also sign a Use of Personally Owned Device Policy
- b. Connectivity at the alternative worksite
- c. Equipment commensurate with work needs (whether County provided or personal)
- d. Ability to test telework connectivity on a monthly basis to ensure effectiveness during an emergency

III. Manager Responsibilities: Management must be committed to implementing telework with key employees and ensure that:

- a. Equipment, technology, and technical support have been tested;
- b. Employees practice telework so that they are comfortable with the technology and communications methods; and
- c. Managers practice telework so that they are comfortable managing a distributed workgroup.

Specifically, managers should:

- a. Understand the agency's emergency COOP plans and management roles in executing the plan.
- b. Implement telework with key employees so systems are in place to support successful telework in an emergency.
- c. Notify individuals designated as key employees for a continuity or pandemic event.
- d. Communicate expectations to both key and non-key employees regarding their roles and responsibilities in an emergency.
- e. Establish communication processes to notify key employees and non-key employees of the activation of the agency's emergency plan and the agency operating status during the emergency.
- f. Integrate emergency expectations into the Agency's telework plan as appropriate.
- g. Determine how employees who telework will communicate with one another and with management to accomplish work.
- h. Determine how time and attendance will be maintained.
- i. Allow personnel who might telework in case of an emergency to test telework connectivity monthly to ensure functionality.

IV. Employee Responsibilities

- a. Maintain a current telework agreement detailing any emergency telework responsibilities specified for a continuity and/or pandemic event, as appropriate.
- b. Test telework connectivity monthly to ensure effectiveness.
- c. Be familiar with the agency's emergency plans (continuity plan, pandemic plan, etc.) and your manager's expectations for how you will telework during such events.
- d. Be flexible; be willing to perform all duties assigned to you by management even if they are outside your usual or customary duties.

CHEROKEE COUNTY BOC
Temporary Remote Work Agreement



This Temporary Remote Work Agreement should be used in all instances where management has determined that work may temporarily be performed from home or an alternate location due to situations that require office closure or quarantine.

This Agreement must be signed and approved by the employee's manager or supervisor and the agency director. This Agreement supersedes any prior Telecommuting Agreement in place between the employee and Cherokee County BOC, if any. When management determines to end this Temporary Remote Work Agreement, your prior Telecommuting Agreement, if any, would resume unless otherwise agreed and memorialized in a new Telecommuting Agreement. In instances where no prior Telecommuting Agreement existed and management determines some form of remote work arrangement is appropriate going forward, a new Telecommuting Agreement must be prepared and signed. Note that having successfully engaged in temporary telecommuting pursuant to this Agreement, or a prior agreement, does not require management to agree to any future remote work.

I. General Work Arrangement

- a. This Agreement is between _____ ("the agency or department") and _____ ("Employee") to establish the terms and conditions for temporarily performing work at an alternate work site for a specified period of time.
- b. This Agreement begins on _____ (date). You understand that this Agreement to permit you to work remotely is a temporary measure only, and will be reviewed continuously during the period in which Cherokee County BOC's offices remain closed or encourages quarantine. Accordingly, Cherokee County BOC may alter this schedule or end the Temporary Remote Work Agreement at any time at its discretion.
- c. This Agreement will remain in effect unless altered or terminated at any time by the County.
- d. The following conditions apply:
 - i. Employee's remote work schedule is _____.
 1. (Specify days and hours. If it varies, please include those details)
 - ii. Employee's regular remote work site location is _____.
 - iii. Employee's regular remote work phone number is _____.
- e. While working remotely, Employee will:
 - i. remain accessible during the remote work schedule;
 - ii. check in with the manager to discuss status and open issues;
 - iii. be available for video/teleconferences, scheduled on an as-needed basis;
 - iv. be available to physically attend scheduled work meetings as requested or required by the Department;

- v. request manager approval in advance of working any overtime hours (if employee is nonexempt);
 - vi. request manager approval to use vacation, sick, or other leave in the same manner as when working at Employee's regular work location.
- f. Employee's duties, obligations, responsibilities, and conditions of employment with the County remain unchanged except those obligations and responsibilities specifically addressed in this Agreement. Job responsibilities and standards of performance remain the same as when working at the regular County work site. The manager reserves the right to assign work as necessary at any work site.
- g. The parties acknowledge that this Agreement may be evaluated on an ongoing basis to ensure that Employee's work quality, efficiency, and productivity are not compromised by the remote work arrangement described herein.
- h. You acknowledge that if your manager deems that the temporary remote work arrangement described in this Agreement is not working effectively or as envisioned, management may at any time adjust or end this Agreement. Management will strive to provide at least 24 hours' advance notice of any changes to this Agreement.

II. Safety & Equipment; Information Security:

- a. Employee agrees to maintain a safe, secure, and ergonomic work environment and to report work related injuries to Employee's manager at the earliest reasonable opportunity. Employee agrees to hold the County harmless for injury to others at the alternate work site. Regarding space and equipment, set-up, and maintenance for telecommuting purposes:
 - i. Employee is responsible for providing space, telephone, networking and/or Internet capabilities at the telecommute location, and shall not be reimbursed by the employer for these or related expenses. Internet access must be via DSL, Cable Modem, or an equivalent bandwidth network.
 - ii. Employee agrees to protect County-owned equipment, records, and materials from unauthorized or accidental access, use, modification, destruction, or disclosure. The precautions described in this agreement apply regardless of the storage media on which information is maintained, the locations where the information is stored, the systems used to process the information, or the process by which the information is stored.
 - iii. Employee agrees to report to Employee's manager any incidents of loss, damage, or unauthorized access at the earliest reasonable opportunity.
 - iv. Employee understands that all equipment, records, and materials provided by the County shall remain the property of the County.
 - v. Employee understands that personally owned devices must be inspected by Cherokee County ITS Department to ensure OS Patching and Antivirus tools are in place and scheduled for automatic updates. Employee will be responsible for ensuring backup of their personal data prior to inspection. Cherokee County will not be responsible for loss or damage of personal applications or personal data resulting from the use of device for County business.

- b. Employee agrees to return County-owned equipment, records, and materials within ___ days of termination of this agreement. Within ___ days of written notice, Employee must return County-owned equipment for inspection, repair or replacement.
- c. Employee understands that County documents or files created on or stored on personal computer equipment may make that equipment subject to open records requests.

I hereby affirm by my signature that I have read this Temporary Remote Work Agreement and understand and agree to all of its provisions.

Employee's Signature

Date

Manager's Signature

Date

Agency Director's Signature

Date

This signed Agreement must be sent to your HR Partner for placement in Employee's personnel file. The employee and the manager should each keep a copy of this Agreement for future reference.

This Agreement terminates on _____ (date).

Employee's Signature


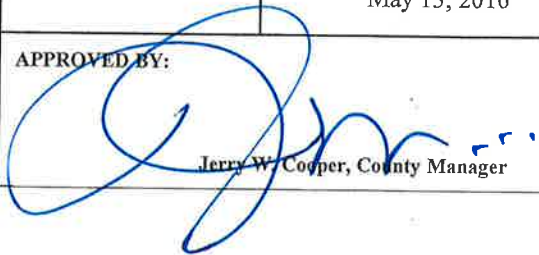
Date

Manager's Signature

Date

Agency Director's Signature

Date

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Hiring Process
	NUMBER: HR-3.7	REVISIONS:	EFFECTIVE DATE: May 13, 2016
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR-3.7 PURPOSE

The purpose of this administrative policy and procedure is to affirm Cherokee County’s commitment to fair hiring practices and to articulate the procedures that are to be consistently applied relative to Cherokee County’s fair hiring practices.

HR-3.7.1 POLICY

Cherokee County is committed to fair hiring practices. Employment applications, with the exception of employment applications for public safety, highly sensitive positions, or as otherwise required by law, shall exclude questions or checkboxes that would disclose an applicant’s criminal history.

After a candidate’s application has been accepted and an interview has been conducted, candidates shall disclose their criminal history to the hiring agency/department and the Human Resources Department. A criminal background check will be conducted before an employment decision is made by the hiring agency/department.

If a background check yields information of concern, the candidate shall be given the opportunity to demonstrate that the conviction should not exclude him/her from consideration for the position he/she seeks with the County.

The hiring agency/department before making an employment decision based on convictions records will consider the following three (3) factors:

1. The nature and gravity of the offense.
2. The time that has passed since the conviction and/or completion of sentence.
3. The nature of the job held or sought.

Thereafter, the County will make a determination on whether exclusion of the application is job related and consistent with business necessity.

HR-3.7.2 DEFINITIONS

As used in this policy, the following terms have the indicated meaning and will be adhered to in relation to Fair Hiring Practices:

“Public Safety” refers to all Cherokee County positions responsible for the welfare and protection of the general public, within Cherokee County.

“Highly Sensitive Positions” refers to those positions within Cherokee County where a criminal background is a disqualifier for purposes of whether or not a checkbox will be maintained on the application.

HR-3.7.3 PROCEDURE

I. Application Maintenance

A. The Human Resources Department will ensure that the proper employment applications are appropriately and consistently paired with the corresponding open position using the definitions outlined in this administrative policy and procedures.

II. Pre-Determination Letter & Determination Notice Process

A. If a background check reflects information of concern, the Human Resources Department will send a Pre-Determination Letter to the applicant with a copy of the GCIC background report and advise the applicant that based on hiring criteria and the contents of the background report, the County has made a preliminary decision not to consider the applicant for employment at this time

B. The applicant will have five (5) business days to respond to the Human Resources Department, after receipt of the Pre-Determination Letter. If no contact has been made by the applicant after five (5) business days, the applicant will be eliminated from further employment consideration for the position.

C. The applicant who receives a Pre-Determination Letter will have the right to dispute the accuracy of the report and may provide additional information including a detailed account of the incident leading to the conviction(s) listed on their report and reasons for why the conviction should not exclude him/her from consideration for the positions he/she seeks with the County.


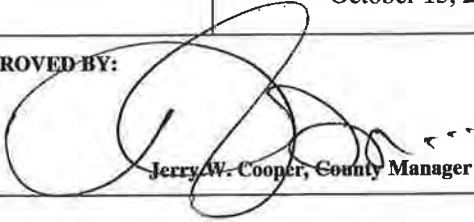
D. The Human Resources Department will review and consider all information voluntarily provided by the applicant and before making an employment decision based on convictions records, will consider the following three (3) factors:

1. The nature and gravity of the offense;
2. The time that has passed since the conviction and/or completion of sentence; and
3. The nature of the job held or sought.

E. After review of any additional information received from the applicant and consideration of the three factors described in HR-3.7.3(II)(D), the County will make a final determination on whether exclusion of the application is job related and consistent with business necessity.

1. If the final determination is that exclusion of the application is job related and consistent with business necessity, the Human Resources Department will send a Determination Notice Letter to the applicant advising the applicant that he/she has been removed from consideration for the position.
2. If the final determination is to allow the applicant to move forward in the recruitment process, the Human Resources Department will notify the applicant.

F. Cherokee County will comply with all federal, state and local laws regarding fair hiring practices including all obligations within the Fair Credit Reporting Act (FCRA) regarding both the Pre-Determination Notices and the Determination Notices.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Overtime Compensation
	NUMBER: HR-4	REVISIONS:	EFFECTIVE DATE: October 13, 2004
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR-4.0 PURPOSE:

The purpose of this directive is to establish overtime compensation policy and procedures for non-exempt (hourly) employees based on policies adopted by the Board of Commissioners.

HR-4.1 POLICY:

Department/Agency Directors acting within budget limitations may authorize overtime work for non-exempt employees as conditions require. Overtime work for individual non-exempt employees must be approved by their management.

Exempt salaried positions will not earn or accrue compensatory time. Employees in these positions, as a condition of employment, are expected to work the hours necessary to satisfy the requirements of their positions.

Hours of work performed by a non-exempt employee in excess of straight time hours WORKED in a regular work period, as defined by Board of Commissioners Personnel Policy §4.1 – Overtime (Refer to Administrative Policies & Procedures Manual, HR-2), must be compensated by:

1. Cash compensation at the rate of 1.5 times the regular hourly rate, or
2. Compensatory time defined as paid time off during regular working hours at a rate of 1.5 hours off for each overtime hour worked. Earned compensatory time is a legal liability. Employees may accumulate compensatory time up to a maximum of 40 hours of overtime work (60 compensatory hours).

29 U.S.C. Sec. 207 (O)(5) states that an employee who has accrued compensatory time and requests use of the time, must be permitted to use the time off within a "reasonable period" after making the request if it does not "unduly disrupt" operations. The term "unduly disrupt" has been defined to mean something more than mere inconvenience.

HR-4.2 RESPONSIBILITY:

Department management has the responsibility to schedule and direct activities so as to minimize the necessity of overtime under normal conditions. Comp time should be permitted to accrue only to the extent management can realistically expect it to be granted.

HR – 4.3 PROCEDURES:


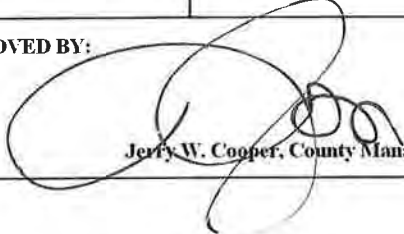
1. Overtime must be paid, or compensatory time granted, to employees who work overtime hours over the 40 hour standard work week. Paid hours not worked such as holiday, sick leave, vacation, etc. are not included in base hours for determining overtime. Public Safety (Sheriff and Fire) personnel are the exception to the standard 40 hour week and are governed by separate provisions of the Fair Labor Standards Act. (refer to Personnel Policies & Procedures adopted by the Board of Commissioners). Sworn law enforcement

personnel (207(k) employees) will be paid at the rate of one and one-half for hours worked in excess of one hundred seventy-one (171) hours in a 28 day work period. Firefighters (207(k) employees) will be paid at the rate of one and one-half for hours worked in excess of two hundred twelve (212) hours in a 28 day work period.

2. Department supervision records all overtime worked for which compensatory time is to be granted, or has been taken, on an Employee Comp Time Report. This report is to be submitted to the Finance Department each payroll period. A copy of the Comp Time Report is attached as an exhibit.

4.29 C.F.R. Sec. 553.27 (c) requires that upon termination of employment by an employee who has a comp time accrual earned after April 14, 1986, payment must be calculated by one of the following pay rates, whichever yields the higher amount:

- The final regular rate of pay,
- Average regular rate of pay during the three year period immediately preceding termination.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Exit Interviews
	NUMBER: HR - 5	REVISIONS:	EFFECTIVE DATE: November 1, 2005
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR - 5.0 POLICY:

It is the policy of the County Manager that exit interviews be conducted by the Human Resources department with all employees leaving employment with the County prior to final paycheck distribution.

HR - 5.1 PURPOSE:

Cherokee County strives to provide challenging and rewarding employment to its employees and offer opportunity to develop skills and abilities for job advancement. Valuable information can be gathered from employees departing employment with Cherokee County.

It is important to ensure employees leaving employment with Cherokee County complete all required exit paperwork and receive benefit continuation information. Equally important, the County must receive all equipment and other property in the employee's possession prior to or at the time of departure before final paycheck is released.

HR - 5.2 RESPONSIBILITY:

Immediate Supervisors and Agency/Department Directors have the ultimate responsibility of notifying the employee of this requirement as well as notifying Human Resources immediately of an employment termination.


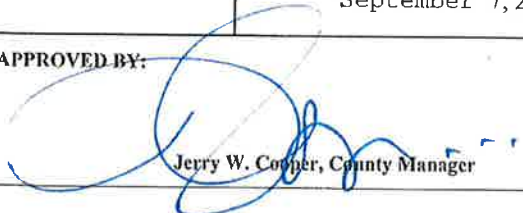
HR - 5.3 PROCEDURES:

Voluntary Resignation

1. Employee must give proper notice (preferably 2 weeks prior), in writing, to his/her supervisor of intended departure from Cherokee County.
2. The Supervisor or Agency/Department Director must contact Human Resources to schedule an exit interview appointment.
3. Upon completion of the exit interview process and receipt of all county property, Human Resources will notify payroll and the Agency/Department Director authorizing release of final paycheck.
- 4: In the event the employee resigns without notice (no call/no show), a letter will be mailed by the Human Resources department stating the final paycheck will not be released until the employee satisfies the above requirements (completes exit interview and returns all county property).

Involuntary Resignation (Termination)

1. The Agency/Department Director must notify Human Resources prior to any and all terminations.
2. Upon issuing the termination notification to the employee, the Agency/Department Director must advise the employee to immediately proceed to Human Resources to complete the exit interview process.
3. Upon completion of the exit interview process and receipt of all county property, Human Resources will notify payroll and the Agency/Department Director authorizing release of final paycheck.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Motor Vehicle Record
	NUMBER: HR-5.12.5	REVISIONS:	EFFECTIVE DATE: September 7, 2016
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR-5.12.5 PURPOSE

The purpose of this administrative policy and procedure is to affirm Cherokee County's commitment to driver safety, and to articulate the procedures that are to be consistently applied relative to employee motor vehicle record's (MVR) for pre-employment and continued employment purposes for jobs requiring a valid driver's license.

HR-5.12.5.1 POLICY

It is the policy of Cherokee County and a requirement of employment that every employee filling a position that requires a valid driver's license have a motor vehicle record (MVR) specified grading requirements. This MVR policy applies both to drivers of entity owned vehicles, and employees using personal vehicles in the course of their employment as well.

Employee MVR's will be examined prior to the date of employment and every year thereafter. Any job offer made where the job requires a valid driver's license will be contingent upon a MVR meeting the required standards. Continued employment with the County in a position requiring a valid driver's license will require a MVR meeting the specified standards.

All violations will be reviewed by the County Manager and Human Resources Director and may result in disciplinary action, up to and including termination.

HR-5.12.5.2 DEFINITIONS

As used in this policy, the following terms have the indicated meaning and will be adhered to in relation to Motor Vehicle Record practices:

"Clear" refers to no offenses or accidents.

"Acceptable" refers to no more than two (2) minor violations or one (1) at-fault accident in the last three (3) years; or a combination including no more than one (1) minor violation and one (1) at-fault accident in the last three (3) years.

"Borderline" refers to three (3) minor violations; or two (2) at-fault accidents in three (3) years; or any combination of three (3) occurrences of minor violations and at-fault accidents in three (3) years.

"Poor" refers to any major conviction in the last five (5) years; or four (4) or more minor violations in three (3) years; or three (3) or more at-fault accidents in three (3) years; or any combination of minor violations and at-fault accidents totaling four (4) occurrences in three (3) years.

“Major Conviction” refers to:

- Driving under the influence of drugs or alcohol, or refusing to test for sobriety;
- Leaving the scene of an accident or attempting to elude a police officer;
- Reckless driving/racing;
- Involvement in a fatal accident;
- Assault involving a motor vehicle;
- Passing a stopped school bus; or
- Driving with a suspended/revoked license.

“Minor Violations” refers to any moving violation other than a “major conviction”, plus:

- Motor vehicle equipment, load or size violations;
- Improper display of, or failure to display, license plates;
- Failure to sign or display a registration, or have a driver’s license in possession (if valid license exists);
or
- Defective equipment.

“At-Fault Accident” refers to any accident where the driver is cited with a violation or negligently contributes to the incident, or any single vehicle accident that is not caused by actual equipment failure.

HR-5.12.5.3 PROCEDURE

I. Motor Vehicle Report Authorization and Acknowledgement

A. Authorization: Any job offer made where the job requires a valid driver’s license will be contingent upon a motor vehicle report (MVR) meeting the required standards. As part of the required pre-employment paperwork, the Motor Vehicle Report Authorization Form is included whereby the applicant authorizes the County to pull his/her MVR prior to the date of employment and every year thereafter.

B. Acknowledgement: The Motor Vehicle Report Authorization Form also states that any job offer made where the job requires a valid driver’s license will be contingent upon a MVR meeting the required standards. Continued employment with the county in a position requiring a valid driver’s license will require a MVR meeting the specified standards.

All violations will be reviewed by the County Manager and Human Resources Director and may result in disciplinary action, up to and including termination, depending on severity of the violation.

On the Motor Vehicle Report Authorization Form, the employee is requested to sign acknowledging the following: I have read, understand and agree to abide by the above policy. Employees also acknowledge this policy when signing the Personnel Policies Manual (Section 5.12.5).

II. Pulling Motor Vehicle Reports

A. The Human Resources Department will pull and review motor vehicle reports for any applicant where the job requires a valid driver’s license. This process is intended for pre-employment and for employees who are in a job that does not require a valid driver’s license and have applied to a position that does require a valid driver’s license.

B. For continued employment with the county in a position requiring a valid driver’s license, the Human Resources Department will pull and review motor vehicle reports every year necessitating a MVR meeting the specified standards.

The schedule used for pulling MVRs every year will be: The MVR will be pulled and reviewed in the quarter following the last MVR that was pulled for the employee.

III. Motor Vehicle Report Standards and Eligibility

A. The MVR standards for an applicant or an employee where the job requires a valid driver's license are below. An applicant or employee's eligibility for a position that requires a valid driver's license will be based on the following criteria (note: the definitions to each category below can be found in the above Definitions section):

Number of Minor Violations	Number of At-Fault Accidents (last three years)			
	0	1	2	3
0	Clean	Acceptable	Borderline	Poor
1	Acceptable	Acceptable	Borderline	Poor
2	Acceptable	Borderline	Poor	Poor
3	Borderline	Poor	Poor	Poor
4	Poor	Poor	Poor	Poor
Any Major Conviction (last five years) = Poor				


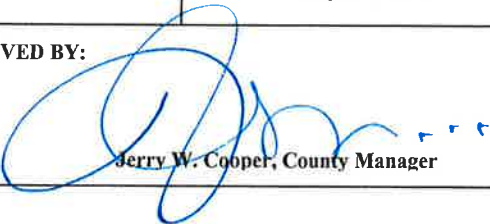
1. An employee's MVR yielding "Borderline" results, as described in this policy, will be reviewed by the County Manager and Human Resources Director and may result in disciplinary action, up to and including termination, depending on severity of the violation.

For applicants, an MVR yielding "Borderline" results is considered decisional and will be reviewed using our pre-employment adjudication process (see Administrative Policy and Procedure 3.7 – Hiring Process).

2. An employee's MVR yielding "Poor" results, as described in this policy, will be reviewed by the County Manager and Human Resources Director. After review, the Human Resources Director will notify the Agency Director and the Agency Director (or designee) will notify the employee that he/she is not currently eligible to remain in a job requiring a valid driver's license due to not meeting the established MVR standards. The employee may apply for another County position that does not require a valid driver's license; however, his/her employment in the driving position will be terminated immediately.

For applicants, an MVR yielding "Poor" results is considered ineligible for employment in a position requiring a valid driver's license.

3. No employee should be displaced to accommodate an employee who no longer meets the standards to remain in a driving position.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Benefits Committee
	NUMBER: HR – 5.15	REVISIONS:	EFFECTIVE DATE: May 24, 2016
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR – 5.15 POLICY:

It is the policy of the County to achieve and maintain a benefits package that meets the needs of employees while being financially sustainable for the County.

HR – 5.15.1 PURPOSE:

The Purpose of the Committee is to facilitate the provision of quality and affordable health and other benefits for County employees and their eligible dependents by acting in an advisory capacity to the County Manager to:

- facilitate the provision of quality and affordable retirement benefits for County employees;
- build a foundation for an effective health care program that encourages wellness through healthy lifestyle, including features that provide the best value for cost in the health care plan design, while reducing health care costs to employees, eligible dependents, and taxpayers;
- rely upon a combination of initiatives for employee, dependent and providers in making health care decisions;
- gain employee understanding and endorsement of health, retirement, and other benefit programs; and
- develop fact-based outcome measures for cost effective health care programs.

HR- 5.15.2 MEMBERSHIP OF COMMITTEE:

Each of the following agencies shall recommend to the County Manager an appointment to serve on the Committee, which shall not include Agency Directors. The Committee shall be comprised of the following voting members:

One representative from each of the following: Fire & Emergency Services, Sheriff's Office, Clerk of Court, Public Works, Community Development, Community Services, Recreation & Parks, E-911, Judicial (Superior, State, Magistrate, Juvenile, or Probate), District Attorney, Solicitor, Finance, County Marshal, Tax Commissioner, Tax Assessor, and Elections.

If the designated representative is unable to attend, each agency may select a voting alternate to take their place.

Non-Voting Members of the Committee:

- Benefits Administrator
- Human Resources Director or designee.
- Chief Financial Officer or designee.
- County Manager or designee.

Non-Voting Staff to the Committee:

- HR Staff as assigned by the Human Resources Director

Chairperson: The Committee shall elect a Chairperson, Vice-Chairperson, and Secretary at their first meeting to serve a term of 1 year.

Meetings: The Committee shall hold meetings at least quarterly and conduct said meetings in the BOC Conference Room, 1130 Bluffs Parkway. The Committee members themselves and Committee staff and non-voting members may attend all meetings. Other individuals may attend subject to the approval of the Chairperson, or Vice-Chairperson in the absence of the Chairperson.

Quorum: Nine (9) members of the Committee shall constitute a quorum for the transaction of business. The Committee shall take no formal action unless it is adopted by the concurring votes of a super-majority of those present constituting a quorum in any meeting (7 of 9 members present constitutes a super-majority). When recommending a change in benefits to the County Manager, a super-majority vote of those members present and constituting a quorum is required, however, in the event that one or more members of the Committee oppose such a recommendation, the Committee shall cause its report and recommendation to reflect the majority and minority opinions. If the Committee is unable to achieve a super-majority vote of those members present, the Committee shall cause its report to be submitted to the County Manager without a recommendation but reflect the majority and minority opinions.

Minutes: The Secretary of the Committee shall maintain minutes of all its meetings. All decisions and recommendations, and findings of fact shall be entered in the Committee's minutes, and available in the Benefits Division of the Human Resources Department for a minimum of 3 years.

HR- 5.15.3 RESPONSIBILITIES:

Committee Representatives will:

- Commit to attending and participating in Committee meetings.
- Serve a two-year term. Due to the degree of benefits education involved, frequent member turnover would impede the progress.
- Express your thoughts and opinions in a group setting while respecting the thoughts and opinions of others.
- Represent the committee to co-workers by sharing information, raising awareness and asking for feedback about the plan and various benefit issues.
- Represent your co-workers to the committee by conveying questions or issues raised by your colleagues.

Human Resources will:


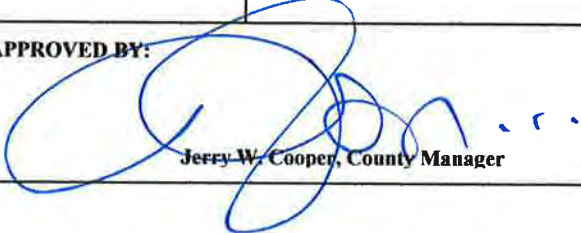
- Educate the committee on benefits in general and County benefits specifically.
- Complete necessary administrative responsibilities in a timely manner. This includes agendas/minutes, posting

of minutes and materials.

- Provide the committee with the information necessary to make informed recommendations.
- Make Committee information available to County employees.

HR- 5.15.4 GUIDELINES:

- Attendance and participation are vital to the process. Frequent absenteeism may result in replacement on the committee.
- Be respectful of the thoughts and opinions of others.
- Avoid situations that may constitute a conflict of interest.
- Respect your coworker's right to confidentiality.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Education Reimbursement
	NUMBER: HR - 6	REVISIONS:	EFFECTIVE DATE: January 1, 2006
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR - 6.0 PURPOSE

To provide guidelines for the preparation and submission of Education Reimbursement Requests by employees and their Agency/Department Directors.

HR - 6.1 POLICY

Cherokee County is a strong supporter of advanced learning and encourages its employees to strive to develop and enhance their occupational skills and knowledge. This advanced knowledge also allows the County to more effectively and efficiently utilize the services of the employee.

HR - 6.2 PROCEDURES

Agency/Department Directors have the ultimate responsibility of notifying employees of this policy.

1. Employees requesting education reimbursement consideration must complete and submit, to his/her Agency/Department Director for signature, the "Education Reimbursement Request" at least 60 days prior to the course start date.
2. Prior to signing (approving) the request, the Agency/Department Director must verify training funds are available in the budget. Upon verification of funds, the Agency/Department Director will forward the request form to Human Resources for review.
3. The Human Resources Director, or designee, will verify information provided on the request, including confirmation of school accreditation status and usefulness of course to current or future position with Cherokee County. The HR Director, or designee, will also confirm funds availability with the Agency/Department Director and/or Finance Director.
4. The form will be submitted by the HR Director to the County Manager for final review and approval.
5. Upon receiving final approval from the County Manager, the HR Director will notify the employee and Agency/Department Director of approval. The HR Director will prepare the Educational Reimbursement Agreement and schedule an appointment with the employee and his/her Director.
6. The signed agreement will be maintained in the Human Resources office. Upon completion of the course, the employee shall submit tuition receipts and a copy of the final course grade to the HR Director. The HR Director will submit for payment to accounts payable and the employee shall receive reimbursement per the following schedule: 100% for "A", 75% for "B", 50% for "C".
7. For every Undergraduate credited course completed and reimbursed (whether full or partial reimbursement), the employee must complete an additional 3 months of service from course completion date or an additional 6 months of service for Graduate or higher courses.



**CHEROKEE COUNTY BOC
EDUCATION REIMBURSEMENT REQUEST**

DATE OF REQUEST: _____

EMPLOYEE NAME: _____

TITLE & DEPARTMENT: _____

EMPLOYMENT DATE: _____

HOW LONG IN CURRENT POSITION? _____

REQUESTED COURSEWORK INFORMATION

SCHOOL: _____ FIELD OF STUDY: _____

EXPENSE REIMBURSEMENT ESTIMATED AMOUNT: \$ _____

EXPECTED PERIOD OF STUDY: _____ to _____
Starting Date Ending Date

Employee Signature _____

Agency/Dept Director Signature _____

HR Director _____

Recommend for Approval
_____ Yes _____ No

County Manager _____

_____ Yes _____ No

**CHEROKEE COUNTY
EDUCATIONAL REIMBURSEMENT AGREEMENT**

This Agreement, made this _____ day of _____, 20____, by and between the Cherokee County and _____, an employee of Cherokee County. Any change in the terms or provisions of this contract must be mutually agreed to in writing by both parties.

WHEREAS, the Cherokee County Human Resources Department has investigated the employee's qualifications and job responsibilities; and

WHEREAS, it is the judgment of the Cherokee County Human Resources Department that _____ and Cherokee County could more effectively and efficiently utilize the services of the employee if the employee were to receive additional education and academic or practical training in the field of _____;

NOW, THEREFORE, in consideration of the future benefits to be obtained by _____ and Cherokee County, the Human Resources Department recommends to the County Manager the employee to receive expense reimbursement in order to receive education and training under the following conditions:

WITNESSETH

I. _____ agree to grant unto the employee a subsidy as follows:

SCHOOL: _____ FIELD OF STUDY: _____

EXPENSE REIMBURSEMENT ESTIMATED AMOUNT: \$ _____

EXPECTED PERIOD OF STUDY: _____ to _____
Starting Date Ending Date

The employee agrees to the obligated period of employment identified below following completion of training:

The reimbursement amount specified above shall be prorated and paid to the employee based on grade received upon successful completion of classes and presentation of a grade of "C" (or its equivalent) at the rate of 50%, "B" (or its equivalent) at the rate of 75%, or "A" at the rate of 100% for undergraduate classes, and a grade of "B" (or its equivalent) at the rate of 80%, or "A" at the rate of 100% for graduate classes or greater, and valid invoices and receipts from the educational/training facility. Any amount of expense in excess of the approved subsidy amount is the sole responsibility of the employee.

II. It is further agreed and understood between the parties that if said employee does not continue to resume employment as herein set forth, such separation from employment shall be regarded as a breach of contract. The reason for such separation (resignation, retirement, dismissal, or other) shall be made a part of the permanent personnel record of the employee, and the reimbursement amount will become due and payable as a refund to Cherokee County, or withheld from any monies paid or payable to the employee. This refund or withholding shall be based on a pro rata basis based on the employment period completed.

WITNESS THE FOLLOWING SIGNATURES

Employee Name (please print): _____

Employee Signature: _____

Employee Social Security Number: _____

State of Georgia

County of _____, to-wit:

Taken, subscribed, and sworn to before me this _____ day of _____, 20_____.

My commission expires _____, 20_____.

AFFIX SEAL HERE:

NOTARY PUBLIC: _____

APPROVALS

Department Director: _____
(please print) (signature)

Agency Director: _____
(please print) (signature)

HR Director: _____
(please print) (signature)


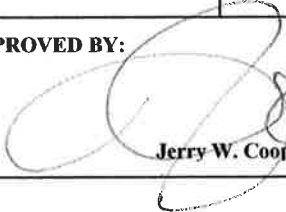
County Manager: _____
(please print) (signature)

Undergraduate Courses

For every credited course completed and reimbursed (whether full or partial reimbursement), the employee must complete an additional 3 months of service from course completion date.

Graduate or higher Courses

For every credited course completed and reimbursed (full or partial reimbursement), the employee must complete an additional 6 months of service from course completion date.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Light Duty Assignments
	NUMBER: HR - 7	REVISIONS:	EFFECTIVE DATE: September 1, 2006
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR - 7.0 PURPOSE

To provide guidelines which allow employees to return to light duty or restricted duty following an off-the-job injury or illness, including surgery.


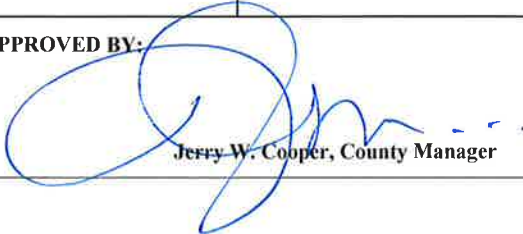
HR - 7.1 POLICY

Cherokee County will make every effort to provide suitable work for employees who have been released by a physician to perform light or restricted/limited duties following an off-the-job injury, illness or surgery. Extreme restrictions may limit the employer's ability to provide suitable work.

HR - 7.2 PROCEDURES

Department Directors have the ultimate responsibility of notifying employees of this policy.

1. The employee must provide HR and the Department Director a copy of the written release PRIOR to returning to work. The release may be faxed or hand-delivered to the appropriate parties.
2. The HR Director and Department Director will determine, based on the restrictions, whether suitable work is available and accommodations can be made.
3. The employee will be notified by the HR Director or designee as to whether he/she may return to work.
4. If accommodations cannot be made due to the restrictions, the employee may not return to work until such restrictions have been reduced, modified or eliminated.
5. It is the responsibility of the Department Director to ensure the work assignment does not violate the work restrictions and limitations.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: ADA Request and Review Procedure
	NUMBER: HR-8	REVISIONS:	EFFECTIVE DATE: November 1, 2015
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR-8.0 PURPOSE

The purpose of this administrative policy and procedure is to affirm Cherokee County’s commitment to non-discrimination against individuals with disabilities and to establish a review procedure for requests for reasonable accommodations pursuant to the Americans with Disabilities Act (ADA), as amended by the American with Disabilities Act Amendments Act (ADAAA). It is the policy of the County to comply with all federal, state and local laws concerning the employment of persons with disabilities. Furthermore, the County will not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

In accordance with Title II of the Americans with Disabilities Act, Cherokee County also prohibits discrimination on the basis of the denial of access to County facilities, programs or services.

HR-8.1 POLICY

It is the policy of Cherokee County Government to comply with the Americans with Disabilities Act, as amended by the American with Disabilities Act Amendments Act (ADAAA). All requests for reasonable accommodations shall be reviewed as outlined below.

HR-8.2 DEFINITIONS

As used in this policy, the following terms have the indicated meaning and will be adhered to in relation to the ADA Request and Review Procedure:

“Disability” refers to a physical or mental impairment that substantially limits one or more major life activities of an individual. An individual who has such impairment, has a record of such impairment, or is regarded as having such impairment is a “disabled individual.”

A “qualified individual with a disability” means an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or has applied for.

The term “reasonable accommodation” means:(1) modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such applicant desires; or (2) modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable an individual with a disability who is qualified to perform the essential functions of that position; or (3) modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated County employees without disabilities. Reasonable accommodation may include but is not limited to the following: making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position,

acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.

“Undue hardship” means, with respect to the provision of an accommodation, an action requiring significant difficulty or expense incurred by the County. Factors to be considered in determining whether an accommodation would impose an undue hardship on the County, include, but are not limited to:

- (1) the nature and cost of the accommodation;
- (2) the overall financial resources of the County facility involved in the provision of the reasonable accommodation, the number of persons employed at the County facility, the effect on expenses and resources, or the impact of such accommodation on the operation of the County facility;
- (3) the overall financial resources of the County— including the overall size of the County with respect to the number of its employees and the number, type and location of County facilities; (7)
- (4) the operations of the County, including the composition, structure and functions of the workforce, and the geographic separateness and administrative or fiscal relationship of the particular County facility in making the accommodation to the County; and
- (5) the impact of the accommodation upon the operation of the County facility, including the impact on the ability of other employees to perform their duties and the impact on the County facility's ability to conduct business.

“Direct Threat” is defined as a significant risk to the health, safety or well-being of individuals with disabilities or others when this risk cannot be eliminated by the provision of a reasonable accommodation.

“Essential job functions” refers to those fundamental job duties of the employment position the individual with a disability holds or desires. The term “essential functions” does not include the marginal functions of the position.

HR-8.3 PROCEDURE

I. ADA Title I—Employment

A. When an applicant with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, the individual will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

B. Cherokee County will reasonably accommodate qualified individuals so that they can perform the essential functions of a job, unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation poses an undue hardship on the County or its operations. All employees are required to comply with Cherokee County’s safety policies and procedures. Employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on Administrative Leave (Cherokee County Personnel Policies Manual 6.8) until a decision has been made in regard to the employee’s immediate employment situation.

C. An employee may submit a reasonable accommodation request to the appropriate Agency Director as specified in Section 1.1.2 of the Cherokee County Personnel Policies Manual using the attached ADA Title I (Employment) Accommodation Request Form.

D. The Human Resources Director is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

II. ADA Title II—Government Program Accessibility and/or Provision of Services

- A. Cherokee County will not discriminate against individuals with disabilities in regard to accessibility to County facilities and programs, or the provision of services.
- B. Cherokee County will comply with all federal, state and local laws in the construction and/or modification of County facilities and buildings, as well as, grantee/sub-recipient requirements, such as in the acquisition of accessible vehicles for the provision of public transit.
- C. Individuals with disabilities needing accommodations related to program accessibility or the provision of services should submit an ADA Title II (Program Accessibility/Provision of Services) Accommodation Request Form to the County Agency Director responsible for the provision of said program or service.
- D. Any person with a disability or any parent or guardian who represents a minor person with a disability, who believes that they have been the subject of disability related discrimination on the basis of denial of access to facilities, programs or services, may file a grievance. All grievances should be submitted to the Cherokee County Human Resources Director as specified in the Cherokee County Grievance Policy and Procedure for Disabled Individuals adopted by the Cherokee County Board of Commissioners.

III. Reasonable Accommodation Review—Employment and Government Program Accessibility and/or Provision of Services

- A. Within 3 business days of receipt of the ADA Accommodation Request Form, the Agency Director will forward a copy to the Director of Human Resources. The Director of Human Resources will (1) contact the individual and acknowledge that the request has been received within 3 business days of receipt; (2) explain to the individual requesting accommodation that the County will be making the decision on the request; and (3) answer any questions the individual has regarding processing of the request. The Human Resources Director or his/her designee will also coordinate the receipt of any protected health information needed to fully evaluate the request, and provide consultation to the Agency Director as necessary. Individuals requesting a reasonable accommodation must provide requested information within 14 business days of the County's request or their request may be denied for lack of sufficient supporting documentation.
- B. The Agency Director, in conjunction with the Human Resources Director, will begin an interactive process of discussion with the individual to determine if an accommodation can be made without causing an "undue hardship" on the County or its operations.
- C. The Agency Director will notify the requesting individual in writing of the agency's decision regarding providing a reasonable accommodation within 14 business days of receipt of the request and all requested supporting documentation.
1. If an accommodation can be reasonably provided, the Agency Director will communicate the approval using the model Approval Letter attached to this policy.
 2. If an accommodation cannot be provided, the denial will be communicated using the model Denial Letter attached to this policy.
- D. A copy of all documents related to the ADA request will be submitted to the Director of Human Resources for maintenance.

IV. Confidentiality of Medical Information

Medical information, whether obtained through the reasonable accommodation process or otherwise, may only be disclosed in limited circumstances including, but not limited to, the following:

- supervisors and managers may be told about necessary restrictions on the work or duties of the employee and about necessary accommodations;
- first aid and safety personnel may be told if the disability might require emergency treatment;
- government officials investigating compliance with the ADA must be given relevant information on

- request;
- the County may give information to the State Board of Workers' Compensation, the Subsequent Injury Trust Fund, and the County's Third-Party Administrator that administers the County's self-insured workers' compensation program; and
 - pursuant to a subpoena or other court sanctioned order requiring production of the medical information.

For purposes of this policy, "medical information" includes the fact that an individual is receiving an accommodation or has a disability, as well as any information concerning an individual's medical condition or history, regardless of whether the information was provided voluntarily or in response to a disability-related question.

ALL MEDICAL INFORMATION, REGARDLESS OF HOW SUCH INFORMATION WAS OBTAINED OR TO WHOM IT APPLIES, WILL BE KEPT CONFIDENTIAL.

ADA TITLE I (EMPLOYMENT)
ACCOMMODATION REQUEST FORM

When requesting a reasonable accommodation, the requesting party may be required to provide medical documentation regarding their impairment. Prior to the Human Resources Department accepting disability-related information from the individual, the individual must provide a completed Authorization for Request or Use/Disclosure of Protected Health Information (PHI). All such documentation will be treated confidentially.

Name: _____

Phone Number: _____

Job title: _____

Department: _____

Supervisor: _____

Date of request: _____

1. **Provide a short description of the physical and/or mental impairment(s) for which you are requesting an accommodation and the expected duration of the impairment(s).**

2. **Explain how the impairment(s) affect(s) your ability to perform your assigned duties.**

3. **Describe any type of accommodation that you believe will enable you to perform the essential functions of your position.**

Signature: _____ **Date** _____

ADA TITLE II (PROGRAM ACCESSIBILITY / PUBLIC SERVICE)
ACCOMMODATION REQUEST FORM

When requesting a reasonable accommodation, the requesting party may be required to provide medical documentation regarding their impairment. Prior to the Human Resources Department accepting disability-related information from the individual, the individual must provide a completed Authorization for Request or Use/Disclosure of Protected Health Information (PHI). All such documentation will be treated confidentially.

Name: _____

Phone Number: _____

Address: _____

Program/Service of Interest: _____

Date of request: _____

1. **Provide a short description of the physical and/or mental impairment(s) for which you are requesting an ADA accessibility accommodation and the expected duration of the impairment(s).**

2. **Explain how the impairment(s) affect(s) your ability to access the program or public service listed above.**

3. **Describe any type of accommodation that you believe will enable you to access the program or service.**

Signature: _____ **Date** _____

Model Request for Medical Documentation
[For HR use only]

Date:

[Name]

[Title]

[Address]

Subject: Notice of Request for Accommodation

Dear [Name]:

This letter confirms receipt of your request for an ADA accommodation. Thank you for sharing your needs with us and providing Cherokee County an opportunity to help you.

In order to evaluate your request, the County has determined that it needs additional information from your medical provider(s) regarding your impairment and request for accommodation. Therefore, please complete that attached Authorization for Request or Use/Disclosure of Protected Health Information (PHI), then submit documentation from your medical provider(s) setting forth:

- Your disability;
- Potential workplace accommodation(s); and
- The length of time you will need the accommodation(s).

After we receive and review this information, an agency representative will begin an interactive process with you to determine how best to support your request. Please note that a failure to provide such information may impair the County's ability to evaluate your request and may result in denial of your request for an accommodation.

Very truly yours,

Director of Human Resources

cc: [Agency Director]

Model Approval Letter
[For Agency Use]

Date:

[Name]
[Title]
[Address]

Subject: Approval of Request for Accommodation

Dear [Name]:

I am writing in response to your request for an accommodation. Thank you for sharing your needs with us and providing Cherokee County an opportunity to help you.

We have evaluated your request, and it has been approved. [*Alternative: Although the County is not able to provide you the accommodation you requested (describe), the County is prepared to offer you the following accommodation: _____.] [To employees only:]Your supervisor(s) have been notified of the accommodation.*

This accommodation will be in place:

____ permanently, for the duration of the disability

____ temporarily, until _____

If you believe you need an extension of this accommodation, please inform your supervisor or the Human Resources Department so that the extension request can be evaluated.

Very truly yours,

[Agency Director]

cc: Director of Human Resources

Model Denial Letter
[For Agency Use]

Date:

[Name]
[Title]
[Address]

Subject: Request for Accommodation

Dear [Name]:

I am writing in response to your request for an accommodation. Thank you for sharing your needs with us and providing Cherokee County an opportunity to help you. We have evaluated your request and, for the reason(s) indicated below, it has been denied.

_____ The County has determined that the medical documentation you supplied is inadequate.

_____ The County has determined that your requested accommodation will not enable you to perform the essential functions of your position.

_____ The accommodation you requested would require removal of an essential function of your position and/or the lowering of a performance or production standard.


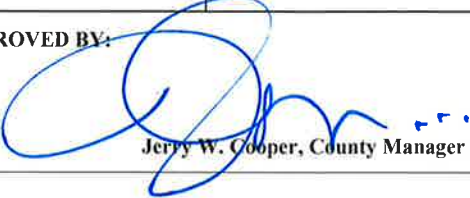
_____ The County has determined that your requested accommodation would cause an undue hardship to the County.

Detailed Reason(s) for the denial of reasonable accommodation:

If you would like to discuss this in more detail or if you have any additional information that you believe entitles you to an accommodation, please contact me.

Very truly yours,
[Agency Director]

cc: Director of Human Resources

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: ADA Complaint Procedure
	NUMBER: HR-9	REVISIONS:	EFFECTIVE DATE: May 5, 2015
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR-9.0 PURPOSE

The purpose of this administrative policy and procedure is to establish a complaint procedure to address alleged violations of the Americans with Disabilities Act (ADA), as amended by the American with Disabilities Act Amendments Act (ADAAA).

HR-9.1 POLICY

It is the policy of Cherokee County Government to comply with the Americans with Disabilities Act, as amended by the American with Disabilities Act Amendments Act (ADAAA). Any complaints related to alleged violations of the ADA will be investigated as outlined herein.

HR-9.2 ADA TITLE I—EMPLOYMENT COMPLAINT PROCEDURE

A. In accordance with the grievance procedure outlined in the Cherokee County Personnel Policies Manual, Section 8.3 – Grievance, subsection 8.3.5 (Step 3), Cherokee County employees or applicants for employment wishing to file an ADA Title I (Employment) complaint shall do so within 5 business days of the occurrence of the incident leading to the complaint.

B. Employees or applicants for employment shall complete an Americans with Disabilities Act Complaint form and present the completed form to the Human Resourced Director. It is imperative that the Americans with Disabilities Act Complaint form contain the following information:

1. A concise recitation of the specific violation contended with any supporting documentation evidencing the violation;
2. A complete copy of any grievance materials presented to any other County agency or official relating to the Americans with Disabilities Act complaint; and
3. Specific information that supports the complaining party's position that the aggrieved matter constitutes a violation of the Americans with Disabilities Act.

C. The Director of Human Resources or his/her designee shall mail a Notice of Receipt of ADA Title I Complaint to the employee or applicant for employment by email or certified mail within 3 business days of receipt of the complaint.

D. The Director of Human Resources shall review the complaint and, if appropriate, meet with the employee or applicant for employment within 10 business days after receipt of the appeal. The Director of Human Resources shall thoroughly investigate the contentions and forward his/her review of facts and recommendations to the County Manager within 15 business days after receipt of the appeal.

E. Following the Human Resources Director's investigation of the complaint, the County Manager will review the allegations contained in the complaint, the recommendations of the Human Resources Director and communicate his/her decision to the employee or applicant for employment within 20 business days from the date the complaint was received.

F. The decision of the County Manager shall be final, without further right to appeal.

G. The time limit at any step set forth in HR-9.2 may be extended by the County Manager or mutually agreed to by all parties involved.

HR-9.3 ADA TITLE II—PROGRAM ACCESSIBILITY/PROVISION OF SERVICES COMPLAINT PROCEDURE

A. In accordance with the Cherokee County Grievance Policy and Procedure for Disabled Individuals adopted by the Board of Commissioners, individuals wishing to file an ADA Title II (Program Accessibility/Provision of Services) complaint should submit a completed ADA Grievance Form to the Director of Human Resources and/or County Manager within 30 days of the alleged disability-related violation. Upon request, reasonable accommodation will be provided to complete the form.

B. The Director of Human Resources shall mail a Notice of Receipt of ADA Title II Complaint to the complainant by email or certified mail within 10 days of the receipt of the complaint. The Notice will establish a reasonable timeframe to meet and discuss the complaint.

C. The Director of Human Resources will work with the respective Agency Director or designee to investigate the merits of the complaint.

D. The Director of Human Resources will review the findings with the County Manager and prepare a written decision no later than 45 days following the receipt of the complaint.

E. If the complainant is dissatisfied with the written decision, the complainant may file a written appeal with the County Manager, no later than 30 days from the date of the mailing of the decision. The appeal must contain a statement of the reasons why the complainant is dissatisfied with the written decision, and must be signed by the complainant, or by someone authorized to sign on the complainant's behalf.

F. The County Manager shall act upon the appeal no later than 60 days after receipt, and a copy of the County Manager's written decision shall be mailed to the complainant by certified mail.

G. The decision of the County Manager shall be final. A copy of the written appeal and decision shall be maintained in the Human Resources Department for a period of three years.

HR-9.4 CONFIDENTIALITY OF MEDICAL INFORMATION

Medical information, whether obtained through the Americans with Disabilities Act Complaint process or otherwise, will only be disclosed in limited circumstances, including, but not limited to, the following:

- supervisors and managers may be told about necessary restrictions on the work or duties of current employees and about necessary accommodations for those employees;
- government officials investigating compliance with the ADA must be given relevant information on request;
- the County may give employee medical information to the State Board of Workers' Compensation, the Subsequent Injury Trust Fund, and the County's Third-Party Administrator that administers the County's self-insured workers' compensation program; and
- pursuant to a subpoena or other court sanctioned order requiring production of the medical information.

For purposes of this policy, "medical information" includes the fact that an individual is receiving an accommodation or has a disability, as well as any information concerning an individual's medical condition or history, regardless of whether the information was provided voluntarily or in response to a disability-related question.

ALL MEDICAL INFORMATION, REGARDLESS OF HOW SUCH INFORMATION WAS OBTAINED OR TO WHOM IT APPLIES, WILL BE KEPT CONFIDENTIAL.

**AMERICANS WITH DISABILITIES ACT
COMPLAINT FORM**

(Please Print)

Complainant: _____

____ Employee ____ Non-Employee

Full Address: _____

Contact Telephone: _____ Email: _____

Person Discriminated Against (if other than the complainant): _____

County Agency, Department or Program which you believe has discriminated: _____

Date alleged discrimination occurred: _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Have efforts been made to resolve this complaint through informal processes? Yes _____ No _____

If yes, what efforts have been made to resolve this complaint?

Have you previously filed a complaint alleging discrimination based on disability against Cherokee County?

Yes _____ No _____

Have you filed this complaint with any other federal, state or local agency, or with any federal or state court?

Yes _____ No _____

If yes, check all that apply:

Federal Agency: _____ State Agency: _____
 Federal Court Local Agency: _____
 State Court

Please provide information about a contact person at the agency/court where the complaint was filed:

Name: _____

Title: _____

Agency: _____

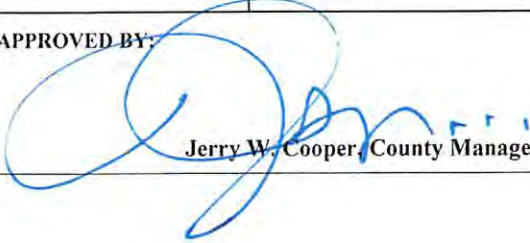
Address: _____

Telephone number: _____

Signature: _____ Date: _____

You may attach any written materials or other information that you think is relevant to your complaint.

Return to: Director of Human Resources, 1130 Bluffs Parkway, Canton, GA 30114

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Active Shooter Policy-County Administrative Offices
	NUMBER: HR-9 MO-1	REVISIONS:	EFFECTIVE DATE: July 5, 2016
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR - 9.0 PURPOSE

To provide guidelines to assist employees in an Active Shooter Event

HR - 9.1 POLICY

It is the policy of Cherokee County to preserve life and address the reality of an active shooter event. These guidelines have been established to guide our response in this event to maximize survivability of employees and the public. Most importantly, quickly determine the most reasonable way to protect lives.

HR - 9.2 PROCEDURES

A. An active shooters event involves one or more persons engaged in killing or attempting to kill multiple people in an area occupied by multiple unrelated individuals.

B. Upon discovery of an active shooter event you should, as soon as possible and when safe to do so, notify law enforcement (**911**) and provide overhead announcement of an “Active Shooter” is in the building and include the location of the shooter, if possible.

The phone call to **911** should provide the following information:

- a. Description of the suspect and possible location.
- b. Number and type(s) of weapons.
- c. Suspect’s direction of travel in the building.
- d. Location and condition of any victims

Safety/Security Officers and/or the Administrator/Person in Charge will coordinate with responding law enforcement officers if possible and as appropriate. They may provide keys or access cards to responding law enforcement officers.

C. Employee and Citizen Response:

AVOID: Evacuate the area:

- Have an escape route and plan in mind.
- Evacuate regardless of whether others agree to follow
- Leave your belongings behind
- Help others escape, if possible
- Call **911** when you are in a safe location

DENY: If evacuation is not possible, deny access to the shooter

- Lock doors
- Turn off lights
- Get out of sight
- Barricade doors with whatever is available in the room. The heavier the items the better
- Silence your cell phone

DEFEND:

If you cannot avoid or deny it may become necessary to defend yourself or others. You must be 100% committed to the fight. Rally support for those with you and overwhelm the attacker. Be aggressive and use improvised weapons such as large or heavy objects found near you at the time.

WHEN LAW ENFORCEMENT ARRIVES:

- Follow commands
- Show your palms and spread your fingers, do not have anything in your hands
- Do not move until you are told to do so and then follow the directions of the law enforcement officers.

Give an “ALL CLEAR” when the situation has been addressed and the scene is declared “SAFE” by law enforcement officers

D. RECOVERY:

Share Information with Employees - The safety of our employees and citizens is critical. As soon as possible after law enforcement has relinquished Command and Control of the scene, the County Manager or his designee will develop information strategies to address resident, employee, and family questions related to the event.


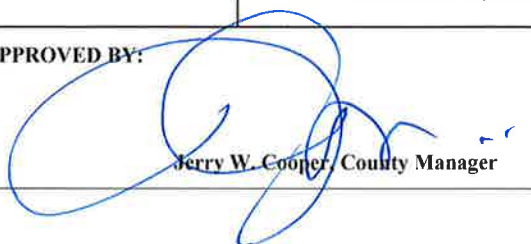
Initially, the site of a violent incident will be secured as a crime scene. After the authorities have completed their investigation and have released the crime scene, Property Management will need to have the facility appropriately cleaned and sanitized. Cleanup for the safe removal of bio-hazardous substances including blood borne pathogens must take place, yet must be sensitive compassionate, and caring for the deceased.

Buffer those Affected from Post-Event Stresses - Effective coordination with the media and timely dissemination of information can help reduce media pressure on those who are the most vulnerable. Assistance with employee benefits and other administrative issues can reduce the burden on victims and families. The County Manager or his designee may designate a Public Information Officer who will be authorized to speak on behalf of Cherokee County to the media.

Bring in Crisis Response Professionals - Before an incident ever occurs, Cherokee County will identify trained mental health professionals who would be available to respond in the event of an incident. When an incident occurs, these emergency mental health consultants will as soon as possible, provide any necessary physical, emotional and psychological support.

E. TRAINING

Each Agency will have a presentation on this policy, actions to take as well as a Walk thru of their offices showing evacuations routes and /or “Safe Rooms or ways to deny access to an active shooter during an event”. This training will be conducted with employees annually and all new employees.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Family Medical Leave Act
	NUMBER: HR-10	REVISIONS:	EFFECTIVE DATE: November 1, 2015
	SUPERSEDES:	APPROVED BY:  Jerry W. Cooper, County Manager	

HR- 10.0 PURPOSE

The purpose of this Administrative Rule is to provide general information on the Family and Medical Leave Act (FMLA) and to establish internal procedures for proper administration of the FMLA consistent with Section 6.0 of the Cherokee County Personnel Policies Manual.

HR- 10.1 POLICY

It is the policy of Cherokee County Government to provide eligible employees up to twelve (12) weeks of unpaid leave under the FMLA for one or more of the following reasons:

- (1) Birth of a child and to care for the newborn child;
- (2) Adoption or foster placement of a child with the employee;
- (3) To care for the employee's spouse, son, daughter or parent, if that person has a serious health condition;
- (4) Serious health condition of employee that prevents the employee from performing the job functions; and
- (5) Any qualifying exigency arising from the fact that the employee's family member (the covered military member) is on active duty or has been notified of an impending deployment in support of a contingency operation. Qualifying exigencies are defined as short-notice deployment (seven or less calendar days); military events and related activities; childcare and school activities; financial and legal arrangements; counseling; rest and recuperation (up to five days per instance); post-deployment activities; additional activities where Cherokee County Government and employee agree that the leave is an exigency and agree to both timing and duration of the leave.

Cherokee County Government will provide eligible employees up to twenty-six (26) weeks of unpaid Military Caregiver Leave under the FMLA to care for a covered servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the servicemember. Please note that this leave is available for the care of current servicemembers and covered veterans.

FMLA leave may be taken intermittently or on a reduced leave schedule under certain circumstances. Eligible employees may take FMLA leave on an intermittent or reduced schedule basis when medically necessary due to the serious health condition of a covered family member or the employee or the serious injury or illness of a covered servicemember. Eligible employees may also take FMLA leave on an intermittent or reduced schedule basis when necessary because of a qualifying exigency. If an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, then the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt the County's operations.

All requests for intermittent or reduced leave schedule for FMLA purposes must be submitted to Human Resources for review.

HR- 10.2 DEFINITIONS

“Active duty or call to active duty status” means a call or order to active duty in support of a contingency operation pursuant to various sections of Title 10 of the United States Code as defined in 29 C.F.R. § 825.800.

“Contingency Operation” means a military operation designated by the Secretary of Defense as one in which Armed Forces members are or may be involved in military actions, operations, or hostilities against an enemy of the U.S. or an opposing military force, or a military operation that results in the call or order to, or retention on, active duty as defined in 29 C.F.R. § 825.800.

“Covered military member,” means the employee’s spouse, son, daughter, or parent on active duty or call to active duty status.

“Covered Servicemember” means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty.

“Health care provider” means:

(1) The FMLA defines health care provider as:

- (i) A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or
- (ii) Any other person determined by the Secretary to be capable of providing health care services.

(2) Others “capable of providing health care services” include only:

- (i) Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State law;
- (ii) Nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law;
- (iii) Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a health care provider other than a Christian Science practitioner except as otherwise provided under applicable State or local law or collective bargaining agreement.
- (iv) Any health care provider from whom an employer or the employer's group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and
- (v) A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.

(3) The phrase “authorized to practice in the State” as used in this section means that the provider must be authorized to diagnose and treat physical or mental health conditions.

“Intermittent leave” is FMLA leave taken in separate blocks of time due to a single qualifying reason.

“Next of Kin” of a covered servicemember means the nearest blood relative other than the covered servicemember’s spouse, parent, son or daughter, in the following order of priority: blood relatives granted legal custody, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative for purposes of FMLA caregiver leave

“Outpatient Status,” with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

"Parent" means a biological parent or one who acted in place of a parent when the employee was a child. The term "parent" does not include parent "in-law".

“Parent of covered servicemember” means a biological, adoptive, step or foster parent or any other individual who acted in place of a parent of the covered servicemember. The term does not include parents “in law.”

“Reduced Leave Schedule” is a leave schedule that reduces an employee's usual number of working hours per workweek, or hours per workday. A reduced leave schedule is a change in the employee's schedule for a period of time, normally from full-time to part-time.

"Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider.

“Serious Injury or Illness” means, an injury or illness incurred by a covered servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of the member’s office, grade, rank, or rating.

"Son or daughter" means a biological, adopted or foster child, a stepchild, a legal ward, or a child for whom the employee acts as a parent. The son or daughter must be under age 18 or, if the son or daughter is age 18 or older, he/she must be incapable of self-care on a daily basis due to a mental or physical disability.

“Son or daughter of a covered servicemember” means a covered servicemember’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember acted in the place of a parent, and who is of any age.

"Spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the State in which the marriage was entered into or, in the case of a marriage entered into outside of any State, if the marriage is valid in the place where entered into and could have been entered into in at least one State. This definition includes an individual in a same-sex or common law marriage that either:

- (1) Was entered into in a State that recognizes such marriages; or
- (2) If entered into outside of any State, is valid in the place where entered into and could have been entered into in at least one State.

“TRICARE” is the health care program serving active duty servicemembers, National Guard and Reserve members, retirees, their families, survivors, and certain former spouses worldwide.

HR- 10.3 PROCEDURES

Step 1: Employee Submits the “Family & Medical Leave Request Form”

If the need for FMLA leave is foreseeable, an employee requesting leave must provide at least 30 days advance notice to his/her supervisor. If such advance notice is not possible, the employee must give notice to his/her supervisor as soon as practicable, ordinarily within one or two working days of learning of the need for leave. When planning medical treatment, the employee should make a reasonable effort to schedule the treatment, subject to the approval of the health care provider, so that any corresponding leave will not unduly disrupt the operations of Cherokee County Government. Supervisors must immediately report all requests for FMLA leave

to Human Resources to ensure all requests are reviewed in a timely manner. Employees must provide sufficient information for the County to reasonably determine whether the FMLA may apply to the leave request. When an employee seeks leave due to an FMLA-qualifying reason for which the County has previously provided FMLA leave, the employee must specifically reference either the previous qualifying reason for leave or the need for FMLA leave.

Cherokee County Government will provide a "Family & Medical Leave Request Form" to employees requesting FMLA leave. The "Family & Medical Leave Request Form" should include an expected return date, if known, and bear the original signature of employee requesting leave.

For military exigency, the County may require that a first request for leave because of a qualifying exigency arising from active duty or a call to active duty be supported by a copy of the covered servicemember's active duty orders or other documentation issued by the military. A certification form requesting the required information to support a request for exigency leave will be provided by the County upon request.

Supervisors should provide any employee absent due to a health condition for three or more consecutive days with a Medical Leave Packet that informs employees of their FMLA rights and responsibilities. This packet shall include detailed information regarding the County's leave policies, the "Family & Medical Leave Request Form," certification documentation to be provided to the employee's health care provider, return to work documentation and such other information as the Human Resources Director or his/her designee deems appropriate.

Step 2: Communicating Eligibility and Rights and Responsibilities

An employee is eligible for FMLA leave only if the employee meets all three of the following eligibility requirements:

- (1) Has been employed by the County for at least 12 months (which do not have to be consecutive) prior to the date of leave*;
- (2) Has worked at least 1,250 hours during the 12-months immediately before the date FMLA leave begins; and
- (3) Is employed at a worksite within 75 miles of which the County employs at least 50 people.

*The County need not count employment prior to a break in service of seven years or more unless there was a written agreement between the employer and employee or the break in service was due to fulfillment of military service in the National Guard or Reserves.

Under normal circumstances, the Human Resources Director or his/her designee will notify the employee of eligibility within 5 business days of the request for FMLA leave utilizing the WH-381 form promulgated by the United States Department of Labor or a similar form approved by the Human Resources Director. If the employee is ineligible for FMLA leave, the County will inform the employee of at least one reason why he/she is ineligible for FMLA leave (e.g., the employee has not been employed for 12 months).

The County's response to the employee's FMLA leave request will establish whether the employee is eligible for FMLA leave and notify the employee of his or her rights and responsibilities under the FMLA.

Step 3: Certification

Upon determination that the employee is eligible for FMLA leave consideration, the Human Resources Department will provide the employee with one of the following certification forms promulgated by the United States Department of Labor, or a comparable form approved by the Human Resources Director, along with the Notice of Eligibility and Rights & Responsibilities (WH-381) to obtain health care provider certification or other documentation in support of the leave:

- Certification of Health Care Provider for Employee's Serious Health Condition (WH-380E), or
- Certification of Health Care Provider for Family Member's Serious Health Condition (WH-380F), or
- Certification of Qualifying Exigency for Military Family Leave (WH-384), or
- Certification for Serious Injury or Illness of Current Servicemember for Military Family Leave (WH-385), or
- Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave (WH-385-V).

Employees are allowed up to 15 calendar days from receipt of the Notice of Eligibility and Rights & Responsibilities to complete and return the appropriate certification form.

Certification of Qualifying Exigency for Military Family Leave

The County may require that an employee's request for qualifying exigency leave be supported by an appropriate certification. The County may require that the certification include a copy of the military member's active duty orders. However, the employee is only required to provide this information to the County once for a military member on a specific deployment.

The County may also require the employee to submit certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought. For example, if the employee is taking leave to meet with an alternate childcare provider or a financial consultant, the County may require the employee to provide the contact information of the third party with whom the employee is meeting. Where an employee seeks leave to spend time with a military member on Rest and Recuperation leave, the County may request a copy of the military member's Rest and Recuperation orders, or other documentation confirming the dates of the member's leave.

The County may not require second and third opinions or recertification for qualifying exigency leave. When the leave involves meeting with a third party, the County may contact the third party to confirm that the meeting is taking place and the nature of the meeting, but the County will not request additional information. The County also may contact the Department of Defense to verify a military member's covered active duty status.

Certification for Serious Injury or Illness of Current Servicemember for Military Family Leave

The County may require that leave to care for a covered servicemember be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered servicemember's family.

An authorized health care provider is a:

- (1) United States Department of Defense ("DOD") health care provider;
- (2) United States Department of Veterans Affairs ("VA") health care provider;
- (3) DOD TRICARE network authorized private health care provider;
- (4) DOD non-network TRICARE authorized private health care provider; or
- (5) Non-military-affiliated health care provider.

An employer may request a second or third opinion of a current servicemember's serious injury or illness only when a certification is provided by a non-military-affiliated health care provider.

Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave

The County may require that leave to care for a veteran be supported by a certification completed by an authorized health care provider. An employee may submit a copy of a VASRD rating determination or enrollment documentation from the VA Program of Comprehensive Assistance for Family Caregivers to certify that the veteran has a serious injury or illness. This documentation is sufficient regardless of whether the employee is the named caregiver. However, if the employee submits such documents, the employee may still be required to provide confirmation of family relationship and documentation of discharge date and status for a complete certification

An authorized health care provider is a:

- (1) United States Department of Defense (“DOD”) health care provider;
- (2) United States Department of Veterans Affairs (“VA”) health care provider;
- (3) DOD TRICARE network authorized private health care provider;
- (4) DOD non-network TRICARE authorized private health care provider; or
- (5) Non-military-affiliated health care provider.

The County may request a second and third opinion of a covered veteran’s serious injury or illness only when a certification is provided by a non-military-affiliated health care provider.

Step 4: Clarification

If an employee submits a complete and sufficient certification form signed by a health care provider, no additional request for information from the health care provider will be made by the County. However, the County may contact the health care provider for purposes of clarification and authentication of the medical certification. Authentication means providing the health care provider with a copy of the certification and requesting verification that the information contained on the certification form was completed and/or authorized by the health care provider who signed the document. Clarification means contacting the health care provider to understand the handwriting on the medical certification or to understand the meaning of a response. The County shall not ask the health care provider for additional information beyond that contained on the medical certification form.

Step 5: Designation

Within five days of receipt of all requested information, the Human Resources Director, or his/her designee will mail a cover letter and Designation Notice form (WH-382) to notify the employee whether his or her FMLA request has been approved or denied. The cover letter will address specific information related to the need for leave or benefit changes.

In some circumstances, the Designation Notice may be provided contemporaneously with the Notice of Eligibility and Rights & Responsibilities (WH-381) form when adequate information has been obtained regarding both the employee’s eligibility for FMLA leave and the absence’s qualification for FMLA leave.

HR– 10.4 EFFECT ON LEAVE

Employees who are granted FMLA leave will be required to use accrued leave balances concurrently with the FMLA leave. Additionally, any workers’ compensation leave that qualifies as a FMLA event will run concurrently with the FMLA leave.

HR– 10.5 MISSED DEADLINE

If the County does not designate FMLA leave within the applicable timeframe as required by 29 C.F.R. § 825.300(d), the leave may be retroactively designated as FMLA leave with appropriate notice to the employee; provided, however, that the failure to timely designate leave does not cause harm or injury to the employee. In all cases of County-missed deadlines, where leave would qualify for FMLA protections, the leave will be retroactively designated as FMLA leave. In such cases, the employee will be provided the same leave benefits and job guarantees he or she should receive under the FMLA.

HR– 10.6 RECERTIFICATION

In most cases, the County will request recertification no more often than every 30 days, unless:

- (1) the medical certification indicates that the minimum duration of the condition is more than 30 days; or


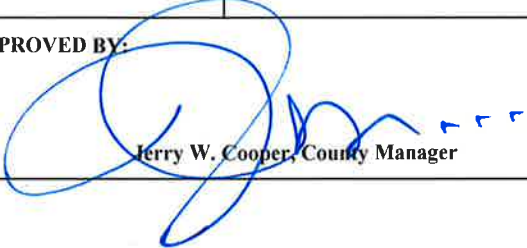
- (2) the employee requests an extension of leave that has been certified to have a duration of less than 30 days; or
- (3) circumstances described by the previous certification have changed significantly (e.g., the duration or frequency of the absence, the nature or severity of the illness, complications); or
- (4) the County receives information that casts doubt upon the employee's stated reason for the absence or the continuing validity of the certification.

HR- 10.7 RETURN TO DUTY CERTIFICATION

Pursuant to Section 6.0.14 (Return to Duty from FMLA leave) of the Cherokee County Personnel Policies Manual, employees taking FMLA Leave for their own serious health condition may be required to provide certification from a health care provider that the employee is able to resume work. Cherokee County reserves the right to refuse to allow an employee to resume their job until a return-to-duty certification is received.

Employees must be notified of the County's intent to require a fitness-for-duty certification at the time the Designation Notice, identified in Step 5 above, is tendered to the employee. The County may only seek fitness-for-duty certification **with regard to the particular health condition** that caused the employee's need for FMLA leave.

Cherokee County is not entitled to a fitness-for-duty certification for each absence taken on an intermittent or reduced leave schedule. However, if reasonable safety concerns exist regarding the employee's ability to perform his or her duties due to the serious health condition for which the employee took such leave, the County is entitled to a fitness-for-duty certification for such absences up to once every 30 days. "Reasonable safety concerns" means a reasonable belief of significant risk of harm to the employee or others. Human Resources should be consulted prior to a Department's seeking return-to-duty certifications from employees on intermittent or reduced schedule leave due to a reasonable safety concern.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Travel and Off-site Training
	NUMBER: FIN – 1.1	REVISIONS:	EFFECTIVE DATE: 5/16/2016
	SUPERSEDES: FIN- 1 2/18/2015 version	APPROVED BY:  Jerry W. Cooper, County Manager	

FIN-1.0 PURPOSE

The purpose of this policy is to establish uniform standards, responsibilities, and guidelines for Cherokee County Government employees, who request, incur, review, approve, and/or process travel and off-site training expenditures.

FIN-1.1 APPLICABILITY AND SCOPE

- A. This policy applies to all employees reporting through the Cherokee County Board of Commissioners. Elected Officials and other independent agencies not under the authority of the Board are encouraged to develop a similar policy.
- B. All expenditures authorized under this policy shall be subject to the availability of funds. All purchases must comply with Cherokee County Procurement Policies.
- C. This policy establishes minimum standards that must be adhered to; however, Agency Directors may impose more stringent or additional guidelines for use in their departments. These guidelines and controls should be rigorously monitored within each department.
- D. The County Manager may authorize individual expenditures outside the provisions of this policy by including a signed acknowledgement assuming full responsibility for such expenditures with the expenditure documents.

FIN-1.2 POLICY

- A. County employees must receive written approval from their Agency Director or designee for all travel and training arrangements before the travel and training has taken place. In addition, if the total estimated cost of the travel exceeds \$1,499 per employee, the County Manager’s written approval is also required before travel arrangements are made. The County Manager’s written pre-approval is also required for all travel and training requested by Agency Directors.
- B. All estimated travel costs should be declared on the County’s *Travel & Training Advance & Expense Form* and approved by the Agency Director or designee and/or the County Manager before travel is initiated. When estimating these costs the following guidelines must be used:
 - 1) If adequate meals are not provided, the employee has the option of requesting per diems in advance. The daily per diem is \$40.00; per diem is broken down as follows: \$7.00 for breakfast, \$12.00 for lunch and \$21.00 for dinner. If pre-approved by the Agency Director, employees may forgo the per diem and instead incur reasonable costs for meals and submit itemized receipts for reimbursement, or use a County procurement card for authorized purchases.
 - 2) The amount for breakfast on the first day of travel is not included.
 - 3) The County per diem policy will apply unless a third party will be reimbursing the trip and has approved different rates/policies, and acceptance of the trip is allowed per the Code of Ethics. Supporting documentation verifying the reimbursement must be provided.

- 4) If the employee is using a personal vehicle, mileage will be reimbursed at the County rate per mile approved by the County Manager, which is posted on the County intranet. The normal commuting mileage for an employee will be deducted from the employee's travel mileage reimbursement.
 - 5) The employee will make genuine efforts to utilize the most inexpensive/most practical method of transportation when planning the travel.
 - a. For example, if renting a vehicle or airline travel would be less expensive than the personal mileage that would be reimbursed, the least expensive and most practical method of transportation should be chosen.
- C. All *Travel & Training Advance & Expense Forms* should be submitted to the Accounts Payable Department at least 14 days prior to travel. The A/P Department will then review travel requests for proper calculation and authorizations and issue payment. Any estimated expense(s) which conflict with this travel policy will be returned to the department for correction.
- 1) If received more than 14 days in advance of travel, submissions for per diems and mileage reimbursements will be held and processed two weeks before the travel date. This is to help guard against lost checks or changes required from traveler substitutions.
- D. In the event of last minute travel, the employee may be required to pay for the travel out-of-pocket and request reimbursement for actual expenses.
- E. County funds advanced to employees for travel and training are to be used only for authorized expenses and are limited to the actual costs of those expenses. Any advance money in excess of actual expenses must be reimbursed to Finance within 14 days of the traveler's return. Any excess amounts not reimbursed to the County will be deducted from the employee's pay.
- F. After the travel has been completed, requests for reimbursement (for costs incurred that were not advanced), must be submitted to Accounts Payable within 14 days of travel.

FIN-1.3 RELATED POLICY INSTRUCTIONS

- A. Airfare Documentation – The printed invoice, flight confirmation, or other original supporting documentation should include the traveler's name, amount of the airfare, the travel dates, travel time, and travel destination.
- B. Car Rentals – the following policies apply:
- 1) Car Rental charges will not be reimbursed if shuttle service is available and no business necessity exists for a rental vehicle.
 - 2) Travelers should select the most economical vendor and type of vehicle available.
 - 3) Employees who are traveling and working together are expected to use the same car unless it is clearly impractical to do so. Justification for multiple vehicles must be pre-approved by the Agency Director or designee.
 - 4) Travelers must ensure that the rental vehicle is refueled before returning the vehicle to the rental vendor to avoid costly refueling charges.
 - 5) Travelers must submit original gas receipts and the original rental car receipt as documentation with the Travel and Training Advance & Expense Form.
 - 6) It is required that the traveler purchase full comprehensive coverage from the rental agency, which will be reimbursable by the County.
- C. Conference/Course Itinerary – The conference brochure/course outline must be submitted to the Agency Director or designee when the traveler requests approval to attend the conference/training course. The Agency Director or designee must review this itinerary to ensure the conference/training course is relevant to the employee's job responsibilities and would be useful in the employee's development. This

form must also be included with the documents submitted to Accounts Payable for advancement/reimbursement.

- D. *Georgia Hotel and Motel Tax Exempt Form* – This form should be used for all business travel within the state of Georgia. When properly completed and provided to hotel/motel staff, county employees will not pay hotel/motel tax on lodging fares. The Accounts Payable Department will provide this form to the traveler when advance checks are processed. Travelers can also obtain a copy of this form from the Finance Forms section of the County's intranet.
- E. Group Travel – When two or more employees travel to the same destination, travelers should maximize use of available group travel discounts, make joint use of taxicabs, and share use of County-owned, rental, or privately-owned vehicles.
- F. Lodging – Lodging costs are reimbursable as follows:
- 1) Lodging costs incurred by the employee have been pre-approved by the appropriate level of authority.
 - 2) Government rates are requested.
 - 3) When traveling in Georgia, a Hotel/Motel Tax Exempt Form is used.
 - 4) The location is not within a normal commute for the traveler (unless justification is approved by the Agency Director or designee).
 - 5) Documented lodging rates are submitted with the *Travel and Training Advance & Expense Form*.
 - 6) The cost is comparable to other room rates within a reasonable distance.
- G. Meals – Travelers can be advanced the cost of meals for the specific dates of travel. The meal per diem is intended to cover the cost of meals including tax and a customary tip. If adequate meals are not provided, the daily per diem will be \$40, broken down as follows: \$7 for breakfast, \$12 for lunch and \$21 for dinner. Alternatively, if pre-approved by the Agency Director the traveler can incur reasonable costs for meals and submit actual receipts for reimbursement. Or, if the traveler is a procurement card holder, he may incur actual meal expenses on his p-card and follow p-card policies for submitting receipts. Adequate meals defined:
- a. Example: If lunch is provided to conference attendees, lunch will not be reimbursed because an adequate meal was provided.
 - b. Example: If a conference hosts a happy hour with light appetizers for conference attendees, dinner is reimbursable because an adequate meal was not provided.
- H. Mileage – Privately-Owned Vehicle:
- 1) While employee use of a County vehicle is encouraged, an employee using a privately-owned vehicle may request reimbursement for travel mileage at the County's rate approved by the County Manager prior to January 1 each year.
 - 2) Employees may request reimbursement for travel mileage when using a privately-owned vehicle to report to a work location other than his or her assigned location. Employees are encouraged to use group travel of County vehicles when practicable.
 - a. Reimbursable travel mileage is calculated as the mileage difference between the miles traveled to the alternate work location (round-trip) less the typical daily commuting mileage traveled between the employee's residence and work location.
 1. Example: An employee travels 75 miles round-trip to an offsite training event. The employee's typical round-trip commute to their assigned work location is 25 miles. The total reimbursable mileage is therefore 50 miles.
 2. Example: An employee's office is located at the Bluffs Administrative Building. The employee travels to his office in the morning, but must drive to the Senior Center for a meeting. After the meeting he returns to the Bluffs. The miles incurred to and from the Senior Center are reimbursable.

3. The bottom line for determining reimbursable miles is: calculate the incremental mileage incurred from an employee's assigned work location.
 - 3) When two or more employees share a vehicle, the reimbursable travel mileage may only be claimed by the employee who operated his or her personal vehicle.
 - 4) Mileage reimbursement will not be granted to employees receiving a car allowance.
 - 5) Mileage reimbursement is limited to the least cost/most practical method of transportation.
- I. Non-Reimbursable Expenses - Employees may only request reimbursement for necessary business expenses. No set of policies can contemplate or list every possible scenario; therefore, this list should be used as a guide, not authorization for purchase if not represented in the examples provided:
- 1) Alcoholic beverages.
 - 2) Lost or stolen articles.
 - 3) Any personal items.
 - 4) Repairs or damage to personal vehicles, clothing, or other personal items.
 - 5) Entertainment expenses (such as hotel movie fees, theater tickets, sporting events).
 - 6) All expenses related to personal negligence of the traveler.
 - 7) Luxury upgrades.
 - 8) Expenses for children, spouses, and/or companions while traveling.
 - 9) Excess baggage fee - Cherokee County traveler's limited to one bag and one carry on.
 - 10) Expenses for which the employee was previously advanced funds.
- J. Original Receipts - Any request for reimbursement must include an original itemized receipt attached to the expense statement.
- K. Per Diem Plan – In compliance with the Internal Revenue Service, Cherokee County Board of Commissioners will provide per diem advances for meals (if adequate meals are not provided as part of the business event) while traveling on County business.
- L. Personal Leave – Personal leave in conjunction with travel may be approved at the discretion of the Agency Director or designee. Additional costs incurred as a result of approved personal leave in conjunction with official business travel are solely the responsibility of the traveler and are not reimbursable by the County.
- M. Petty Cash Reimbursement – Except for parking fees, Petty Cash must not be used to reimburse and/or advance travel related expenses. All travel related events must be documented, approved, and/or denied by completing and submitting a *Travel and Training Advance & Expense Form*.
- N. Procurement Cards – Procurement cards (p-cards) are provided to departments in accordance with the Cherokee County Government Procurement Card Policy.
- 1) If a traveler is a p-card holder, the p-card can be used as a means of charging allowable travel expenses such as lodging, conference fees, meals, and airfare. However, the total cost of the trip must still be estimated and approved before travel arrangements are charged to the p-card.
 - 2) Whenever a County p-card is used for travel; original, itemized receipts are required, and must be submitted and retained by the card holder with the monthly billing.
 - 3) P-cards shall not be used for any expense which has already been prepaid by the County for the traveler.
 - 4) Employees should use the County provided p-card whenever possible to reduce the amount of out-of-pocket expenses. Employees who travel frequently can apply for a p-card provided that their Agency Director deems it necessary. The p-card can typically be obtained within five business days; the traveler is encouraged to allow ten business days to allow time for any

variances associated with the mail or other uncontrollable circumstances. For additional information contact the Procurement Department at 770-721-7805.

- O. *Travel and Training Advance & Expense Form* – This is the standardized form for employees to utilize for travel advance requests and final travel reimbursement/repayment requests. This form must be completed and approved in order for an employee to be advanced or reimbursed funds for business travel expenses. Expense statements must be completed and approved within 14 calendar days after travel is completed. They will be processed using the Accounts Payable timeline. Personal expenses will not be reimbursed.
- 1) All forms must be approved by the Agency Director or designee.
 - 2) Travel advance forms should reflect the entire cost of the trip. If the entire cost is greater than \$1,499 it must be approved by the County Manager in writing before the travel is scheduled.
 - 3) Travel advances cannot exceed the estimated cost of the trip.
 - 4) Travel advances must be submitted 14 days before the trip/training is scheduled.
 - 5) Final forms must be submitted within 14 days after the trip to process additional expense reimbursements or repayments to the County.
 - 6) If the trip is canceled and/or the traveler's employment is terminated, the advance must be returned to the County within five business days.
 - 7) Employees separating from the County must resolve all outstanding travel advances prior to terminating and receiving a final paycheck.
- P. *Transportation Taxi / Shuttle Service* - Employees are encouraged to use any courtesy transportation available at the travel destination. Taxi and shuttle transportation services between lodging and business locations are reimbursable (receipts are required).
- Q. *Traveler Substitution* – In no case may one traveler's reports be substituted for another traveler, nor may one destination be substituted for another. If a substitution of traveler and/or destination is required, departments must re-initiate the travel authorization process with the new traveler or destination information and void the prior travel request.

FIN 1-4 PROCEDURES/RESPONSIBILITIES:

TRAVELER:

- A. Submit the *Travel and Training Advance & Expense Form* with the total estimated cost of the trip to the Agency Director, or designee for approval. Agency Directors must submit their requests to the County Manager. If a travel advance is necessary, complete in time to submit to the Accounts Payable Department a minimum of 14 days prior to departure date.
- B. Travel by the most economical means.
- C. Ensure that travel expenses are reasonable and necessary.
- D. Comply with all travel policies and procedures.
- E. Attach all required receipts and document accurate records for each expense claimed.
- F. If amounts are owed to the employee or the County, submit a final *Travel and Training Advance & Expense Form* within 14 days after travel is completed. Note: Any funds owed the County for unapproved and/or unsupported purchases will be repaid by the Traveler or recouped through payroll deductions.

AGENCY DIRECTOR OR DESIGNEE:

- A. When the employee is submitting a form for an advancement of estimated expenses: Review employee's *Travel and Training Advance & Expense Form* to ensure the request is reasonable and necessary before authorizing submission to Accounts Payable.

- B. If the estimate of the trip exceeds \$1,499 obtain the County Manager's written approval before submission to Accounts Payable.
- C. When the employee is submitting a form for reimbursement of incurred expenses: Review employee's *Travel and Training Advance & Expense Forms* verify all of the necessary expense information, including attached receipts documenting the charges, and determine that the charges do not exceed the allowable limits.
- D. Ensure expenses are within appropriated budgetary levels.

ACCOUNTS PAYABLE DEPARTMENT:

- A. Upon receiving requests for advances:
 - 1) Ensure proper approvals are indicated on the form.
 - 2) Ensure proper documentation has been included to support the amounts requested.
 - 3) Verify reimbursable rates, check calculations, and review reasonableness of costs.
 - 4) Prepare the check advancement and submit the advancement to the traveler before the trip is scheduled.
 - 5) If per diems or mileage reimbursements are requested more than 14 days before the travel is scheduled, hold the request for processing until that time.
 - 6) Send traveler a *Georgia Hotel & Motel Tax Exempt Form*.
 - 7) Notify the Chief Financial Officer of any non-compliance.
- B. Upon receiving final travel expense forms:
 - 1) Ensure proper approvals are indicated on the form.
 - 2) Verify receipts substantiate the expenses incurred and that the expenses are eligible for reimbursement.
 - 3) If additional amounts are owed to the employee, process additional reimbursement checks.
 - 4) If amounts are owed to the County, collect repayment check from the employee and provide to the Cash Receipts Accountant for processing.
 - 5) Notify the Chief Financial Officer of any non-compliance.

CFO

- A. Contact the Agency Director to resolve forms that are not compliant with this policy.

COUNTY MANAGER

- A. Review *Travel and Training Advance & Expense Forms* submitted by Agency Directors.
- B. Review *Travel and Training Advance & Expense Forms* totaling greater than \$1,499.
- C. Approve reasonable requests which are in compliance with the Travel & Training Policy, or contact the Agency Director to discuss the request.

CHEROKEE COUNTY TRAVEL AND TRAINING ADVANCE & EXPENSE FORM

Dept/ Div Name	Traveler	Destination
Accounting Code	Travel Dates	Purpose of Travel

	Estimated Expenses	Description/ Itemize	Actual Expenses
Registration			
Lodging			
Meals			
Mileage (@ .44)			
Airfare			
Car Rental			
Miscellaneous			
Total Estimated Expenses	0.00		Total Actual Expenses 0.00

ADVANCE CHECKS REQUESTED

Due Date/ Date to be Mailed	Amount	Payee and Address (if applicable)	For A/P Use Only
			Check #/ Date
			Check #/ Date
			Check #/ Date
			Check #/ Date
			Check #/ Date
Total Advances			
		Total Actual Expenses	0.00
		Total Advances	0.00
		Due Traveler/(Due County)	0.00

	Approvals for ADVANCES	Approvals for EXPENSES
	Signature	Signature
(1) Employee		
(2) Dept Head		
(3) Budget/ Finance		
(4) County Mgr (if applicable)		

- * Travel request needs to be in the Finance office at least two weeks prior to the date checks are needed.
- * Please give due dates for advance checks; otherwise checks will be ready on travel date.
- * After travel has been completed, requests for reimbursement must be submitted to Accounts Payable within 14 days of travel.

CHEROKEE COUNTY TRAVEL AND TRAINING ADVANCE & EXPENSE FORM

POLICY HIGHLIGHTS FOR ASSISTANCE IN COMPLETING THIS FORM:

Please see Policy FIN-1, *Travel and Off-site Training* for complete policy.

Registration -The conference brochure/course outline must be submitted to the Agency Director or designee when the traveler requests approval to attend the conference/training course. The Agency Director or designee must review this itinerary to ensure the conference/training course is relevant to the employee's job responsibilities and would be useful in the employee's development. This form must also be included with the documents submitted to Accounts Payable for advancement/reimbursement.

Lodging - Lodging costs are reimbursable as follows:

- 1) Lodging costs incurred by the employee have been pre-approved by the appropriate level of authority.
- 2) Government rates are requested.
- 3) When traveling in Georgia, a Hotel/Motel Tax Exempt Form is used.
- 4) The location is not within a normal commute for the traveler (unless justification is approved by the Agency Director or designee).
- 5) Documented lodging rates are submitted with the Travel and Training Advance & Expense Form.
- 6) The cost is comparable to other room rates within a reasonable distance.

Meals – Travelers can be advanced the cost of meals for the specific dates of travel. The meal per diem is intended to cover the cost of meals including tax and a customary tip. If adequate meals are not provided, the daily per diem will be \$40, broken down as follows: \$7 for breakfast, \$12 for lunch and \$21 for dinner. Alternatively, if pre-approved by the Agency Director the traveler can incur reasonable costs for meals and submit actual receipts for reimbursement. Or, if the traveler is a procurement card holder, he may incur actual meal expenses on his p-card and follow p-card policies for submitting receipts.

Mileage - Reimbursable travel mileage is calculated as the mileage difference between the miles traveled to the alternate work location (round-trip) less the typical daily commuting mileage traveled between the employee's residence and work location.

Airfare Documentation – The printed invoice, flight confirmation, or other original supporting documentation should include the traveler's name, amount of the airfare, the travel dates, travel time, and travel destination.

Car Rentals – the following policies apply:

- 1) Car Rental charges will not be reimbursed if shuttle service is available and no business necessity exists for a rental vehicle.
- 2) Travelers should select the most economical vendor and type of vehicle available.
- 3) Employees who are traveling and working together are expected to use the same car unless it is clearly impractical to do so. Justification for multiple vehicles must be pre-approved by the Agency Director or designee.
- 4) Travelers must ensure that the rental vehicle is refueled before returning the vehicle to the rental vendor to avoid costly refueling charges.
- 5) Travelers must submit original gas receipts and the original rental car receipt as documentation with the Travel and Training Advance & Expense Form.
- 6) It is required that the traveler purchase full comprehensive coverage from the rental agency, which will be reimbursable by the County.

**CHEROKEE COUNTY
MILEAGE REIMBURSEMENT FORM**

Per Administrative Policy FIN-1, Travel and Offsite Training, FIN-1.3.H:

"Employees may request reimbursement for travel mileage when using a privately-owned vehicle to report to a work location other than his or her assigned location. Reimbursable mileage is calculated as the mileage difference between the miles traveled to the alternate work location (round trip) less the typical daily commuting mileage traveled between the employee's residence and work location." Please see the full policy for further details.



EMPLOYEE: _____

DEPARTMENT: _____

ACCOUNT: _____

DATE	BEGINING MILEAGE	ENDING MILEAGE	TOTAL MILES DRIVEN	DEDUCT NORMAL COMMUTE IF APPLICABLE	TOTAL MILES REIMBURSED	RATE \$.44	TOTAL
TOTAL DUE							

DEPARTMENT HEAD APPROVAL _____ DATE _____

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Accounts Payable
	NUMBER: FIN - 2	REVISIONS:	EFFECTIVE DATE: April 2, 2015
	SUPERSEDES:	APPROVED BY: 	

FIN-2.0 PURPOSE

The purpose of this policy is to establish uniform standards, responsibilities, and guidelines for ensuring the timely and accurate payment of invoices and check requests by Accounts Payable.

FIN-2.1 APPLICABILITY AND SCOPE

- A. This policy applies to all payments made by Cherokee County Accounts Payable.
- B. All payments made by Cherokee County Accounts Payable must represent spending incurred under the authority of the Board of Commissioners' adopted budget.
- C. If an Agency is subject to the Cherokee County Procurement Ordinance, all payment requests must be in compliance with this ordinance.

FIN-2.2 POLICY

- A. All invoices and check requests received by Accounts Payable through Friday of each week will be processed the following Wednesday.
- B. If a change to the processing schedule must be made, Accounts Payable will notify all departments of the temporary schedule.
- C. All invoices and check requests will require signatures from the Elected Official/Agency Director, unless this authority has been delegated to other staff members. Elected Officials and Agency Directors can delegate their authority by informing Accounts Payable in writing of authorized signers in the department. Accounts Payable will maintain a list of authorized invoice approvers and will review all invoices for proper department approval as part of normal Accounts Payable processing.
- D. All invoices should be supported by a purchase order. This ensures the purchase had previously been processed through the proper approval process. Invoices without purchase orders will be processed by exception only.
 - 1) Invoices supported by a purchase order will be reviewed to ensure the following:
 - a. The Elected Official, Agency Director, or authorized delegate has signed the invoice indicating approval to pay.
 - b. The purchase order is "open" in the MUNIS system, thereby ensuring the invoice represents an open obligation to the county.

- c. If coding on the invoice differs from the purchase order, the Accounts Payable Clerk will contact the department to verify the proper department and expenditure account to be charged. This information is needed so the Accounts Payable Clerk can determine if the purchase order applies to the invoice and should be closed, or if the invoice is unrelated and the purchase order should remain open. Purchase orders that are not closed represent an encumbrance on the department's budget.
- 2) Invoices without a purchase order will be reviewed according to the following process:
- a. Invoices in the amount up to \$1,000 must have the signed approval of the Elected Official, Agency Director, or delegate.
 - b. Invoices in the amount of \$1,000-\$4,999 will require the signature of the Chief Financial Officer in addition to the department's approval. The CFO will also share these invoices with the Procurement Director so he/she can contact the department (if deemed necessary), to review the county's policy which requires purchase orders before purchases are made.
 - c. Invoices over \$4,999 will require final approval of the County Manager, unless authority has been delegated to the Chief Financial Officer. These invoices will also be shared with the Procurement Director for department follow-up (if deemed necessary).
 - d. In addition to the appropriate approval signatures, all invoices must be properly coded with the department and expenditure object account numbers to be charged.
 - e. Accounts Payable must also verify the vendor has already been established in the MUNIS system. If the vendor does not exist, it cannot be paid until the Procurement Department creates a new vendor record (including documentation for W9s, EVerify).
- E. When an invoice does not exist, but an obligation must be paid, the department may request checks using the standard Check Request Form. Supporting documentation must be attached to substantiate the legitimacy of the obligation. The same approval process will apply.
- F. Due to strict legal requirements pertaining to the use of SPLOST Funds, Impact Fees, and Parks Bond funding, invoices and check requests requiring these funds will be referred to the Accounting Manager (or delegate), for verification. The standard invoice approval process will apply after this verification has been completed.
- G. Travel and Training requests are not to be submitted on the standard Check Request Form but rather a Travel/Training Check Request form. Travel and Training requests will be processed according to the Cherokee County Travel & Off-site Training Policy (FIN-1).
- H. All checks will be mailed to the vendor unless the department has instructed Accounts Payable to hold the check for pick-up.
- I. Unless a change to the processing schedule has been communicated, all checks will be available for pick-up and distribution on Thursday mornings at 11:00.
- J. Departments wishing to pick-up their checks must send a representative to Accounts Payable. This representative must sign the Check Log confirming receipt.
- K. Vendors wishing to pick-up their checks can do so at the reception desk. The receptionist will require the vendor's representative to sign the Check Log confirming receipt.
- L. Checks issued but not distributed to the vendor should be marked as "Void" and returned to Accounts Payable.

FIN-2.3 RELATED DOCUMENTS AND REFERENCES

- A. Check Request Form – This form must be completed and approved in order for a check to be issued for costs incurred for which there is no invoice. Check request forms should never be used as a substitution for an invoice. All the required information listed below must be completed:
- 1) Vendor Name
 - 2) Vendor Address
 - 3) Date
 - 4) Requestor's Name and Department
 - 5) Indication whether the check should be returned to the department or mailed to the vendor
 - 6) Amount and account to be charged for budget purposes
 - 7) Attached supporting documentation substantiating the obligation
- B. Coding – The process of indicating the MUNIS system's department reference number and expenditure object account number to be charged for the payment. This information is included on the purchase order or written by the department approver on the invoice or check request.
- C. E-Verify Form – The E-Verify program requires companies to verify the eligibility of their employees to work in the United States. Verification is mandated by the State of Georgia for any public employer for physical performance of services exceeding \$2,499.99. The County is required to report the business name, address, E-Verify number, date of contract, and contract amount.
- D. MUNIS – The County's business management software that integrates several applications to execute County operations. Applications include: HR Management, Purchasing, Accounts Payable, General Ledger Accounting, Budgeting, Payroll, and Capital Assets. Departments outside of Finance will typically use MUNIS to request purchase orders and monitor expenditures charged to their department budget. Access to the MUNIS System is controlled by the MUNIS Administrator in the Finance Department.
- E. Original Receipts - Any hard copy check request must include original receipts/documentation attached to the Check Request Form. If requests are submitted electronically, electronic receipts/documentation will suffice, but the originals should be maintained by the requestor.
- F. Purchase Order (PO): A document authorizing a supplier to deliver goods or perform services. A department requests a PO through MUNIS *before* a purchase is made. Depending on the amount of the PO, it is approved by either the Procurement Department or the County Manager. Vendor invoices should be supported by a purchase order to ensure the purchase had previously been through the proper approval process.
- G. Vendor Invoices – Invoices submitted for payment should include remit to address, date of purchase/service, description of product/service, and amount. Vendor statements are not acceptable for payment.
- H. W9 Form – An IRS form, "Request for Taxpayer Identification Number and Certification" that is required to be completed by the vendor before vendor invoices can be processed. The form is used to collect information needed to report disbursements made to individuals or companies that provide goods or services to the County.

FIN-2.4 PROCEDURES/RESPONSIBILITIES:

ELECTED OFFICIALS, AGENCY DIRECTORS OR DELEGATES

- A. Review all invoices and check requests by completing the following:
- 1) Confirm that service was satisfactorily provided and/or product was received.

- 2) Ensure the PO Number is indicated on the invoice.
 - a. If a PO does not exist, indicate the appropriate department and expenditure object account to be charged.
 - b. If a PO does not exist, the purchaser should be reminded that purchase orders are to be issued before a purchase is made.
 - 3) Write the vendor number on the invoice/check request.
 - 4) Indicate approval to pay by signing the invoice/check request.
- B. Submit invoices and check requests that are approved and ready for payment to Accounts Payable. If sent by hard copy, interoffice mail should be sent to "Accounts Payable." If sent electronically, requests should be sent to AccountsPayable@cherokeega.com. Invoices should not be sent directly to specific individuals in Accounts Payable.

ACCOUNTS PAYABLE

- A. Date stamp and initial all items received.
- B. Ensure proper approvals are indicated on each submission.
- C. Contact Procurement if an invoice represents a new vendor to be established.
- D. Enter and scan documents into the Accounts Payable system.
- E. Print checks and verify accuracy.
- F. Notify the CFO of any non-compliance.

ACCOUNTING MANAGER OR DELEGATE

- A. Verify all SPLOST, Impact Fees, and Parks Bond items are coded correctly and then submit the verified invoice through the normal Accounts Payable process.

CFO



- A. Review/approve all invoices \$1,000 - \$4,999 without a PO.
- B. Share invoices without a PO with the Procurement Director for review/department follow-up.

COUNTY MANAGER OR DELEGATE

- A. Review/approve all invoices over \$4,999 without a PO.
 - 1) Invoices below \$4,999 may also be reviewed and approved by the County Manager at his/her discretion.
- B. Share invoices without a PO with the Procurement Director for review/department follow-up.

PROCUREMENT DIRECTOR OR DELEGATE

- A. Review invoices greater than \$1,000 without a PO.
- B. Follow up with the Department if deemed necessary.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Procurement Requirements
	NUMBER: PUR-01	REVISIONS: 2	EFFECTIVE DATE: 07 February 2022
	SUPERSEDES: May 01, 2017	APPROVED BY:  Geoff Morton, County Manager	

PUR-1.0 PURPOSE

The purpose of this policy is to adopt operational procedures for small purchases of \$5,000 or less in accordance with § 2-5-3.06 (c) of the Cherokee County Procurement Ordinance.

PUR-1.1 APPLICABILITY AND SCOPE

- A. This policy establishes purchase approval limits pursuant to the authority authorized by the Procurement Ordinance.
- B. This policy applies to all purchases made through the purchase order process by the Cherokee County Government. Purchases made with purchasing cards, check requests and with petty cash are subject to their own policies and procedures.
- C. All purchases are required to confirm to the Procurement Ordinance in affect at time of purchase.

PUR-1.2 PROCEDURE

- A. Whenever possible, a purchase order shall be utilized for the purchase of goods or services.
- B. Agencies are responsible for creating requisitions for goods and services that support their operational requirements and for designating at least one employee who is authorized to enter requisitions that can be converted into purchase orders in MUNIS.
- C. Requisitions should include the following prior to being released:
 - a. A general description of the goods and/or services being purchased,
 - b. The vendor from who the goods and/or services are being purchased,
 - c. The address for delivery or where the services are to be performed,
 - d. Line items that adequately describe the quantity, type, and cost of each good and or service to be purchased,
 - e. The account code to which each line item is to be charged,
 - f. Requisitions valued at \$2,500 or less shall have attached thereto at least one written quotation that details the goods and/or services to be purchased,
 - i. Agency personnel engaged in obtaining quotes shall use reasonable judgement that the pricing is fair and reasonable.
 - ii. Pricing not reasonably determined to be fair and reasonable should result in:
 - 1. Obtaining an additional quote, or
 - 2. Comparing to price history or similar item pricing, or
 - 3. Comparing to State pricing.

- g. Requisitions forwarded in MUNIS to Procurement with valuations greater than \$2,500 and up to \$5,000 must attached thereto at least three written quotations that details the goods and/or services to be purchased, and
- D. Requisitions forwarded in MUNIS to Procurement that include services valued at or above \$2,500 shall have attached thereto a signed and notarized e-verify affidavit. Requisitions should not be artificially divided in order for the purchase to fit into small purchase procedures.
- E. Requisitions are to be reviewed by the Agency Director, or their designee, for the above requirements prior to approval. The Agency Director should consult with the Procurement Department and/or Risk Manager to determine if a formal agreement is necessary if the purchase is for a good or service that contains a risk to a person or facility that the County should consider mitigating before the work is initiated.
- F. The Procurement Department will review each requisition to ensure compliance with the procurement ordinance and these policies and procedures prior to converting a requisition into a purchase order. Requisitions that do not comply will be rejected and returned to the agency for correction prior to being resubmitted.
- G. If a determination is made that the requisition should require a formal agreement, the agreement must be executed by the vendor and approved by the County Manager or Board of Commissioners prior to processing the requisition into a purchase order.

PUR-1.3 RELATED DOCUMENTS AND REFERENCES

- A. Purchasing Ordinance – The currently adopted purchasing requirements of the County.
- B. MUNIS- An electronic enterprise management program (software) that has integrated work-flow with hierarchy of approvals and includes electronic purchase requisitioning process.
- C. Signed Agreement – Any document that binds the County to terms and conditions.

PUR-1.4 PROCEDURES/RESPONSIBILITIES:

County Manager

Define the process for purchases of \$5,000 or less.

Agency Director


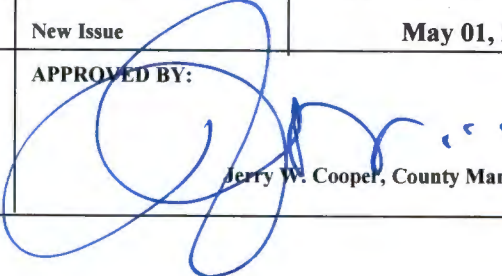
Each agency director shall be responsible for appropriately managing their purchase requisitions according to these requirements.

Procurement Director

Ensure compliance with Administrative Policies and the Procurement Ordinance.

County Employees

Follow Administrative Policies and the Procurement Ordinance.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Ethics in the Procurement Process
	NUMBER: PUR-02	REVISIONS: New Issue	EFFECTIVE DATE: May 01, 2017
	SUPERSEDES: New Issue	APPROVED BY:  Jerry W. Cooper, County Manager	

2.0 PURPOSE

The purpose of this policy is to further define the roles and responsibilities of County employees to ensure ethical procurement. These policies and procedures are in addition to the requirements for all employees found in the Cherokee County Code of Conduct which is a part of the Cherokee County Personnel Policies Manual.

2.1 APPLICABILITY AND SCOPE

It is the policy of the Cherokee County to promote the public trust. In doing so, the County seeks to demonstrate integrity and ethical conduct during the procurement of essential goods and services required by the County to serve the public. Public employees must discharge their duties impartially so as to assure fair competitive access to governmental procurement by responsible contractors. To achieve this purpose, it is essential that those procuring goods and services for the County also observe the ethical standards prescribed herein.

2.2 PROCEDURE

County employees involved in the procurement process are required to exercise the highest level of due diligence to ensure that solicitations and awards have promoted integrity and ethical procurement. In particular, employees should be trained to recognize and respond to the following issues that may arise during the procurement process:

1. **Conflict of Interest** – Cherokee County employees involved in the procurement process must conduct all activities in a manner that avoids real and perceived conflicts of interest. A conflict of interest could be either a financial interest in the procurement or allowing impartiality into the procurement process. Activities that give rise to a conflict of interest include, but are not limited to:
 - a. Conducting personal business with a supplier;
 - b. Lending money to or borrowing money from a supplier;
 - c. The overlap of duties in procurement process; and
 - d. Allowing political or outside influence to play a role in the procurement

2. **Conduct with Suppliers** – Cherokee County employees involved in the procurement process must foster a competitive atmosphere where all suppliers have an equal chance of providing their goods/services to the County. To meet these ends County employees are required to:
 - a. Refrain from showing favoritism or being influenced by suppliers (gifts); and
 - b. Safeguard supplier confidentiality;
 - c. Select Suppliers based on meeting acceptable criteria;
 - d. Discourage arbitrary or unfair used of purchasing leverage when dealing with suppliers;
 - e. Be impartial and treat all suppliers fair and equal; and
 - f. Avoid exertion of undue influence or abuses of power

3. **Corruption** – Cherokee County employees involved in the procurement process must conduct solicitations and awards in a manner that avoids corruption. County employees must not use their public office for personal gain. Employees have a duty to report any activity that appears to be corruption including bribery, extortion, or undue influence.
4. **Business Gifts** - Cherokee County employees involved in the procurement should avoid accepting meals and other hospitality from suppliers. While some gifts are allowable as defined in the Code of Conduct of the Cherokee County Personnel Policy Manual, those involved in the procurement process should exercise additional discretion regarding gifts beyond those restrictions placed on other employees.

PUR-2.3 RELATED DOCUMENTS AND REFERENCES

1. Ethical Procurement consists of procurement activities and safeguards designed to prohibit breach of the public's trust by discouraging public employees from attempting to realize personal gain through conduct inconsistent with the proper discharge of the employee's duties.

PUR-2.4 RESPONSIBILITIES

1. It is the responsibility of the Director of the Director of Procurement to train employees on the standards of ethical procurement, monitor procurement activities to ensure that the procurement process is promoting ethical procurement, and offer corrective measures in the event that these standards have been violated
2. It is the responsibility of the county employee involved in the procurement process to promote ethical procurement and report any action that violates this policy or brings into question the integrity and fairness of the procurement

References:

For additional guidance, please consult the National Institute of Government Purchasing's Ethical Procurement Guide: <https://www.nigp.org/docs/default-source/New-Site/global-best-practices/ethical.pdf?sfvrsn=2>


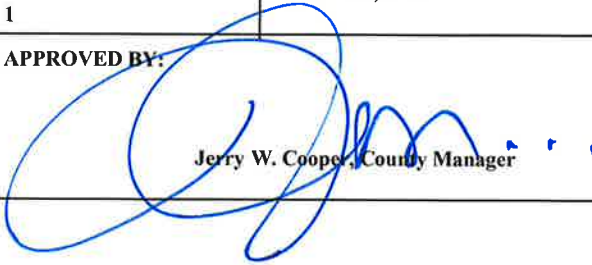
Attachment:

Appendix A: NGIP Code of Ethics

Code of Ethics - NIGP

The Institute believes, and it is a condition of membership, that the following ethical principles should govern the conduct of every person employed by a public sector procurement or materials management organization:

- Seeks or accepts a position as head (or employee) only when fully in accord with the professional principles applicable thereto and when confident of possessing the qualifications to serve under those principles to the advantage of the employing organization.
- Believes in the dignity and worth of the service rendered by the organization, and the societal responsibilities assumed as a trusted public servant.
- Is governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.
- Believes that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and not tolerable.
- Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved.
- Believes that members of the Institute and its staff should at no time, or under any circumstances, accept directly or indirectly, gifts, gratuities, or other things of value from suppliers, which might influence or appear to influence purchasing decisions.
- Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.
- Resists encroachment on control of personnel in order to preserve integrity as a professional manager.
- Handles all personnel matters on a merit basis, and in compliance with applicable laws prohibiting discrimination in employment on the basis of politics, religion, color, national origin, disability, gender, age, pregnancy and other protected characteristics.
- Seeks or dispenses no personal favors. Handles each administrative problem objectively and empathetically, without discrimination.
- Subscribes to and supports the professional aims and objectives of NIGP - The Institute for Public Procurement.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Procurement Card Policy
	NUMBER: PUR-03	REVISIONS: 1	EFFECTIVE DATE: March 17, 2021
	SUPERSEDES: 8/29/2017 Version	APPROVED BY:  Jerry W. Cooper, County Manager	

3.0 PURPOSE

The purpose of this policy is to establish uniform standards, responsibilities, and guidelines for the Procurement Card (P-Card) Program.

3.1 APPLICABILITY AND SCOPE

- A. This policy applies to all agencies, employees and contractors that have been authorized to participate in the County's P-Card Program. P-Cards are to be used only when an alternative purchasing method is not accepted or practicable. Single purchases should be restricted to \$2,500.00 or less, unless prior authorization is obtained from the County Manager. All purchases must comply with Cherokee County Procurement Policies. Purchasing records must be preserved in accordance with the County's Records Retention Policy and are subject to the State of Georgia's Open Records Act Requirements O.C.G.A. § 50-18-70 (b)(2).
- B. The billing cycle for P-Cards run from the 28th – 27th of each month (i.e.: Jan 28 – Feb 27). Statements are generally received during the first week of the next cycle. Statements will not be mailed to the cardholders when no purchases are made during the billing cycle.
- C. This policy is also compliant with the applicable portions of the "Purchasing Card and Credit Card Ordinance for Cherokee County Elected Officials" adopted 15 December 2015.

3.2 PROCEDURE

- A. P-Cards have been authorized to more efficiently aid county agencies and their employees with small purchases. The use of a P-Card does not supplant the Procurement Ordinance and should not be used to circumvent the procurement process and purchasing thresholds.
 - B. The employee named on the card will be held responsible for any transactions made with the card unless the card is reported lost or stolen. Failure to comply with program guidelines may result in card suspension or cancellation, notification of the situation to management or law enforcement, and further disciplinary measures that may include termination and legal action.
1. General Policies Governing P-Card Use:
 - a. Purchases must be for legitimate business purposes, authorized by the department's budget, and conducted in the furtherance of the employee's public duties.
 - b. Unauthorized purchases are those outside of the employee's public duty and shall specifically include alcohol or liquor, tobacco, lottery tickets or gambling, even if purchased for a legitimate business purpose. Unauthorized purchases may subject the cardholder to suspension or cancelation of their card and disciplinary action.

- c. P-Cards may not be used for the payment of utilities, including communications invoices, unless prior authorization is approved by the Agency Director.
 - d. Cards must be stored in a secure location at all times.
 - e. P-Card purchases are sales tax exempt. Employees should confirm tax-exempt status prior to purchase and ensure that purchases do not contain sales tax. (Exhibit D - Sales Tax Exemption form).
 - f. Cards are not to be shared among agency employees unless prior approval has been authorized by the County Manager.
 - g. Fraudulent purchases or lost/stolen P-Cards must immediately be reported by the employee to the card issuer/bank and the P-Card Administrator.
 - h. Returns must be credited back to the employee's P-Card; cash in lieu of credit cannot be accepted.
 - i. All P-Card records must be maintained according to the County's Record Retention policy.
2. Agency Authorization and Limit Changes:
- a. Agency Directors must complete the Agency Director Purchasing Card Program Form (Exhibit A) prior to establishing a P-Card program for their agency. Directors may delegate their responsibilities to other employees when it is conducive to more effective management of their agency's P-card program.
 - b. Employees are required to review these policies and procedures prior to being issued a P-Card. The Agency Director must include a fully executed Employee Agreement/Authorization Form (Exhibit B) with their card request to the P-Card Administrator.
 - c. Monthly transaction limits greater than \$5,000.00 or single transaction limits greater than \$2,500.00 require preapproval by the County Manager.
 - d. Agency Directors are required to notify the P-Card Administrator, in writing, of any card cancellations when an employee who was issued a card will no longer have one either through separation or disciplinary action. Cancelled cards are to be destroyed by the agency.
 - e. Requests for temporary or permanent increases to the P-Card's monthly transaction limit or single transaction limit must be made by the Agency Director to the P-Card Administrator in writing. Any monthly transaction limit increase to greater than \$5,000.00 or single transaction limit increase to greater than \$2,500.00 must be approved by the County Manager.
3. Card Management/Training:
- a. The P-Card Administrator shall be responsible for managing the County's P-Card Program. They shall be the main point of contact on card related matters and as a liaison between the employee and the bank on certain matters requiring authorization.
 - b. The P-Card Administrator shall provide training to employees and agencies as requested.
4. Card Reconciliation:
- a. Employees are responsible for submitting a monthly reconciliation statement utilizing the Procurement Card Expenditure Form (Exhibit C). The statement must be signed and dated by the employee, properly coded with the accounts from which the expenditures will be drawn, and include a one-sided copy of the original receipts on 8 ½ x 11 letter size sheets of paper. Statements are to be submitted to the Agency Director, or their designee, for review and approval. Original receipts shall be maintained by the Agency's Records Custodian and a copy of the statement and receipts should be scanned to Accounts Payable for processing using AccountsPayable@cherokeega.com. When scanning to Accounts Payable the subject should indicate that the attachment is a P-Card statement and the first and last name of the cardholder whose statement is being submitted.
 - b. Notate on each receipt the purpose of the purchase; for business meals notate the name of the guests.

- c. If a receipt is not available the employee must submit a signed Missing Receipt Form (Exhibit F) detailing the supplier or merchant information (i.e., name and location), quantity, description, unit price, total price, price paid without sales tax and an explanation of the purchase sufficient to show the expense was in the performance of their official County duties along with their reconciled statement.
- d. Incorrect or fraudulent charges should be addressed with the vendor and reported to the P-Card Administrator. The card issuer/bank will be contacted when the employee cannot resolve the issue directly with the vendor.
- e. Agency Directors, or their designee, are required to review each employee's monthly statement to ensure the statements are signed, properly coded, contain legible copies of the receipts, are within the scope of the employee's duties, and that no fraudulent or illegitimate charges were authorized.
- f. Approved monthly reconciliations must be received by Accounts Payable by the 10th of each month.
- g. Late statements will be identified each month by Accounts Payable and reported to the P-Card Administrator.
 - 1. Employees are required to submit their statements to Accounts Payable within two days of receiving such notice.
 - 2. Agency Directors must work with their employees to make sure that all statements are submitted accurately and on time.
- h. Accounts Payable will route statements without proper signatures or missing receipts to the cardholder to complete the reconciliation.

5. Monthly Audit:

- a. A random audit of +/- 10% of the P-Cards will be performed by the P-Card Administrator on a monthly basis to ensure compliance with this policy.
 - 1. Employees subject to the audit will be chosen at random.
 - 2. Elected officials will be audited monthly.
- b. Agencies and their employees are required to work with the P-Card Administrator to ensure that purchases are legitimate, corrective actions are taken, all required documentation is submitted, and the statements are properly signed and coded.
- c. A list of the cardholders audited each month and the results of the audits shall be maintained by the P-Card Administrator.

6. Annual Review:

The Procurement Director will review the P-card Program at least annually to ensure the adequacy of the internal policies and procedures card holder spending limits, monthly reconciliation procedures, documentation for transactions, compliance with the County's Administrative Policies procedures, County Ordinances, state laws and regulations.

7. Employee Termination

- a. The Agency Director must notify the P-Card Administrator, in writing, to close an account if an employee:
 - 1. Transfers to a different department
 - 2. Moves to a new job in which a P-Card is not required
 - 3. Terminates employment, or
 - 4. For any of the following reasons (which may also be subject to disciplinary action):
 - a. The card is used for personal or unauthorized purposes,
 - b. The card is used to purchase alcoholic beverages or any substance, material, or service that violates policy, law or regulation,
 - c. The employee allows the card to be used by another individual, without prior approval,

- d. The employee splits a purchase to circumvent the limitations of the card,
 - e. The employee uses another employee's card to circumvent the purchases limit assigned to either employee or the limitations of the card,
 - f. The employee fails to provide Agency Director and/or Accounts Payable with required receipts,
 - g. The employee fails to provide, when requested, information about any specific purchase, or
 - h. The employee does not adhere to all of the P-Card policies and procedures
8. Purchase Declines:
- a. Should the card be erroneously declined by a vendor during normal business hours, the employee should immediately contact the P-Card Administrator.
 - b. If the purchase is being made outside of normal Cherokee County Board of Commissioners business hours, the employee must find an alternate payment method or terminate the purchase and contact the P-Card Administrator during normal business hours.
9. P-Cards Authorized by the County Manager:
- a. The County Manager may authorize P-Cards for the use by specific independent contractors to the County,
 - b. When authorized to participate in the County's P-Card program, an independent contractor will comply with all the duties and responsibilities herein,
 - c. The County Manager or their designee shall approve all monthly reconciled statements, and
 - d. Contractor P-Cards shall be audited at least twice each year, or as directed by the County Manager
10. Policy Violations
- a. Employees shall reimburse the County for any purchases made with a County issued purchase card or credit card in violation of this policy or the user agreement.
 - b. In the discretion of the Purchasing Director, the Director of Administrative Services, or the County Manager, failure to comply with the procedures outlined in this policy, including the habitual late submissions of monthly reconciled P-Card statements may result in:
 - 1. A warning;
 - 2. Suspension of the employee's authority to use a County purchase card or credit card; or
 - 3. Revocation of the employee's authority to use a County purchase card or credit card
11. Nothing in this policy shall preclude the county from any civil remedy or from referring misuse of a purchase card or credit card for prosecution to the appropriate authorities. These standard operating procedures shall be approved by the Director of Administrative Services.

PUR-3.3 RELATED DOCUMENTS AND REFERENCES

- A. Exhibit A – Agency Director Purchasing Card Program Form
- B. Exhibit B – Employee Agreement/Authorization Form
- C. Exhibit C – Procurement Card Expenditure and Monthly Sample Monthly Statement
- D. Exhibit D – Sales Tax Exemption Form
- E. Exhibit E – Hotel/Motel Tax Exemption Form
- F. Exhibit F – Missing Receipt Form
- G. Exhibit G – Abuse Cases

PUR-3.4 RESPONSIBILITIES

1. P-Card Holders: Employees entrusted with Procurement Cards are to understand and conform with these requirements, complete the Employee Agreement/Authorization Form, sign for receipt of procurement-cards and involve and work with the P-Card Administrator regarding concerns that may arise out of the use of their assigned card.
2. Agency Directors: Agency Directors are to monitor use, approve transactions and ensure compliance with the policies for those with procurement-cards within their Agency.
3. P-Card Administrator: It is the responsibility of the P-Card Administrator to manage the day-to-day requirements of this policy, to perform required audits and support cardholders in matters requiring interaction with the card issuing institution.
4. Procurement Director: It is the responsibility of the Director of Procurement to oversee the program, ensure compliance of the overall program and report concerning irregularities to the Administrative Services Director and County Manager.

EXHIBIT A

AGENCY DIRECTOR AUTHORIZATION FORM

I have read and received a copy of the Cherokee County Procurement Card Policy. As Agency Director, I understand and agree to my responsibilities outlined therein.

Agency Director (printed): _____

Agency Director (signature): _____

Date: _____

I do ____ / I do not ____ designate my Agency Director responsibilities as outlined below.

I authorize designation of my responsibilities to:

Employee Name: _____

Employee Title: _____

Employee Email: _____

Date: _____

Agency Director Designee Authorization:

I have read and received a copy of the Cherokee County Procurement Card Policy. As Agency Director Designee, I understand and agree to my responsibilities outlined therein.

Agency Director Designee (printed): _____

Agency Director Designee (signature): _____

Date: _____

EXHIBIT B

EMPLOYEE AGREEMENT/AUTHORIZATION FORM

Employee certifies that they have read the Cherokee County Procurement Card Policy and agree to adhere to the terms and conditions of this policy, the Cherokee County Procurement Ordinance, the Cherokee County Personnel Policy, and any and all other polices enacted by the County or their Department to govern the procedures for the procurement of goods and services, so long as those policies are consistent with the terms and conditions of the County's Procurement Ordinance. All purchases shall be in accordance with Federal, state and local laws and regulations which may preempt, supersede, or incorporate additional requirements to the County's current policies and procedures. The procurement card is to be used only to make purchases for legitimate business purposes of Cherokee County.

The Procurement Card must be used in accordance with the provisions of the Procurement Card Program Policy and the Procurement Ordinance. Please read the requirements below and certify that you have read and will follow the requirements by initialing in the space provided.

Employees agree and certify to the following:

1. The Procurement Card will be used only for authorized purchases,
2. The Procurement Card will not be used to purchase alcohol or other unauthorized substances,
3. No other individuals will be allowed to use this Procurement Card,
4. Procurement Card spending limits will be followed,
5. Purchases shall not be split to circumvent spending limits, and
6. The statement along with the receipts and accounts to be charged will be submitted to Accounts Payable no later than the 10th of the ensuing month.

Violations of these and other County requirements may result in revocation of use privileges and/or disciplinary action, including investigation by law enforcement and/or termination of employment. Employees who are found to have inappropriately used the Procurement Card will be required to reimburse the County for all costs associated with such improper use.

By signing below, employee certifies that they have read this policy, understand the policy, and will adhere to the terms and conditions of this policy and the County's Procurement Ordinance. By signing below, the Agency Supervisor agrees to monitor and enforce the requirements of the policy.

EMPLOYEE NAME

EMPLOYEE NUMBER

EMPLOYEE SIGNATURE

SINGLE TRANSACTION LIMIT

AGENCY / DEPARTMENT

MONTHLY TRANSACTION LIMIT

STATEMENT MAILING ADDRESS

NAME OF SUPERVISOR TO APPROVE
STATEMENTS

AGENCY HEAD SIGNATURE

DATE ENTERED BY PROCUREMENT: _____

EXHIBIT C

PROCUREMENT CARD EXPENDITURE FORM

Proper backup must include:

- Procurement Card Expenditure Form completed and signed by card holder;
- Financial Institution P-Card Statement signed by card holder and card holder's Agency Director/Designee or County Manager (2nd approval level);
- Formatted legible, original receipts

The Procurement Card (P-Card) Expenditure Form should be properly completed including all account codes. This will ensure proper coding into Munis. It is not necessary to write the account code on each invoice; A/P will code the expenses as noted on the P-Card Expenditure Form. Expenditures must be properly coded per the item/service purchased. For example, if purchase is for food it should be coded to account object code 531300 – Food; it should not be coded to any another object code. Coding of expenses should be based on use and/or service of item purchased; not budget. If you need assistance with account coding please contact your Department/Agency Budget Liaison.

The P-Card Expenditure Form must note the reason for the purchase or brief description of item and its use. If purchase is for food and/or meal, the card holder must indicate the purpose of the food and/or the other guests in attendance at the meal.

An Excel version of the spreadsheet with formulas is published on the Finance "Forms and Documents" page on intranet.

Statements, P-Card Expenditure Forms and Receipts are all part of the Georgia Open Records Act and are available to the public.


		CHEROKEE COUNTY BOARD OF COMMISSIONERS PROCUREMENT CARD EXPENDITURE FORM				
		CARD HOLDER: _____				
		STATEMENT DATE: _____				
(INSERT ROWS IF NECESSARY)						
DATE ON RECEIPT	VENDOR NAME	DESCRIPTION OF PURCHASE (if business meal Indicate other attendees)	AMOUNT	ORG CODE	OBJECT CODE	PROJECT CODE (IF APPLICABLE)
GRAND TOTAL			\$0.00 <small>VERIFY TOTAL AGREES TO STATEMENT</small>			
TOTAL BY ORG/OBJECT CODES			AMOUNT	ORG CODE	OBJECT CODE	PROJECT CODE
TOTAL BY ORG/OBJECT CODES			\$0.00 <small>VERIFY TOTAL AGREES TO GRAND TOTAL ABOVE</small>			
DATE RECONCILED:		CARDHOLDER SIGNATURE:				
_____		_____				

EXHIBIT D

TAX EXEMPT FORM

ST-5 (Rev. 10/2018)



STATE OF GEORGIA
DEPARTMENT OF REVENUE
SALES TAX CERTIFICATE OF EXEMPTION
GEORGIA PURCHASER

To: _____
SUPPLIER _____ DATE _____

SUPPLIER'S ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____

THE UNDERSIGNED HEREBY CERTIFIES that all tangible personal property purchased or leased after this date will qualify for tax-free or tax exempt treatment as indicated below. (Check the Applicable Box)

- 1. Purchases or leases of tangible personal property or services for **RESALE ONLY**. O.C.G.A. § 48-8-30. A sales and use tax number is required unless the purchaser is one of the following: church, qualifying tax exempt child caring institution, tax exempt parent-teacher organization or association, private school (grades K-12), nonprofit entity raising funds for a public library, member councils of the Boys Scouts of America or Girl Scouts of the U.S.A. **TAX-FREE TREATMENT DOES NOT EXTEND TO ANY PURCHASE TO BE USED BY THE PURCHASER, INCLUDING ITEMS THE PURCHASER WILL DONATE.** O.C.G.A. §§ 48-8-3(15), (39), (41), (58), (59), (71).
- 2. Purchases or leases of tangible personal property or services made by the United States government, the state of Georgia, any county or municipality of this state, fire districts which have elected governing bodies and are supported in whole or in part by ad valorem taxes, or any bona fide department of such governments when paid for directly to the seller by warrant on appropriated government funds. A sales and use tax number is not required for this exemption. O.C.G.A. § 48-8-3(1).
- 3. Sales of tangible personal property and services made to the University System of Georgia and its educational units, the American Red Cross, a Community Service Board located in this state, Georgia Department of Community Affairs Regional Commissions, or specific qualified authorities provided with a sales tax exemption under Georgia law. A sales and use tax number is not required for this exemption. O.C.G.A. §§ 37-2-6.1(d), 48-8-3(B), 50-8-44.
- 4. The sale, use, consumption, or storage of materials, containers, labels, sacks, or bags used for packaging tangible personal property for shipment or sale. Materials purchased at a retail establishment for consumer use are not exempt. A sales and use tax number is not required for this exemption. O.C.G.A. § 48-8-3(94).
- 5. Aircraft, watercraft, motor vehicles, and other transportation equipment manufactured or assembled in this state when sold by the manufacturer or assembler for use exclusively outside this state and when possession is taken from the manufacturer or assembler by the purchaser within this state for the sole purpose of removing the property from this state under its own power when the equipment does not lend itself more reasonably to removal by other means. A sales and use tax number is not required for this exemption. O.C.G.A. § 48-8-3(32).
- 6. The sale of aircraft, watercraft, railroad locomotives and rolling stock, motor vehicles, and major components of each, that will be used principally to cross the borders of this state in the service of transporting passengers or cargo by common carriers and by carriers who hold common carrier and contract carrier authority in interstate or foreign commerce under authority granted by the United States Government. Replacement parts installed by carriers in such aircraft, watercraft, railroad locomotives and rolling stock, and motor vehicles that become an integral part of the craft, equipment, or vehicle are also exempt. The exemption does not extend to private or contract carriers. O.C.G.A. § 48-8-3(33)(A).
- 7. Purchases or leases of tangible personal property or services made by the Federal Reserve Bank, a federally chartered credit union, or a credit union organized under the laws of this state. A sales and use tax number is not required for this exemption. 12 U.S.C. §§ 531, 1768 § 1768; O.C.G.A. § 48-6-97.

Under penalties of perjury, I declare that I have examined this certificate and, to the best of my knowledge and belief, this certificate is true and correct and made in good faith, pursuant to the sales and use tax laws of the State of Georgia. Further, I understand that any tangible personal property obtained under this certificate is subject to sales and use tax if the purchaser uses or consumes the property in any manner other than indicated above.

Purchaser's Name: CHEROKEE COUNTY BOARD OF COMMISSIONERS Sales Tax Number: 028-320-2674
(IF REQUIRED)
Purchaser's Type of Business: GOVERNMENT
Purchaser's Address: 1130 BLUFFS PARKWAY CANTON GA 30114
Printed Name and Signature: JERRY COOPER Title: COUNTY MANAGER
Telephone Number: 678-493-6000 Email: ALPOSTELLE@CHEROKEEGA.COM

Supplier must secure and maintain one properly completed certificate of exemption from each purchaser making purchases without the payment of tax.

EXHIBIT E

Hotel/Motel Tax Exemption Form



STATE OF GEORGIA
CERTIFICATE OF EXEMPTION OF LOCAL HOTEL/MOTEL EXCISE TAX

ATTENTION: GEORGIA HOTEL AND MOTEL OPERATORS

Effective April 2, 1987, Act Number 621 amending Official Code of Georgia Annotated Section 48-13-51 provides that Georgia state or local government officials or employees traveling on official business should not be charged county or municipal excise tax on lodging, often referred to as local hotel/motel tax.

Upon verification of the identity of the government official or employee identified below, Georgia hotel and motel operators are required to exempt the individual from any applicable tax(es), as outlined below.

Tax	Acceptable Payment Methods	Required Form[s] – Provided by the Traveler
Occupancy Tax (local, county, or municipal lodging, or excise tax)	ALL payment methods accepted (Personal or Government payment)	State of GA Certificate of Exemption of Local Hotel/Motel Excise Tax

A copy of this exemption form must be maintained with hotel tax records to document the individual's status as a government official or employee traveling on official business. If you have any questions, please contact the traveler's accounting or fiscal office contact, identified below.

CERTIFICATION:

This is to certify that the lodging obtained on the date(s) identified below was required in the discharge of my official duties for the named agency, and qualifies for exemption of the local hotel/motel excise tax under Official Code of Georgia Annotated Chapter 48-13 (as amended by Act 621, Georgia Laws 1987).

Signature of Official or Employee _____ Date _____

Please complete below:

Name of Official or Employee _____

Title of Official or Employee _____

Government Agency Represented CHEROKEE COUNTY BOARD OF COMMISSIONERS (303-934738)

Accounting/Fiscal Office Contact Name JERRY COOPER - COUNTY MANAGER Phone No. 678-493-6000

Date(s) of Lodging _____

NOTE: Government officials or employees are also exempt from Georgia State Sales Tax when individuals submit the "Department of Revenue Sales Tax Certificate of Exemption Form (ST-5)" to hotel operators. The payment methods that are applicable to the exemption of this sales tax are either a State of Georgia issued credit card or payments made by directly billing the governmental organization.

EXHIBIT F

MISSING RECEIPT FORM

If a receipt is not available the employee must submit signed "Missing Receipt" form detailing the supplier or merchant information (i.e., name and location), quantity, description, unit price, total price, price paid without sales tax and an explanation of the purchase sufficient to show the expense was in the performance of their official County duties along with their reconciled statement.

The Missing Receipt form must be signed by the cardholder and the cardholder's Agency Head.

The Missing Receipt form included in this policy is an example and is available as an Excel spreadsheet included in the P-Card Reconciliation spreadsheet published on the Finance "Procurement Forms" page on intranet.

The Missing Receipt form is available to the Public as part of the Georgia Open Records Act.

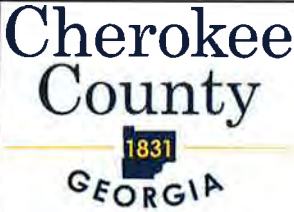
		CHEROKEE COUNTY BOARD OF COMMISSIONERS PROCUREMENT CARD MISSING RECEIPT FORM
CARDHOLDER: _____		
STATEMENT DATE: _____		
Please fill out and submit with P-card statement if receipt is unavailable. The form must be submitted for each occurrence.		
Transaction Date: _____		Total Price Charged: _____
Merchant Name: _____		
Merchant Address: _____		
Online or In-Person: _____		
PURCHASE DETAILS		
Quantity	Unit Price	Description
(INSERT ROWS IF NECESSARY)		
_____ DATE		_____ CARDHOLDER SIGNATURE
_____ DATE		_____ AGENCY HEAD SIGNATURE

EXHIBIT G

ABUSE CASES

Why do we need such strict policies & procedures for p-card?

Government workers sometimes abuse credit cards

Without proper oversight, employees use cards for personal expenses

By LaRita Heet October 10, 2008

A slew of recent scandals over credit card abuse by local government officials across the country show the need for stringent controls over purchasing cards, or "p-cards," say experts.

The release of the Government Accountability Office's March 2008 report created increased scrutiny for federal employees -- and for good reason. After examining purchase card transactions made in the year ending June 30, 2006, GAO investigators found an estimated 41 percent of the charges were improper in some fashion -- mostly because paperwork was not filled out right, or authorization was not granted, but there were also a few cases of headline-generating, spectacular abuse.

What the GAO didn't examine were the equally unsettling, improper government p-card transactions occurring at state and local levels. Thanks in no small part to anonymous tipsters and internal audit investigations, these cases are slowly being uncovered.

Some of the recent cases of government employee p-card abuses of taxpayers' money include:

- A Gary, Ind., school superintendent, who spent \$15,814 improperly. As a result, the school board ordered the entire administration of Gary Community School Corp. to hand in their collective corporate cards.
- The Mandeville, La., mayor and other city officials, who have been accused of ringing up several thousand dollars' worth of purchases on their city credit cards. The finance director alone is alleged to have spent almost \$13,000 on his city-issued card within a five-year period.
- A Tarpon Springs, Fla., city employee who was arrested and charged for using her city employee credit card for personal purchases, and the nearby Safety Harbor's longtime finance director, who is under investigation for similar allegations.

Do these and numerous other cases of government employee credit card fraud spell the end of the p-card program? Tina M. Borger, CPPO, director of research and technical resources for the National Institute of Governmental Purchasing Inc., doesn't believe so. (See [5 ways small business owners can prevent employee credit card abuse](#)) "According to the 2007 Benchmark survey results, 70 percent of NIGP agency members have p-card programs. We have not resurveyed our members since the GAO study was released, but it is unlikely that public agencies discontinued these successful programs on the basis of the GAO study or problems within other programs," says Borger, who has more than 30 years' experience in public procurement, and calls herself a "strong believer in the value of p-card programs when properly implemented."

Instead, says Borger, "The more likely result of such reports is a review of the controls in place to prevent or identify similar problems. Of those responding, 80 percent of the programs are administered by procurement or by procurement and accounting. While it is nearly impossible to stop a person determined to violate laws and policies for personal gain, a good oversight program should identify problems on an ongoing basis so that immediate and appropriate action may be taken."

The benefits and drawbacks of p-card programs

Government employee p-cards allow employees to make small purchases in an efficient manner. Research has proven the old purchase order form of supply replenishment is slow, inefficient, and just plain outdated, while p-cards give employees and managers the freedom to buy office and other supplies as needed. P-cards are as easy to use as credit cards: just a quick swipe and there's no downtime waiting for supplies to arrive, no purchase orders to reconcile and no more waiting for UPS or Fed-Ex to deliver those supplies.

Unfortunately, government employee purchasing cards are a little too easy to use -- and too tempting for some employees to resist. State and local government employees have squandered taxpayers' money on everything from cruises and lingerie to cars and major appliances. These employees, driven by greed or perceived need, hail from universities and school districts, city councils and other state or city government organizations.

Employees with access to government credit cards should understand that the unauthorized use of public funds can lead to a felony conviction and prison.

-- Attorney David E. Nahmias

Putting controls to work -- and in writing

In a surprising number of government p-card misuses, the accused employee claimed not to know he or she was violating any policies. Even more shocking is the fact that many of the defrauded organizations did not have any p-card policy to address proper spending regulations.

State college employee charges nearly 4,000 high-ticket items worth more than \$316,000 on her employer-issued purchase card

In one of the more spectacular cases of purchase-card abuse, Georgia Tech employee Donna Renee Gamble went swipe-happy with her state-issued p-card -- to the tune of \$316,000 in personal purchases. From 2002 to 2007, Gamble purchased nearly 4,000 high-ticket items, including a big screen TV, a Yamaha Waverunner III personal watercraft, computers, a \$1,900 frozen drink system, a treadmill, musical instruments, top-of-the-line digital cameras, iPods, bikes, power tools and yard machines, jewelry and season tickets to Auburn University football games. In August 2008, she was sentenced to 32 months in prison.

Basic common sense should dictate that Broadway show tickets, cruises, \$8,000 TVs and casino trips fall directly under the umbrella of improper government credit card usage, but policies and follow-through are the only way to ensure that everyone knows and follows the rules, says Robert Hammer, president and CEO of R.K. Hammer Investment Bankers in Thousand Oaks, Calif. His advice to both government agencies and private companies is simple: Leave nothing to chance or misinterpretation. "Have a proactive, very smart policy that is well defined and well known for every employee," says Hammer.

Though every organization that provides purchasing cards -- or other types of credit cards -- to its employees should have a written policy about the use of such cards, instruction or policy alone is not enough to deter fraudulent practices, as evidenced by many such cases. Nor is it enough for an organization to talk the talk about reviewing p-card transactions if such reconciliation is nothing more than a cursory glance and signature.

Despite the fact that some people find loopholes in the policies, p-card programs actually offer more built-in controls than the small purchase and payment methods they replaced -- petty cash and direct payments, says Borger. "Controls can be placed at many points, including single purchase limits, monthly limits, and by merchant code. For example, for a small purchase p-card program, merchants selling alcoholic beverages could be blocked from

usage. However, if the p-cards were used for travel as well as small purchases, this control would prevent usage of the card at most restaurants."

The importance of oversight

P-card spending policies are not the be-all, end-all answer to improper government credit card spending, however. Some employees ignore the policy, while others can and do get by with misspending by obeying the letter, rather than the spirit, of the law.

Take the case of Marsha Ollison, a former employee of the Dallas Independent School District, who was convicted by a federal jury of theft from an organization receiving federal funds, after she purchased \$56,000 worth of personal goods with her p-card. Despite receiving an instruction manual that dictated school district p-cards were for official use only -- and despite signing a Procurement Employee Agreement Form that stated, "I understand that under no circumstances will I use the procurement card to make personal purchases, either for others, or myself," Ollison made the fraudulent purchases during 2004 through 2006. In September 2007, Ollison was sentenced to 18 months in prison and ordered to pay \$64,000 in restitution to the district.

In another situation, a Missouri state audit of the city of Springfield uncovered excessive Visa charges by several city employees, including those of city help desk coordinator, Pam Cummings, who managed to run up \$397,412 in charges -- and still not "technically" violate the city's p-card policy, according to the audit. Cummings, whose job included purchasing computers and related equipment for the city, evaded detection -- and skirted the spirit of the p-card policy -- by keeping every charge under the \$5,000 single purchase limit set forth in the policy.

The Springfield audit also showed that 450 city employees held city p-cards, and that during the year ending June 30, 2007, p-card purchases totaled approximately \$6.6 million. Though most of the employees had used their cards appropriately -- and only when necessary -- the audit concluded that "excessive spending limits has exposed the city to unnecessary liability. The city needs to implement better controls over purchasing card expenditures. We identified excessive spending limits, unnecessary purchases, split purchases to circumvent transaction limits, and inadequate supporting documentation."

We identified excessive spending limits, unnecessary purchases, split purchases to circumvent transaction limits, and inadequate supporting documentation.

Springfield's audit shows the general p-card trend among government organizations: the program itself is worthwhile, but as with any program that involves a multitude of people and their backgrounds and intentions and ethics, controls and oversight are needed to ensure that everyone makes the right choice.

Many fraudulent p-card practices can and obviously do escape notice -- often for months and years -- due to a "breakdown in the oversight," says John Jahera, Colonial Bank Professor at the department of finance of Auburn University in Alabama.

Jahera, who is in charge of signing off on purchases made by his department, understands the work and time involved in such oversight. "Every month, we have to reconcile the statements. I would assume that any organization that has sound accounting controls would have a monthly reconciliation. For those situations where there's been significant abuse, obviously someone is starting the process, but it sounds like there could be a lack of oversight as the payment process works its way up the channels. Because it is easy to use -- a staff member has a purchasing card to go buy a small amount of office supplies, or whatever it is that you need, and we've seen some extreme cases on the news," he says.

*-- City of
Springfield,
Mo.
auditor's
report*

Wayne Harris, 60, executive director of the Crestview, Fla., Chamber of Commerce, and a retired first sergeant in the Air Force, has held both government and corporate credit cards throughout his military and civilian careers. Harris, whose Air Force credit card was "very closely monitored," says that thorough scrutiny and regular reconciliation of government employee credit card purchases is crucial. "These are tax dollars, and that should be strictly accounted for. Every credit card charge should be strictly accounted for," he says.

Regular submission of detailed receipts by the employee should be a "basic requirement for p-card use," says Borger. "Failure to submit timely receipts can be cause for disciplinary action ranging from temporary or permanent loss of card use, deduction of un-documented charges from pay, and suspension or termination of employment. While many organizations are concerned with the 'risk' of loss associated with the number of p-cards issued. This concern should be weighed against the risk of one often-used solution -- issuing fewer cards but allowing shared use of the same cards by multiple individuals. With a one-card/one-user program, the employee is held accountable for all charges on the card, while with a shared card, everyone can deny making the charge and an illegible signature can be impossible to identify."

The final reconciliation

In spite of occasional improper spending problems within some governmental organizations, government employee p-card programs are here to stay, says Borger.

"According to the NIGP 2007 Benchmark Survey, the mean average number of annual transactions per agency was 26,807, used primarily for travel and small purchases using the most efficient and effective method possible. On average, in one year, the average agency avoided the time and expense of issuing over 26,000 purchase orders and cut 12 rather than thousands of checks," Borger says. "Regardless of how a purchase or a payment is made, a public agency must ensure compliance with laws and policies. Checks and balances must be in place. Documentation must be required and reviewed. Noncompliance must be identified and addressed."

The bottom line?

"P-card programs, when properly implemented and operated, are extremely efficient and effective," says Borger. "There have been many instances where an individual has embezzled large sums of money by manipulating accounting systems, but no one suggests no longer using automated accounting systems in favor of returning to manual checks. Why should we discontinue using p-cards because of a relatively few number of similar abuses?"

2 UGA employees charged with purchasing-card fraud

FROM <http://www.onlineathens.com/> - Sunday, July 17, 2011

University of Georgia police have charged two employees of UGA's College of Education with fraudulently using state-issued purchasing cards. Laura Cobb Watson, 47, of Statham, was booked into the Clarke County Jail on Wednesday on charges of using state resources for personal gain, theft by conversion, and altering public documents. Watson was a senior accountant for the College of Education's Educational Psychology and Instructional Technology Department but has since been fired, according to a college spokesman. Kathy Ingram Knudson, 51, of Watkinsville, is an administrative assistant in the same college department. She surrendered at the jail, where she was booked in on one count of use of state resources for personal gain.

Both women surrendered after UGA police took out warrants for their arrest Wednesday, and they were released after posting bond. Knudson was on leave from her job at the time of her arrest and had not been fired as of Friday, the college spokesman said. UGA police Chief Jimmy Williamson was out of town Friday and unavailable for comment. The department's spokesman, Lt. Eric Dellinger, didn't know details about the alleged crimes, which were reported in May. "A private vendor from the Athens area noticed a transaction using a UGA purchasing card and felt it was suspicious and reported," Dellinger said, "Our investigation revealed they used state p-cards for the purchase of property for personal gain." UGA police have arrested several employees for misusing p-cards in recent years. In one such case, a Terry College of Business secretary embezzled thousands of dollars between 2006 and 2008 by

fraudulently using a state-issued purchasing card, UGA police said. Dellinger didn't know how much money is involved in this case.

Former Georgia Tech Employee Donna Renee Gamble Indicted! 'P-Card' Fraud - What was She Thinking? Comments by White Collar Crime Speaker Chuck Gallagher --- March 4, 2008

Working for the Parker H. Petit Institute for Bioengineering and Bioscience at Georgia Tech in Atlanta, **Donna Renee Gamble**, age 43, was indicted by a federal grand jury on charges credit card abuse. According to United States Attorney Nahmias, and other information presented in court: **GAMBLE** was employed by Georgia Tech in Atlanta, where she was assigned to the Parker H. Petit Institute for Bioengineering and Bioscience. As an employee of Georgia Tech, **GAMBLE** had access to one or more Georgia Tech credit cards, also known as Procurement Cards or "P-Cards," which she was allowed to use for authorized official business purchases only. **GAMBLE** was prohibited from charging personal purchases on her Georgia Tech P-Cards. From April 2002 through April 2007, **GAMBLE** allegedly used her Georgia Tech P-Cards to purchase more than 3,800 personal items, at a total cost of more than \$316,000. In an effort to conceal and disguise the personal nature of certain charges on her Georgia Tech P-Cards, **GAMBLE** allegedly created fake receipts, which she submitted to her supervisor, and made false entries in Georgia Tech's accounting records. Grant money provided to Georgia Tech by the NSF was used to pay for **GAMBLE's** personal purchases.

Now, as a white collar crime speaker, there are times when I have the feeling that a person might have gotten caught up in something that might have been unintended. However, in this case, it appears that there was clear thought in how the crime was committed.

Generally there are three components to any fraud: (1) need (or perceived need); (2) opportunity and (3) rationalization. Alleging to have purchased more than 3,800 items for personal use indicates that what might have started as need - grew! The opportunity was there - as often it is with 'P-Cards' in that it is difficult to have complete control (effective internal controls) when each person is given a card that is honored.

While most respect the responsibility that comes with such a card, there are always issues of fraud that seem to arise from those who get caught up in the opportunity for abuse. **GAMBLE** was one of several current and former university employees who have had their card usage scrutinized after an audit. What is astonishing in this case is the effort used to conceal the nature of the alleged fraud. **Gamble** is charged with 22 counts of mail fraud and theft each of which carry a maximum sentence of 20 years in prison and a fine up to \$250,000.

Fulton County Schools principal faces charges

By D. Aileen Dodd The Atlanta Journal-Constitution 3:13 p.m. Wednesday, March 21, 2012

A former Sandy Springs principal who resigned after an audit showed that he used an American Express card linked to his school to make personal purchases is facing criminal charges. Eddie Echols, who left Riverwood International Charter School in September, is facing charges of theft, identity theft and credit card fraud. School officials said he turned himself into Fulton County police about a month ago after police continued their investigation into the incident. At the time of his resignation, there was no evidence that Echols stole money, said Samantha Evans, spokeswoman for Fulton Schools.

MARTA CEO Addresses Agency's P-Card Abuse


ATLANTA — Updated: 8:27 p.m. Monday, Nov. 29, 2010 | Posted: 5:37 p.m. Monday, Nov. 29, 2010

MARTA's general manager spoke publicly for the first time on Monday about firing her own executive assistant for alleged purchase card abuse. Beverly Scott told Channel 2's Lori Geary she's terribly embarrassed that the incident happened on her watch, but she wanted to assure taxpayers it won't happen again. "I will tell you as God is my witness, I'll never inappropriately misuse a card," Scott said during a meeting on what she called systemic p-card abuse within the MARTA system. "What can I say to you Lori? I'm a straight shooter. I wished we, God knows I wish we were not having this conversation, but I can assure anybody of one thing, when I know it, I'm on it," Scott said.

Doree Henry is the former executive assistant accused of racking up more than \$8,000 in questionable charges on her p-card. Scott said Henry's card had been terminated for a year before Scott found out there were problems. "Let me tell you, I did not give the card, did not authorize the card, didn't approve the card, didn't know about the card and I'm being very honest," Scott said. Scott said she immediately called for an extensive audit of the p-card system which uncovered major problems. "Unfortunately, I wish I could tell you that it was localized and it was not," Scott added.

Scott outlined to Geary the new policies put in place effective immediately. All 140 MARTA employees who have p-cards will go through annual training on how to use them. They must provide monthly reports and receipts and must have someone approve and authorize the purchases.

Scott told Geary she takes full responsibility for what happened in the past. "I occupy the ground I stand on. I'm the general manager and CEO of MARTA and so I have no lack of clarity regarding where the buck stops and the buck stops with me," said Scott. Scott told Geary she didn't pursue criminal charges against Henry because there was such an overall break down of internal controls. Scott said she expects Henry to make full restitution to taxpayers because they held back her pay.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Procurement Delegation Policy
	NUMBER: PUR-04	REVISIONS:	EFFECTIVE DATE: 06/08/2017
	SUPERSEDES:	APPROVED BY: Jerry W. Cooper, County Manager	

PUR-4.0 PURPOSE

The purpose of this policy is to further define the process for the delegation of the Procurement Director's duties pursuant to the Procurement Ordinance §2-5-2.03.

PUR-4.1 APPLICABILITY AND SCOPE

This policy applies to all employees that have been delegated purchasing authority by the Purchasing Agent pursuant to the Procurement Ordinance.

PUR-4.2 POLICY

In order to maintain an effective and efficient procurement process, the County seeks to empower employees closest to the need for goods and services to be involved directly in the procurement process. The Procurement Department may formally delegate specific responsibilities to individuals in areas where a need has been identified. County employees delegated such authority will be subject to the requirements in the Procurement Ordinance and periodic mandatory training provided the Procurement Department.


1. Each delegation shall contain such constraints and controls as deemed necessary by the Procurement Agent for successful and compliant performance:
 - a. Constrains shall be designed to ensure:
 1. Consistency of the procurement process,
 2. Use of best practices,
 3. Protection of the County's interest, and
 4. Compliance with the Procurement Ordinance and state law.
 - b. Controls shall be designed to allow Procurement oversight,
 - c. Required documentation shall be maintained by the Procurement Department.
2. Training shall be provided periodically and shall be required to maintain delegation.
3. Those involved in the Procurement process shall be subject to PUR-02, Ethics in the Procurement Process.

PUR-4.3 RELATED DOCUMENTS AND REFERENCES:

Procurement Ordinance – The most current version as approved by the Cherokee County Board of Commissioners.

Administrative Policy PUR-01, Procurement Requirements – Addresses general procurement requirements.

Administrative Policy PUR-02, Ethics in the Procurement Process – Addresses the need for an unbiased and fair process.

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Single/Sole Source Procurements
	NUMBER: PUR-05	REVISIONS: 1	EFFECTIVE DATE: 3/20/2018
	SUPERSEDES:	APPROVED BY: Jerry W. Cooper, County Manager	

PUR-5.1 PURPOSE

The purpose of this policy is to establish uniform standards, responsibilities, and guidelines for ensuring that Single/Sole Source purchases are conducted in accordance with the requirements of the County's Procurement Ordinance.

PUR-5.2 APPLICABILITY AND SCOPE

- A. This policy establishes guidance and process requirements necessary to submit a single/sole source request in compliance with Procurement Ordinance section 2-5-3.07.
- B. This policy applies to requests for purchases that are restricted to a single supplier that exceed \$1,500.
- C. This policy applies to all non-public works construction contracts.

PUR-5.3 DEFINITIONS

- A. Sole Source: any contract entered into without a competitive process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirements.
- B. Single Source: any contract for goods and/or services that could potentially be competitively bid that is instead entered into without a competitive sourcing process based on the determination that there are unique, compelling and justifiable circumstances for not using the competitive process.

PUR-5.4 POLICY

- A. **Competitive Requirement**: The County is committed to utilizing the competitive process whenever possible. Initial procurements of items or services are to maximize the competitive marketplace so that competitive pricing can be evaluated against the performance requirements to ensure that the County is obtaining the best possible value. Initial procurements should take into consideration the total cost of ownership over a reasonable product usage lifecycle and provisions for adding requirements should also be addressed in the competitive selection process.
- B. Prior to requesting a single/sole source procurement action, the requesting Agency shall explore all reasonably viable options to allow potential competition. As a part of this due-diligence, the Agency shall define their requirements in such a way as to separate attributes that are actual must-have requirements from those attributes that are desired. An Agency's preference for a brand name product does not justify a single/sole source purchase.
- C. Following an attempt to identify ways of introducing competition to the procurement process, if the requesting Agency determines that no acceptable alternative products and/or suppliers are available that meets their requirements or that there is a clear and compelling justifiable reason for only considering one source in the procurement process, the Agency shall be responsible for documenting the due-diligence resulting in single/sole source requirement.

D. Acceptable single/sole source situations tend to fall into one or more of these major categories:

1. Required Sourcing: situations where (a) legislation or (b) an appropriation mandates the use of a specific source, or (c) in cases of regulated utilities that cover a specific geography.
2. Proprietary Sourcing: situations where only the original manufacturer, seller or developer can reasonably (a) service, sell or repair an item, software or system, or (b) in the case of a software where a subscription license is required to be renewed or added to and the licensing company is the only one that can provide this authorization, or (c) in cases of proprietary or protected products where there is a patent, copyright, trade secret or a unique feature involved precluding others from meeting the Agency's requirements.
3. Single Source: unique situations where (a) a product is of such complexity and is so critical to the mission of the Agency that switching products represents a risk to successfully meeting the organization's objectives without significant disentanglement planning and cost, (b) where the facts of the requested action are clear, compelling and overwhelmingly support the best interest of the County for reasons of public safety and/or, interoperability or (c) where after a reasonable search only one potential source of supply has been identified.

E. The requesting Agency shall submit to the Procurement Department a completed Single/Sole Source Request Form. The Single/Sole Source Request Form must be signed by both the person requesting the product and the Agency director. The Single/Sole Source Request form should address the following:

1. General performance requirements,
2. Critical or unique performance factors only available from one known source,
 - a. Training, risk or safety factors associated with the use of other source(s),
 - b. Relevant patents and proprietary processes, components and/or information,
 - c. Due diligence performed:
 1. A list of organizations contacted and evaluated,
 2. Timing of the analysis performed,
 3. Document the costs associated with selecting alternative products,
3. If another Agency or funding source (grant [federal or state], donation, SPLOST, Parks Bond, etc.), is directing purchase, and
4. Internal and external deadlines.

F. The Procurement Agent will conduct a good faith review of the facts as submitted on the Single/Sole Source Request Form. If necessary, the Procurement Agent will conduct an independent review of potential suppliers and/or specifications to determine if additional competition is available.

1. If the Procurement Agent determines that additional competition may be available from another supplier either through the identification of a new source not yet evaluated by the requesting Agency or through the use of modified specifications they will advise the Agency of their findings:
 - a. If the use of more generic requirements is recommended, the Agency shall evaluate the proposed changes and determine if the changes are acceptable:
 1. If so, the Agency will modify the requirements and provide to Procurement to begin the formal bidding process.
 2. If not, the requesting Agency will update their documentation to show that the requirements were reevaluated and could not be changed and forward this documentation to the Procurement Agent.
 - b. If the use of a newly identified source is recommended, then the Agency shall determine the acceptability of the proposed source(s) and:
 1. If the proposed source is determined potentially viable, the Agency shall then assist Procurement in developing the necessary documentation to bid the requirement(s) out pursuant to the Ordinance's requirement(s).

2. If the proposed source is determined not to be viable, the requesting Agency will update their documentation to show that the additional source was evaluated and could not be changed and forward this documentation to the **Procurement Agent**.
 2. If the Procurement Agent determines that following a good faith review that no alternative products and/or suppliers can meet the requesting Agency's requirements or that the proposed limit on the competitive process is justifiable based on the circumstances, then they will approve the sole source purchase request.
- G. All single/sole source purchases up to \$25,000 shall be approved by the Procurement Agent. All single/sole source purchases over \$25,000 must be approved by the County Manager. The Procurement Agent has discretion to request the County Manager's approval on sole source requests under \$25,000.
- H. The approved Single/Sole Source Request Form only addresses the matter of source selection and price reasonableness, additional approvals may be necessary based on the type of contract required to obtain the goods or services or the expected dollar value of the procurement action.
- I. Records related to source/sole purchases shall be maintained by the Procurement Department.

PUR-5.5 RELATED DOCUMENTS AND REFERENCES

- A. Single/Sole Source Request Form – The most current version of the County Manager approved form required for documenting the request and outcome. A copy of the initial version of this form is attached hereto for illustrative purposes, the then-current version of this form can be located on the Procurement intranet page.
- B. Procurement Ordinance – The most current version approved by the Cherokee County Board of Commissioners.

PUR-5.6 PROCEDURES/RESPONSIBILITIES:

Procurement Director

Define the process within the authority of the Purchasing Ordinance, monitor for compliance and report on the Procurement Process.

Requesting Agency

Support the Procurement Policy and Procedures as defined.



SINGLE/SOLE SOURCE REQUEST

This form is to be used when an agency believes an acquisition is a single/sole source and the acquisition dollar amount is above \$1,500. Requests \$1,500 - \$5,000 are to be approved by the Agency Director or their designee; >\$5,000 shall require Agency Director approval. The completed form is to be submitted to the Cherokee County Procurement Department. The signed form will be retained in the purchasing file.

[Note: Double click on check boxes to access pop-up box for completion.]

AGENCY NAME	DIVISION NAME
PROPOSED CONTRACT VENDOR Company: Address: Telephone: Web Address: Contact: E-mail:	DATE NEED IDENTIFIED
	REQUESTED DELIVERY DATE
	QUOTED PRICE / EXPECTED ANNUAL VALUE \$

DESCRIPTION OF GOODS AND/OR SERVICE REQUIRED:

Further Definition of the Requirement:

- Attached is a Statement of Work or a detailed work definition and/or an item specification/definition.

Purchase History:

- This item and/or service has not been purchased before.
- This item and/or service has been purchased before and this is a follow-on to that action as follows:
- Date of initial approval _____
 - Date approval expires: _____
 - Approved by: _____
 - Value of Award: _____

SINGLE/SOLE SOURCE CATEGORY (Check applicable box and attach documentation and provide (at a minimum) the required support under the category.)

<u>A. Required Sourcing</u>	<u>B. Proprietary Sourcing</u>	<u>C. Single Source</u>
<input type="checkbox"/> Legislation or appropriation mandates use of contract vendor (legislation or grant/funding source attached) <input type="checkbox"/> Regulated utilities <input type="checkbox"/> Other _____	<input type="checkbox"/> Software license renewals, additions, or upgrades <input type="checkbox"/> Warranty requirements <input type="checkbox"/> OEM service or parts required <input type="checkbox"/> Other _____	<input type="checkbox"/> Interoperability <input type="checkbox"/> Public safety/interest <input type="checkbox"/> Agency safety <input type="checkbox"/> Disentanglement impact <input type="checkbox"/> Other _____

<u>Category A Required Support:</u>	<u>Category B Required Support:</u>	<u>Category C Required Support:</u>
<ol style="list-style-type: none"> 1. State the situational background. If it involves a utility include location where utility is needed. 2. Attach legislation or grant/funding source document. 3. Utility company and type. 	<ol style="list-style-type: none"> 1. State the situational background. 2. Provide sole source letter from software supplier addressing the limited sales channels. 3. Attach warranty. 4. Indicate if only OEM parts are available. 	<ol style="list-style-type: none"> 1. State the situational background. 2. Provide business case addressing the need to act without competition, address market availability of similar product, including pricing and why these products are unacceptable. 3. Include cost/impact of making a change.

IF A BOX IN "A" or "B" ABOVE IS CHECKED, PROVIDE EVIDENCE THAT THIS IS A SOLE SOURCE PROCUREMENT (attach back-up), or:

IF A BOX IN "C" ABOVE IS CHECKED, PROVIDE INFORMATION THAT SUPPORTS WHY ADDRESSING THIS SITUATION AS A SINGLE SOURCE IS IN THE BEST INTEREST OF THE COUNTY (attach back-up):

NOTE: The following are UNLIKELY to be sufficient Single/Source justifications:

- Personal or Agency preference for a product or vendor or past or existing relationship (should define service expectations, quality requirements, and require a transition plan in formal RFB/P process)
- Agency perception that the vendor is the best qualified (should define necessary qualifications and quality requirements in a formal RFB/P process)
- Special incentive or deal offered (can be assessed in the pricing section of a formal RFB/P process)
- Agency convenience or lack of planning resulting in inadequate time to conduct a competitive procurement (request expedited support from the Procurement Department)

SEARCH RESULTS (if a box in "A" or "B" above is checked)

Ordinance References § 2-5-3.07 & 2-5-5.03: "Sole Source" means an acquisition where, **after a search**, only one supplier is determined to be reasonably able to provide the required product, service, or construction item.

A search was conducted consisting of: (check all that apply)

- Internet search (attach search results)
- Market research / other vendors contacted (provide the names and dates of the contacts)
- Other

RESULTS

AFTER THE SEARCH:

- No alternatives were identified
- No alternatives were deemed acceptable because (explain below):

Describe the search from above in detail: (attach documentation as necessary)

CERTIFICATIONS: Each signer must certify the following:

- I recognize that State law requires the use of competitive solicitations unless exempted by law. I have reviewed the information and materials relevant to this procurement of goods and services, and am requesting approval of an exception to the competitive process for the reasons described herein, and
- this request for an exception to the competitive solicitation process is not the result of inadequate advance planning or for purposes of securing the services of a preferred vendor.

SIGNATURES

Person Requesting the Single Source Status. By signing this document, I certify that the statements in the Certifications section above are true.

Signature:

Date

Printed Name / Title

Phone No.

Agency Head Approval (>\$5,000) or Agency Head Delegate Approval (\$5,000). By signing this document, I certify that the statements in the Certifications section above are to the best of my knowledge true.

Signature:

Date

Printed Name / Title

Phone No.

SOLE SOURCE PROCUREMENT ASSESSMENT AND FINDINGS

(To be completed by the Procurement Department)

A search was conducted consisting of: (check all that apply)

- Internet search (attach search results)
- Market verification (Provide the names and dates of the contacts)
- Public notice given on County website and the newspaper
- Other

RESULTS

AFTER THE SEARCH...

- No alternatives were identified
- No alternatives were deemed acceptable because (explain below):

Describe the search conducted or assessment of the Compelling Situation:

Approved:

- The agency is given a one-time approval to process this Single/Sole Source acquisition, subject to Procurement's ability to make a fair and reasonable price determination. (Any terms and conditions proposed by vendor must be approved in writing by the County's attorney and the County Manager.)
- The agency is given a time-bound approval allowing it to process Single/Sole Source acquisitions through _____, subject to Procurement's ability to make a fair and reasonable price determination.
- A solicitation document containing the County's intent to pursue this as a Single/Sole source is required to be posted for two weeks Cherokee County's internet site for solicitations. Should there be no concerns raised by the posting/advertisement, the acquisition shall proceed as a sole source, subject to Procurement's ability to make a fair and reasonable price determination.

Next Step(s):

- Requires Procurement Summary
- Requires Agenda Request and BOC Approval
- Requires Non-standard Terms & Conditions be approved by the County Manager and Legal
- Requires Purchase Requisition be Submitted
- Other: _____

Not Approved. Reason: _____

Procurement Director or Designee

Signature:	Date
Printed Name/Title	Phone No.


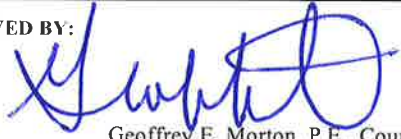
County Manager or designee (Required signature when over \$25,000).

Signature:

Printed Name: Jerry Cooper, County Manager

Concurrence:

- Approved
- Rejected

	ADMINISTRATIVE POLICIES AND PROCEDURES		SUBJECT: Workers' Comp Emergency Transportation Costs
	NUMBER: RM-2	REVISIONS:	EFFECTIVE DATE: 9/1/2022
	SUPERSEDES:	APPROVED BY:  Geoffrey E. Morton, P.E., County Manager	

RM - 1.0 PURPOSE

To provide procedures waiving emergency medical transportation charges for employees sustaining an on-the-job injury. Elimination of these charges will help Cherokee County control Workers' Compensation costs.

RM-1.1 POLICY


Cherokee County Fire/EMS Department provides emergency medical transportation in the County. Cherokee County EMS shall provide emergency medical transportation and will waive the cost for County employees should such transportation be necessary due to an employee on-the-job injury. This policy shall not affect previously established procedures for reporting Worker's Compensation injuries.

RM - 1.2 RESPONSIBILITY:

Agency/Department Directors have the responsibility of informing their supervisors of this policy and the procedure to notify Risk Management as soon as possible in the event they have employees requiring Emergency Transport by Cherokee EMS. Risk Management has the responsibility to notify EMS after notification is made by Agency/Department Directors.

RM - 1.3 PROCEDURES

1. In the event an employee requires emergency medical transport due to an on-the-job injury, the employee's supervisor shall complete a first report of injury and also notify the Director of Risk Management as soon as possible of the emergency transport. This will ensure the employee and the county do not receive a bill for transport charges from the billing 3rd party.
2. The Risk Management Department shall notify the EMS Division with the employee's name, date and time of transport.
3. The EMS department will notify the 3rd party billing service to not bill for these charges.
4. Should the Risk Management Department or the Workers' Compensation TPA adjusters receive a bill for ambulance transport costs, the bill will be sent to the EMS Division who will contact the 3rd party billing service directly.

	ADMINISTRATIVE POLICIES AND PROCEDURES	SUBJECT: Hands Free Driving
	NUMBER: RM 3	REVISIONS:
	SUPERSEDES: 9/23/2016	APPROVED BY: Geoffrey E. Morton, P.E., County Manager
		EFFECTIVE DATE: 3/14/2023

House Bill 673 also known as the “**Hands-Free Law**” was passed by the Georgia General Assembly and signed into law by Governor Nathan Deal. The Hands-Free Law took effect on July 1, 2018. Except as required for public safety personnel, Cherokee County prohibits texting or talking on a hand-held phone while operating a county vehicle, county equipment, or while operating a personal vehicle for County business. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, reading or responding to e-mails and text messages.

The following is a brief description of “Hands-Free Law” and Cherokee County driver requirements:

County drivers cannot have a phone in their hand or use any part of their body to support their phone. Drivers can only use their phones to make or receive phone calls by using wireless technology.

- Headsets and earpieces can only be worn for communication purposes and not for listening to music or other entertainment.
- A driver may not send or read any text-based communication.
- A driver may not write, send or read any text messages, e-mails or social media content.
- A driver may not watch a video unless it is for navigation.
- A driver may not record videos.
- Drivers shall not touch their phones to do anything to their music apps when they are on the road.

Cherokee County is committed to the safety of its employees.

Below is a Statement of Acknowledgement that you have read and fully understand this policy. Please sign and return this document to your supervisor; the original will be placed in your personnel file. If you have any questions regarding this policy, please contact your supervisor.

I have received a written copy of the County’s Hands-Free Driving policy. I fully understand the terms of this policy and agree to abide by them.

Employee Signature

Date

Employee Name (printed)

January 6, 2017 Addendum: For weather-related emergencies, Roads and Bridges personnel may receive certain exemptions from the Cherokee County Distracted Driving Policy as approved and specified by either the Department Director or Agency Director.

www.gahighwaysafety.org