

**HOUSTON COUNTY POLICY MANUAL
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POLICY #1

AGENDA ITEMS

DATE ADOPTED: 11-9-87
MINUTE BOOK 26 PAGE 83
DATE AMENDED: 1-28-02
MINUTE BOOK 34 PAGE 9
DATE AMENDED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish a policy for items to be placed on the Commission meeting agenda.

PROCEDURE: All items to be voted on in the regular meeting shall be discussed in the previous administrative meeting before placement on the agenda. Items of an emergency nature may be placed on the agenda at any commissioner's request after an attempt is made to notify commissioners and there is a unanimous consent to add the item to the agenda. The Commission will only address items that have been placed on the Commission agenda at the regular Commission meeting.

POLICY #2

PROCEDURE FOR HANDLING CLAIMS AGAINST AND FOR THE COUNTY

DATE ADOPTED: 2-23-98

MINUTE BOOK 32 PAGE 122

POLICY: To establish a procedure for handling claims against and for the county.

PROCEDURE: Based on the Alabama Code and Houston County Liability Coverage Document and contract with the Insurance Company of coverage, the Houston County Commission, adopts the following policies for handling claims for and against the county.

1. When a claim is filed against Houston County, the Chief Administrative Officer or his agent shall submit appropriate claim form to the Insurance Company. A copy of said claim will then be provided to each County Commissioner and its Chairman as well as the County Attorney.
2. When a claim is filed against the County, the Commission shall take all action necessary to cooperate with the investigation, settlement, or defense of the claim as requested by the Insurance Company pursuant to the terms of the Insurance Contract. The Commission shall not take action or assume any obligation or expense, other than for first aid, without the consent of the Insurance Company.
3. When a claim by the County against another party is deemed by the Chairman and Chief Administrative Officer to exist, a copy will be given to each commissioner. The Chairman of the Commission is then hereby authorized on behalf of the Commission to take all reasonable action necessary and execute all documentation necessary to assert, settle, compromise, and otherwise recover under said claim.
4. All policies and practices heretofore adopted or implemented by the Commission or its representatives which conflict with the policy are hereby repealed.

POLICY #3

REQUEST FOR LEGAL ASSISTANCE

DATE ADOPTED: 6-23-97
MINUTE BOOK 32 PAGE 48
DATE AMENDED: 7-28-08
MINUTE BOOK 36 PAGE 207
DATE AMENDED: 10-14-08
MINUTE BOOK 36 PAGE

PURPOSE: To establish a County procedure in which Department Heads may request the assistance of the County Attorney on matters that involve their department.

PROCEDURE: While we all know that the need for legal assistance seems to be part of our daily routine, we also know that the cost for this assistance is expensive. The following procedure is necessary to insure that we keep this cost under control.

With the exception of elected officials or Department Heads reporting directly to the Houston County Personnel Board, all other department heads requiring legal assistance in a non emergency situation shall prepare a memo addressed to the County Attorney giving him all necessary facts covering who, what, where, why and how as they relate to the problem. Memo's originating from the Road and Bridge Department must first be approved by the County Engineer. Memo's originating from the County Administrative staff must first be approved by the Chief Administrative Officer. The memo should establish an acceptable response time so the County Attorney may properly prioritize the request. The memo should then be forwarded to the County Attorney with a copy to the Chief Administrative Officer. All memos forwarded to the attorney will be recorded in a log maintained by the Chief Administrative Officer indicating the Department Heads requested response time.

By the second Wednesday of each month, the County Attorney will provide to the Chief Administrative Officer a summary status of each open request. The summary will include the expected resolution date.

In an emergency situation, a Department Head should contact in order the following people:

1. Chief Administrative Officer
2. County Attorney

The Administrator will then contact the Commission Chairman and the Commissioners and any other necessary people.

POLICY #4

PURCHASING POLICY & PROCEDURES

DATE ADOPTED: 02-27-17

MINUTE BOOK 40 PAGE 109

Purpose: To set forth the purchasing policy and purchasing procedures of the Houston County Commission (“the Commission”).

General Authority: The competitive bid requirements for County purchases or contracts other than contracts for “public works” (as defined in § 39-2-1(5)) are set forth in ALA. CODE §§ 41-16-50 through 46-16-79 (1975, Supp. 2007). (“the Bid Law”) ALA. CODE of 41-16-50 states in pertinent part as follows:

With the exception of contracts for public works whose competitive bidding requirements are governed exclusively by Title 39, all expenditure of funds of whatever nature for labor, services, work, or for the purchase of materials, equipment, supplies, or other personal property involving fifteen thousand dollars (\$15,000) or more, and the lease of materials, equipment, supplies, or other personal property where the lessee is, or becomes legally and contractually, bound under the terms of the lease, to pay a total amount of fifteen thousand dollars (\$15,000) or more, made by or on behalf of county commissions shall be made under contractual agreement entered into by free and open competitive bidding, on sealed bids, to the lowest responsible bidder.

Policy:

- A. The Chief Administrative Officer of the Houston County Commission (“CAO”) is the designated Purchasing Agent for the Houston County Commission.
- B. For purchases that do not require competitive bidding, the Purchasing Agent is authorized to make and consummate those purchases of the County as approved by the Houston County Commission through either the current years adopted budget or as outlined in the budget amendment procedure.
- C. Purchases requiring competitive bidding will be presented to the Houston County Commission for approval letting and awarding of bids.
- D. Purchasing Limits:

- 1) The purchasing agent, or his designee, may make and execute purchases as authorized by the Houston County Commission for which State Bid Law does not require competitive bidding.
- 2) All purchases must be approved or authorized by the Houston County Commission.
- 3) Unless an exception has been approved in writing by the Purchasing Agent, a purchase order shall be used to document all expenditures of public funds for the purpose of internal controls and/or voucher procedures. Authorized exceptions for consideration may include certain recurring expenditures and services including electric, gas and water bills, county-paid portions of insurance premiums for employees, FICA payroll expenditures, etc. Such exceptions must be approved by the Purchasing Agent in writing.
- 4) Prior to any purchase, the Purchasing Agent or his designee must verify available funds. However, to facilitate the purchasing process, recurring purchases to a single vendor may be approved with an open (blanket) purchase order.

E) Open Purchase Orders:

Open blanket purchase orders may be issued for up to a three month (90 day) period. The purchase order is to be issued with an estimate of the total expenditure for the period purchases. At the end of each month, invoices are to be signed by the individual making the purchase or receiving the merchandise. Such “quarterly” approved purchase orders must comply with all purchasing guidelines and applicable competitive bid laws.

F) Emergency purchases involving less than \$15,000:

An emergency shall be declared whenever there is a dire need for the procurement of goods and services arising out of an accident or other unforeseen events or conditions whereby circumstances affecting public buildings, public property, or the life, health and safety of individuals are involved.

A) When less than \$15,000 is involved, the following procedures will apply:

- 1) If the emergency occurs after hours, on weekends, or on holidays which requires immediate action in the best interest of the County, the purchase may be made by the department head. The purchase will be reported the following workday without delay. Justification and details shall be submitted in writing including the location of the purchase.
- 2) The Purchasing Agent will assign a purchase order number and date the purchase order as of that day. A notation will be made on the purchase order

as to the actual date of the purchase. Written justification will be attached to the purchase order.

- 3) If said expenditure is not an approved budget item, or exceeds the departmental budget, the approval of the Houston County Commission or the Chairman of the Houston County Commission shall be required. The bids/quotes, if any, amounts of purchases and letters of justification shall be added to the minutes of the next Houston County Commission meeting for proper authorization of funding.
 - 4) The individual requesting the emergency purchase order must indicate in writing, what would happen in his or her judgment if an emergency purchase was not approved and the danger to public health, safety or convenience involved in delay.
- B) Emergency purchases involving expenditures of funds equal to or exceeding \$15,000.

If the conditions require a purchase that would otherwise require competitive bidding under the Bid Law and it is necessary to purchase the item due to an emergency, the following procedure will apply:

- 1) As provided in the ALA. CODE § 41-16-53, in case of an emergency affecting public health, safety or convenience, so declared in writing by the awarding authority, setting forth the nature of the danger to public health, safety or convenience involved in delay, contracts may be let to the extent necessary to meet the emergency without public advertisement. Such action and reasons therefore shall immediately be made public by the awarding authority. The awarding authority is hereby defined as the Houston County Commission.
- 2) Applicable purchase order procedures are to be followed. The individual requesting the emergency purchase must indicate, in writing, what would happen in his or her judgment if an emergency purchase was not approved and the danger to public health, safety or convenience involved in delay.
- 3) The Chief Administrative Officer or if unavailable, his designee should be contacted regarding the situation and reasons for declaration of an emergency purchase situation. The Chief Administrative Officer should communicate such situations to the County Attorney. A written opinion from the County Attorney is advisable.
- 4) If the expenditure is not an approved budget item, or exceeds the departmental budget, the approval of the Houston County Commission or the Chairman of the Houston County Commission shall be required. The bids, amounts of

purchase and letters of justification shall be added to the minutes of the next Houston County Commission meeting as required by ALA. CODE § 41-16-53 as amended.

G) Capital Purchases:

Computers regardless of cost, plus all other single item purchases of equipment whose value is \$5,000 or greater and has a useful life of greater than one year (excluding replacement and component parts), are considered capital purchases. Such capital purchases must be tracked through normal capital purchase procedures to include:

- 1) Issuance and attachment of a capital ID number
- 2) Annual capital audit and submission to Accounting
- 3) Upon retirement or disposal, Accounting must be contacted to remove this item from the capital list and remove the ID tag from the capital item.
- 4) If the item is retired prior to completion of its useful life, a written justification for doing so must be submitted to the CAO. The CAO will then submit a written approval/rejection to the requestor.

H) Proper Identification of Items to be Purchased:

All purchase orders should contain the vendor name, quantity, unit, specific part number (SKU – Stock Keeping Unit Number), price per SKU and detailed description of the material being purchased. If an item does not have a SKU number, an adequate description should be provided that will uniquely identify the item and conditions of the purchase.

I) Liability:

Department heads should note that at any time a purchase is made by an individual without following procedures outlined herein that the department head and the individual may be held personally liable unless released from liability by the Houston County Commission by its approval of the purchase or other action of the Commission. Department heads should establish internal controls sufficient to assure that all procedures are being followed.

J) Bid Solicitations and Procedures:

- 1) Annualized purchases over \$2,500 but less than \$15,000 are to be made after quotations are received from a least 3 responsible vendors. Annualized is defined as projected demand for an item between the period October 1st of the current year through September 30th of the following year. Purchases of less than \$2,500 are

expected to be made from a source who is known or believed to be a vendor who provides both competitive prices and dependable delivery and service. If at any time insufficient information concerning competitive prices and delivery is unavailable or the department head has reservations about the under \$2,500 vendor selected, it is advisable that three quotes be obtained even though the purchase amount is less than \$2,500.

Exceptions to Annualized purchase requirements may be granted by the Purchasing Agent for those purchases exempt from the Bid Law and for the following reasons properly documented to substantiate the decision:

- A) Items where such price has been set by the State of Alabama; or
- B) Requirements to maintain a degree of continuity with the original or exiting décor, equipment or programs where an attempt to quote could result in an operational or functional inconsistency; or
- C) When an attempted solicitation of quotes results in no response, orders will be placed with the first reliable sources with suitable price, quality or delivery; or
- D) When lowest and best price has been determined by prior purchases; or
- E) When the Purchasing Agent determines that 3 quotes cannot be feasibly obtained.
- F) **Purchases from auctions or surplus dealers where the purchase price from the auction or surplus dealer can be substantiated in writing as lower than fair or reasonable market value.**
- G) **Purchases from other government entities.**
 - 1) No purchase or contract involving an amount equal to or in excess of \$15,000 shall be divided into parts involving amounts of less than \$15,000 for the purpose of avoiding the requirements of the applicable State Bid law as set forth in Alabama Code Section 41-16-1 et. § All such partial contracts involving less than \$15,000 are void pursuant to the Bid Law.
 - 2) Quoted prices or bids of vendors or suppliers will remain confidential until all quotes or bids are received and the purchase is consummated as provided for herein or until all quotes or bids are rejected. The quote or bid of one person or entity shall not be used to negotiate a lower quote from another.
 - 3) For purchases more than \$15,000 the Houston County Commission, the Purchase Agent, or the department head, if authorized, has the responsibility to accept the quote or bid from the responsible bidder meeting specifications or may reject all bids or quotes.

4) For purchases in excess of \$15,000, all bid procedures as outlined in the Bid Law apply.

2) Utilization of Federal funds:

In the event that Houston County is utilizing Federal Funds in its purchasing operations, Federal regulations will apply.

3) Credit Card Purchases:

All County credit cards will be maintained by the Accounting Manager. Two type credit cards are authorized:

1) General Credit Card to be used for miscellaneous purchases. The General Credit Card shall be applied for and approved by the Purchasing Agent. The Accounting Manager will maintain the General Credit Card and will be responsible for issuing Purchase Orders utilizing the card. The General Credit Card will be used only in those situations where a Purchase Order or other means of payment can not be utilized. Individuals requiring a General Credit Card purchase will be required to complete and submit a memo to the Accounting Manager indicating the reason for the purchase, the reason that only the General Credit Card must be utilized and other specific purchasing details such as the vendor name, address and/or contact information, part number, description, quantity, unit cost, FOB point and freight cost.

2) Vendor-Specific Credit Cards: Vendor-specific credit cards shall be obtained by the Accounting Manager based on approval from the Purchasing Agent for the purchase of local merchandise on an emergency-only basis, or, where purchase orders may not practically be utilized. The Vendor-Specific Credit Card is authorized only for purchases from a specific local vendor such as SAMS Club, Office Depot, etc. An individual requiring the use of a Vendor-specific credit card will adhere to the following procedures:

A) The Vendor-Specific Credit Card will be signed-out from the Accounting Manager to the person requesting the card.

B) The receipt for the merchandise purchased with the card must be submitted to accounting at the time the card is returned.

C) Cards must be returned to Accounting on the same day they are signed out.

All terms and conditions specific to Houston County Purchasing Policy and The Bid Laws apply to both General Credit Card purchases and Vendor-Specific Credit Card purchases.

Only purchases related to County business are allowed to be purchased with either the General Credit Card or the Vendor-Specific Credit Card.

4) Conflicts of Interests:

No member of the Houston County Commission or employee of Houston County shall be involved in the decision making process or make any recommendations concerning any purchases of or contract for any personal property or contractual services for Houston County if they have a personal financial interest or stake in the outcome of the purchase or contract process.

5) Reservation of Authority:

The Commission reserves the right to change, modify, or amend this policy.

Effective Date and approval:

The effective date of this policy shall be August 1, 2008.

This policy is adopted and approved July 28, 2008 as per the minutes of the Houston County Commission.

POLICY #5

BUDGET AMENDMENT PROCEDURE

DATE ADOPTED: 2-26-96

MINUTE BOOK 31 PAGE 63

DATE AMENDED: 7-28-08

MINUTE BOOK 36 PAGE 207

POLICY: To establish a policy outlining procedures for Department Heads to make requests for budget amendments.

PROCEDURE: All requests for budget amendments shall be from Departments Heads only, and in writing to the Administrator. The Chief Administrative Officer shall review the request and make his recommendations to the County Commission. The request for amendment shall provide sufficient information on which line item(s) is to be amended, dollar amount of each line item to be decreased and/or reduced, and the justification for said amendment.

The County Chief Administrative Officer is hereby authorized to make operations amendments in the budget, if adequate funds are available, or to reject said operations amendments if not in the best interest of the County. Provided, however, that the County Commission shall be the sole authority to approve the following:

- (A) Any request involving the transfer of budgeted funds from one department to another department.
- (B) Any request necessitating new money, such as bringing up retained earnings, or adding a new resource center.
- (C) Any request where other governmental agencies, federal or state, are also required to approve said amendment. This would include, but not be limited to, the re-appraisal budget, emergency management budget, or state or federal grants.

Nothing in this policy shall prohibit the County Commission, the Chairman, or the Chief Administrative Officer, from initiating a budget amendment in any department where it is determined that the budget is so out of balance that an amendment is necessary. In this case, the department head will be kept fully informed, and shall be involved in any such amendment not requested by him or her.

**FUNDING OF PROMOTIONS, RE-CLASSIFICATIONS, JOB
RE-EVALUATIONS AND SUPPLEMENTS**

DATE ADOPTED: 7-28-97
MINUTE BOOK 32 PAGE 57
DATE AMENDED: 7-28-08
MINUTE BOOK 36 PAGE 207

PURPOSE: To commission, department head will include the following in writing:

1. Job title and description as approved by Personnel Board.
2. Net cost to establish a County procedure in which Department Heads

are to

present requests for increases in compensation of any type, such as but not limited to salaries, promotions, re-classifications, job re-evaluations, expense allowances, and supplements.

PROCEDURE: Any compensation requests, as noted above, must be included in the County budget and must become effective after October 1 of that fiscal year. The anticipated increase in funding must be included in the departmental budget request, approved for the next fiscal year's budget, and, where applicable, approved by the Houston County Personnel Board.

Any requests of this nature that are not budgeted and are made during a fiscal year will only be considered if request is for creation of a new position or substantial change in existing job responsibilities which is resulting from external circumstances, i.e. grants, legalities, special projects, etc. In this case, department head will follow procedure set forth in Houston County Personnel Manual, section IX,A,1. When forwarded to the County for the balance of the current year and projection for the next fiscal year.

3. Justification for job creation/change plus any supporting documentation.

Prior to submission to the Houston County Commission, the creation deletion, or changes to the approved budgeted positions must be approved by the Personnel Board. If a new position is created, the department head must submit a position questionnaire to the Personnel Department requesting an additional position. The Personnel Board will then determine if the position is in an existing classification or in a new classification.

After Commission review, item will be placed on regular Commission agenda for approval or denial, along with appropriate budget amendment.

This procedure for non-budgeted positions must be followed even if funding request will fall within current year's budget. No plan may be implemented without the approval of the Personnel Board and the County Commission.

POLICY #8

PROPOSED ACTS TO BE INTRODUCED INTO LEGISLATURE

DATE ADOPTED: 11-23-87

MINUTE BOOK 26 PAGE 84

DATE AMENDED: 7-28-08

MINUTE BOOK 36 PAGE 207

POLICY: To establish a policy for procedures regarding local acts or general acts with local application to be introduced into the Legislature.

Procedure: All Local Acts or General Acts with local application to be introduced into the Legislature shall first be submitted to the Houston County Commission for discussion in the next Administrative Meeting and voted on by resolution in the following regular or "special called" meeting of the Commission. The resolution shall be signed by commissioners voting "yes".

POLICY #9

MISCELLANEOUS PAYROLL DEDUCTIONS

DATE ADOPTED: 11-23-92

MINUTE BOOK 29 PAGE 32

DATE AMENDED: 12-10-01

MINUTE BOOK 33 PAGE 234

DATE AMENDED: 07-28-08

MINUTE BOOK 36 PAGE 207

PURPOSE: To establish a policy regarding Miscellaneous Payroll deductions:

1. A miscellaneous payroll deduction is defined as a voluntary deduction from an employee's pay (employee insurance premium payments, charitable donations, credit union payments, etc.).
2. A minimum of 20% of the employees on the Houston County Commission payroll will be required to participate in the service offered before payroll deduction is implemented for that service.
3. As of January 1, 1993, any existing payroll deduction with less than 10% of eligible employees participating will be discontinued. In the future, a minimum of 10% of eligible employees will be required to participate in order to maintain the payroll deduction for that service.
4. Employees shall only be solicited with the expressed approval of the department head and the Houston County Commission during working hours. Solicitation shall not be posted on County bulletin boards. Approved brochures and printed information may be distributed through the payroll department if approved by the County Commission. It will be the responsibility of the solicitor to provide the materials in a "ready to distribute" package. The payroll department will not "stuff" pay envelopes.
5. The Houston County Commission, by authorized payroll deductions, does not endorse, support, or guarantee a product or service.
6. The mandatory and voluntary contributions to the State Employees Retirement System are exempt from this policy. Health insurance and dental insurance plans provided by the Houston County Commission to employees are also exempt from this policy.

7. The Houston County Commission reserves the right to cancel a service or a product at its pleasure.
8. The Houston County Commission reserves the authority to amend, modify, or change this policy.
9. Exceptions were authorized by the Commission on February 26, 1996 for PEBSCO and U.S. Savings Bond.
10. The Houston County Commission will not make employee payroll deductions for the payment of professional or other employment related dues effective December 15, 2001.

Any change in this policy will require the approval of the Houston County Commission.

POLICY #11

PROCEDURE TO BURY LARGE DEAD ANIMALS IN COUNTY

DATE ADOPTED 10-23-89

MINUTE BOOK UNKNOWN

POLICY: The County shall not bury large, dead animals for individuals in Houston County except under the following circumstances and conditions:

- PROCEDURE:
1. That the County receive a letter from the Houston County Health Officer verifying after having visited the site where the animal is located that the particular dead animal is a specific health nuisance and/or hazard; and,
 2. (a) If the owner of the animal is known or ascertainable: That the owner or custodian of a particular animal be requested to bury same immediately. If said owner for any reason fails to bury or dispose of same within twenty-four hours, that Houston County is authorized to bury same provided that the owner through the district attorney is to be prosecuted under Alabama Code 3-1-28 and that every effort be made to obtain restitution and court costs in addition to the statutorily prescribed fine, or
(b) If the owner of the dead animal is not known or ascertainable: Houston County is authorized to dispose of the carcass of large, dead animals at public expense; and
 3. That the public funds expended for this purpose must not be taken from constitutionally or statutorily restricted funds.

POLICY #12

WORK ORDERS TO COUNTY ENGINEER

DATE ADOPTED: 11-09-97
MINUTE BOOK 26 PAGE 76
DATE AMENDED: 6-24-02
MINUTE BOOK 34 PAGE 56
DATE AMENDED: 07-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish a policy on work orders submitted to the County Engineer.

PROCEDURE: All work requested by a commissioner or citizen shall be kept on file at the County Engineer's office with the end result. A monthly report will be provided to the County Commission listing all outstanding work orders.

POLICY #13

DIRT

DATE ADOPTED: 11-23-87
MINUTE BOOK 26 PAGE 83
DATE AMENDED: 07-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish a policy regarding the delivery of dirt to individuals.

PROCEDURE: No dirt will be delivered to individuals.

POLICY #14

DIRT ROAD PRIORITY LIST

DATE ADOPTED: 3-25-91

MINUTE BOOK 27 PAGE 26

DATE AMENDED: 6-24-02

MINUTE BOOK 34 PAGE 56

DATE AMENDED: 7-28-08

MINUTE BOOK 36 PAGE 207

POLICY: To establish a policy to develop a priority list for paving dirt roads.

- PROCEDURE:
1. Establish the total number of miles on the paving list.
 2. County Engineer will establish list of all dirt roads. Engineer will base this list on need and analysis, i.e. traffic, houses, bus routes, etc.
 3. Each Commissioner will select roads to be paved from the list based on the percentage of dirt roads in his/her district as compared to the amount of dirt roads in the County. The combined lists will equal total miles approved for paving.
 4. The list of roads to be paved in the project will be approved in a regular commission meeting before any are paved.
 5. The County Engineer will arrange the roads to be paved so as to complete the paving list as expeditiously and as cost effectively as possible.
 6. Each County Commissioner may modify his/her list at any time if construction has not started. Each County Commissioner's list shall not exceed his/her allotted number of miles or as close as possible as determined by the County Engineer.
 7. The County Engineer shall keep records of all dirt road paving.

POLICY #16

OFF RIGHT OF WAY/PRIVATE PROPERTY WORK

DATE ADOPTED: 6-23-97
MINUTE BOOK 32 PAGE 48

POLICY To establish a policy to govern when and under what circumstances the County can perform work on private property.

PROCEDURE ALA. CONST. Art. IV, Sec. 94 as amended by ALA. CONST. Amendment 112, prohibits a county from granting money or any other thing of value in aid of a private person, corporation or association.

The Office of the Attorney General of the State of Alabama has ruled that the Constitutional provisions supra., prohibit a county from using county labor, equipment and materials to work on private property unless the county, not the landowner alone, receives some benefit from the work.

Houston County, through its employees, except as may be authorized by statute or state constitutional provision, shall not do any work on private property (Off Right of Way work) unless the county, through its Engineer and Commissioner in whose district the proposed work is to be done, shall satisfy themselves that Houston County, not the landowner alone, shall receive a present “benefit” from the proposed work.

This policy shall be implemented by the County Commissioner in whose District the proposed work is to be done and the County Engineer. It shall be the responsibility of said Commissioner and Engineer to see that this policy is properly followed and implemented. It shall be the joint responsibility of said Commissioner and the County Engineer to see that the procedures for implementing this policy are complied with.

POLICY #17

**REQUESTED WORK FOR MUNICIPALITIES WITH POPULATIONS
OF LESS THAN 5,000**

DATE ADOPTED: 2-26-96
MINUTE BOOK 31 PAGE 35
DATE AMENDED: 8-26-96
MINUTE BOOK 31 PAGE 113
DATE AMENDED: 6-24-02
MINUTE BOOK 34 PAGE 56
DATE MODIFIED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY

To establish a policy for city maintained roads within Houston County municipalities with a population of less than 5,000.

DIRT ROAD PAVING

Houston County will pay 50% and the municipality shall pay 50% of total cost (labor plus equipment and materials) of dirt road paving. This is after a written request is received from the municipality and approved by the Houston County Commission. An exception to this would be if the dirt road paving project is placed on the new Houston County Paving List. *In this case, Houston County Commission will pay for all cost of construction.

RESURFACING

On resurfacing of a city maintained road, Houston County will pay 50% of asphalt cost and will supply inspection of the project at no cost if approved by Houston County Commission. *Resurfacing a parking lot or paving a new parking lot all materials shall be paid by the City with the exception of dirt.

REPAIRS

Traffic signs, driveway pipes, pot hole repairs, dirt hauled (maximum of six loads in a week), emergency and normal repairs as determined by the County Engineer may be requested in writing to the County Engineer and approved by him. The municipality will pay for all materials with the exception of dirt. *Utility repairs shall be repaired by the Utility with the exception of dirt.

PROJECTS

Projects for which materials will cost \$2,000 or less will be completed after written request is made and approved by the County Engineer. A copy of the request will be furnished to the Commission in the monthly report given to the Commission by the County Engineer.

This policy replaces the original policy for road work in municipalities.

*Amended to include (with the exception of dirt) August 26, 1996.

FILLING IN OF ABANDONED WELL SITES

DATE ADOPTED: 9-25-95
MINUTE BOOK 31 PAGE 32
DATE AMENDED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish guidelines for filling in abandoned well sites.

PROCEDURE: Houston County, through its employees, shall not perform any work to abate, remedy or fill in the nuisance created by an open well site unless the Houston County Health Officer shall first evaluate the well site, declare same to be a public nuisance or public health or safety hazard menacing public health and thereby unlawful, and specifically instruct the County Engineer or other county employee or officer to fill in said old, unused and/or abandoned well site.

Before any such work is done or performed by any employee of Houston County, Alabama, the landowner shall be required to sign an easement and indemnity agreement for Houston County to fill in old well sites with said easement and indemnity agreement to be recorded in the Office of the Judge of Probate of Houston County, Alabama. Said easement and indemnity agreement shall be completed by the County Engineer and executed by the landowner before any work provided for herein shall begin.

Further, Section 94 of the Constitution of Alabama, 1901, as amended, prohibits a county from giving or granting money or anything of value in aid of a private person, association or corporation. However, Section 94, does not prohibit a county from abating a public nuisance on private property if the county is reimbursed for all costs of the work done on private property because Alabama Code Sections 22-10-2 and 22-3-2(3) permit the abatement of a public nuisance by the county board of health. Accordingly, the county shall assess, prior to beginning work if feasible, to the owner the expense and the costs of filling an abandoned well located on the owner's property, that is certified to be a public or safety hazard or nuisance.

POLICY #19

**GUIDELINES TO WORK ON ANY COUNTY MAINTAINED ROAD
OR RIGHT-OF-WAY UTILITY POLICY**

DATE ADOPTED: 9-25-95
MINUTE BOOK 31 PAGE 32
DATE AMENDED: 6-24-02
MINUTE BOOK 34 PAGE 56
DATE AMENDED: 7-28-08
MINUTE BOOK 36 PAGE 207

PURPOSE: To establish guidelines that define when and under what circumstances a County or County maintained road or right of way can be worked upon.

PROCEDURE: In accordance with Alabama Code, 11-3-10, authorizing Houston County to establish, control, change or discontinue roads, bridges, causeways, and ferries within the County, no one is allowed to perform any type work on County roads or County maintained roads or right of way without first obtaining a work permit from the Houston County Engineer's office. Any violation of this resolution may result in the violator being prosecuted in criminal or civil court for trespass, damage to public property, creating a hazard, theft or destruction of property, tampering, criminal mischief or other appropriate civil or criminal offense.

POLICY #20

**WORK REQUESTED BY HOUSTON COUNTY SCHOOL BOARD
VOLUNTEER FIRE DEPARTMENTS AND OTHER ENTITIES**

DATE ADOPTED: 8-24-96
MINUTE BOOK 32 PAGE 114
DATE AMENDED: 8-23-99
MINUTE BOOK 32 PAGE 323
DATE AMENDED: 2-28-00
MINUTE BOOK 33 PAGE 53
DATE AMENDED: 6-24-02
MINUTE BOOK 34 PAGE 56
DATE AMENDED: 4-25-06
MINUTE BOOK 35 PAGE 303

POLICY To establish a policy for work requested on construction projects and repair projects from the Houston County School Board, Volunteer Fire Departments, or other entities (as determined by the Houston County Commission).

PROCEDURE The Houston County School Board, Volunteer Fire Departments, or other entities (as determined by the Houston County Commission) shall pay for materials (with the exception of dirt), with the County supplying the labor and equipment on requested construction projects. This is after a written request is received from the entity and approved by the Houston county Commission. (Utility repairs shall be repaired by the Utility).

Projects for **governmental entities** for which materials will cost \$500 or less will be done after written request is made and approved by the County Engineer. A copy of request will be furnished to the Commission in the monthly report given to the Commission furnished by the County Engineer. **All projects for non-governmental entities (e.g. Landmark Park, National Peanut Festival, etc.) will only be done**

after approval by the County Commission in a regular or called meeting of the Commission.

Projects for which materials will cost \$500 or less will be done after written request is made and approved by the County Engineer. A copy of request will be furnished to the Commission in the monthly report given to the Commission by the County Engineer. (Maximum of six loads of dirt per week).

This policy replaces the original policy for work requested by Houston County School Board, Volunteer Fire Department or other Entities.

POLICY #21

**REPAIRS ON CITY MAINTAINED S/D ROADS WITHIN MUNICIPALITIES
WITH POPULATIONS OF LESS THAN 5,000**

DATE ADOPTED: 4-12-99

MINUTE BOOK 32 PAGE 262

DATE AMENDED: 7-28-08

MINUTE BOOK 36 PAGE 207

POLICY: Houston County will not perform repairs on city maintained subdivision roads within Houston County municipalities with a population of less than 5,000, unless the subdivision is constructed to Houston County Subdivision Regulations or greater and inspected and approved by Houston County Engineer. Subdivisions built before April 12, 1999 are excluded.

POLICY #22

SOLICITATION

DATE ADOPTED: 10-12-98
MINUTE BOOK 32 PAGE 195
EFFECTIVE DATE: 11-1-98
DATE AMENDED: 11-10-98
MINUTE BOOK 32 PAGE 210
DATE AMENDED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish a policy to prevent activities that would disrupt Houston County operations and/or cause loitering.

PROCEDURE:

I. Solicitation - Employees

- A. Solicitation or acts of solicitation such as delivery of purchased merchandise between employees during work time is strictly prohibited.
- B. Work time does not include specific periods during the work day when employees are not properly engaged in performing their duties, such as meal breaks and break times.
- C. Unauthorized solicitations posted on County Bulletin boards, County buildings or other County owned or maintained structures is prohibited unless approved by the Houston County Commission.

II. Non-Employees

Non-employees are prohibited at all times from soliciting for the purpose of sales to employees. This policy excludes candidates soliciting for public office.

**AUTHORIZATION FOR COMMISSION CHAIRMAN TO IMPLEMENT
COMMISSION APPROVALS**

POLICY: To establish authority for the Commission Chairman to facilitate and promote the efficient and timely handling of matters and things, the funding for which has been approved by the Commission.

WHEREAS, the Houston County Commission (the “Commission”), in the interest of and in an effort to promote the efficient and timely handling of matters and things, the funding for which has been approved by the Commission;

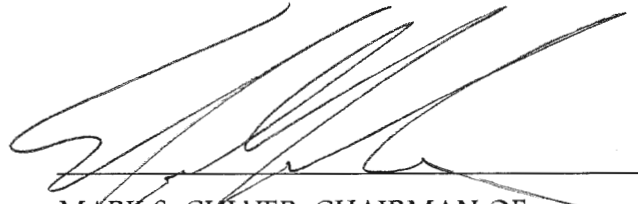
NOW THEREFORE, in order to facilitate and advance said policy,

BE IT RESOLVED AND ORDERED by the Houston County Commission (the “Commission”) as follows:

1. In order to provide for the foregoing objective, once the funding, approval or authorization for a matter, project, contract, purchase, lease, lease-purchase agreement, lease with option to purchase, installment-sale agreement or arrangement, alternative financing contract, or agreement is or has been approved by the Houston County Commission, the Chairman of the Commission is hereby authorized and directed to execute and deliver, take or cause to be taken, for and in the name and on behalf of the Houston County Commission and Houston County, Alabama, all actions and all other things necessary, appropriate or desirable including but not limited to the negotiation of terms for and the execution of all necessary documents, contracts or other related instruments subject to the funding limits authorized by the Commission, to carry into effect the purposes and intent of said funding, approval or authorization approved by the Houston County Commission.

2. The authority granted by the Houston County Commission in this Resolution shall be continuing and shall remain in full force and effect until revoked by majority vote of the Houston County Commission and shall become a part of and shall be included as an additional policy of this Commission in the Houston County Commission Policy Manual.

The above and foregoing Resolution is adopted and approved on this the 24th day of November, 2014, by the Houston County Commission.



MARK S. CULVER, CHAIRMAN OF
THE HOUSTON COUNTY COMMISSION

Authenticated:



William J. Dempsey, Chief Administrative Officer

Commissioner Sinquefield moved that said Resolution be adopted, which motion was seconded by Commissioner Battles, and, upon said motion being put to vote, the following vote was recorded:

YEAS 3

NAYS 0

the Chairman thereupon announced that said motion had passed and the Resolution was adopted.

POLICY #24

ACQUISITION OF RIGHT OF WAY OR OTHER EASEMENT BY PURCHASE
BEFORE FORMAL CONDEMNATION PROCEEDINGS

DATE APPROVED: 4-23-01
MINUTE BOOK 33 PAGE 203
DATE AMENDED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish a procedure authorizing the acquisition of property needed for valid public purpose(s) designated by the County Engineer to be necessary before incurring the time and expense of pursuing formal condemnation proceedings.

PROCEDURE:

- A. It is noted by the Commission that the “Alabama Eminent Domain Code” provides that prior to the filing of a formal condemnation petition with the court, a county must establish an amount which it believes to be just compensation and offer to acquire the property for the amount so established.
- B. In an effort to make the acquisition of property needed for a valid public use (“Property”) more efficient, it is the desire of the Houston County Commission (“the Commission”) before incurring the cost of pursuing the formal condemnation process and court proceedings, to authorize and empower the County Engineer, on behalf of the Commission to negotiate and purchase “Property” subject to the following preconditions and limitations:
 1. That the County Engineer certify in writing to the County Administrator and the Chairman of the County Commission that the County needs to acquire “Property” for a stated public purpose and need.
 2. That the County Engineer cause the Revenue Commissioner’s office appraising staff or other licensed appraiser, to give to the County Engineer in writing an estimation of the appraised value of the “Property.”

3. Thereupon, the County Engineer is hereby empowered and authorized on behalf of the Commission to negotiate with the property owner on behalf of the Commission and to bind the Commission for the acquisition cost of the Property (whether the cost is to be paid in money or in-kind services or materials) provided the purchase price and value of the consideration does not, in the judgment of the County Engineer, exceed the written estimation of the appraised value of the Property obtained pursuant to Paragraph B-3, of this Policy. The text of the deed by which the County and Commission obtains title to the property shall recite the actual consideration and if the consideration is other than a set amount of money, the text of the deed shall also recite the reasonable value of the nonmonetary consideration as reasonably estimated, in good faith, by the County Engineer.
4. Upon satisfying himself that the preconditions of this policy have been complied with, the County Administrator is hereby authorized on behalf of the Commission to issue a check or draft in an amount sufficient to pay the acquisition cost of the Property. If the consideration given for the acquisition of the Property is nonmonetary, then upon complying with the conditions and limitations of this Policy, the County Engineer is hereby authorized on behalf of the Commission to provide to the Property owner in-kind services and/or materials, provided the reasonable and good faith value of the in-kind services and/or materials shall not exceed the estimation of the appraised value of the property obtained pursuant to Paragraph B-3 of this Policy.
5. Upon obtaining a deed to the Property transferring the Property to Houston County or the Houston County Commission, the County Engineer shall cause said deed to be recorded in the Office of the Judge of Probate of Houston County, Alabama.
6. This Policy is to be deemed an authorizing policy and not a mandatory policy. Nothing in this Policy shall prohibit the Commission from, at any time, electing to bypass this procedure and proceed directly to the formal condemnation process and proceedings or to take any other action otherwise authorized or permitted by law.
7. All policies or practices heretofore adopted or implemented by the Commission or its representatives which conflict with this Policy are hereby repealed to the extent of the conflict.

POLICY #25

**PROCEDURE FOR DETERMINING THE PRIORITY ORDER FOR
RESURFACING COUNTY MAINTAINED ROADS**

DATE ADOPTED: 9-10-01
MINUTE BOOK 33 PAGE 252
DATE AMENDED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish a procedure for determining the priority order for the resurfacing of paved roads.

PROCEDURE: The Houston County Commission hereby formally adopts the following procedure for determining the prioritization of resurfacing paved roads:

The total amount of monies budgeted by the Commission for the resurfacing of paved county roads maintained by Houston County and the total amount of all state and/or federal monies that are designated for resurfacing of paved roads maintained by Houston County in each budget year, shall, be designated, allocated and apportioned for expenditure according to need using the Alabama Department of Transportation (“ALDOT”) guidelines for grading roads that need to be resurfaced and the actual resurfacing of said paved roads shall be done in order of priority established by the application of the DOT grading guidelines.

POLICY #26

**HOUSTON COUNTY COMMISSION'S
ESTABLISHMENT OF A PRECONDITION FOR
NONGOVERNMENTAL ENTITIES, AGENCIES OR ORGANIZATIONS
TO RECEIVE FUNDING FROM THE COMMISSION**

DATE APPROVED: 4-28-03
MINUTE BOOK 34 PAGE 161
DATE AMENDED : 2-14-05
MINUTE BOOK 35 PAGE 129
DATE AMENDED: 7-28-08
MINUTE BOOK 36 PAGE 207

PURPOSE: To provide controls in order to assure that all funding for non governmental agencies is being used for lawfully authorized purposes.

PROCEDURE: In accordance with the law, it is the desire of the Houston County Commission to ensure that all funding provided any non governmental entity, agency or organization is used for lawfully authorized purposes. Therefore, the following preconditions exist for nongovernmental entities receiving funding authorized by the Houston County Commission:

- 1) That as a precondition to the provision of funding to any nongovernmental entity, agency or organization by the Commission, said entity, agency or organization shall provide to the Commission on an annual basis a copy of, as is satisfactory to the Commission, either an audit of the finances or other verifiable means and methods of account for the use of funds provided by the Commission for each preceding year. Said audit or other proof satisfactory to the Commission shall be presented to the Commission on or before June 30 of each calendar year. The audit or other proof required by and satisfactory to the Commission shall be the most recent date available to the entity, agency or organization as of June 30 of each calendar year.
- 2) Any Director, Board Member or other Official of any other nongovernmental entity, agency or organization that receives funding from the Houston County Commission, who becomes aware of or has knowledge that the improper use of public funds has occurred within their entity shall report that

knowledge or concern to the County Commission immediately. The Commission will take such action as the situation warrants to protect the lawful use of public funds. Failure to timely report may result in the immediate termination of appropriate funds in the current year and denial of request for funding in future years.

- 3) All policies and practices heretofore adopted or implemented by the Commission or any of its officers, employees or agents which conflict with this Policy Resolution are hereby repealed.

**POLICIES AND PROCEDURES FOR “UNCLASSIFIED EMPLOYEES”
OF THE HOUSTON COUNTY COMMISSION**

DATE ADOPTED: 10-14-08
MINUTE BOOK 36 PAGE

1. Purpose and Use of the Policy and Procedures for Unclassified Employees.

The Policy and Procedures for Unclassified Employees of the Houston County Commission (“Policy”) is for the use of all Unclassified Employees and should help each person perform his or her work effectively and in as professional and complete a manner as possible. Everyone should become thoroughly familiar with the provisions of the Policy. The Policy is designed to inform all Unclassified Employees of the Commission’s policies in general, and should be consulted and used on a continuing basis.

The contents of this Policy are presented as a matter of information and for employee guidance only and are neither intended to create, nor are they to be construed to constitute, an offer of contract or a contract, express or implied, between the Commission or any of its employees. All employment contracts, if any, with Unclassified Employees shall be made outside of the Policy and in writing with all appropriate formalities. Unless otherwise provided by separate contract or agreement, all Unclassified Employees are employed by the Commission as “AT WILL EMPLOYEES” meaning that employees may resign at any time, or the Commission may terminate their employment at any time with or without any cause (i.e., for a good reason, a wrong reason or no reason) or notice. No employee of the Commission has the authority to alter or amend this paragraph with regard to any employee. No contract for employment or any other specific rights or procedures relative to your employment is intended or granted by this Policy.

2. Definitions:

A. “Annual Leave.” Leave with pay accumulated by Unclassified Employees for use by said Unclassified Employee for vacation or personal time off. Except as may be otherwise agreed between the Commission and the Unclassified Employee, Annual Leave for Unclassified Employees shall accrue and be taken or used by Unclassified Employees in the same manner as provided by the Personnel Board Rules to Classified Employees unless otherwise determined, set or provided by the Commission.

B. “Commission.” The Houston County Commission of Houston County, Alabama.

C. “Excessive Hours” or “Excessive Hours of Work.” Hours of work that exceed ninety (90) hours of work within a single pay period.

D. “Exempt Positions.” Salaried Unclassified Positions that are exempt under the Fair Labor Standards Act of 1938, 29 U.S.C. § 201 et seq. (“FLSA”).

E. “FLSA”. The Fair Labor Standards Act of 1938, 29 U.S.C. § 201 et seq., as amended and all applicable Federal Rules and Regulations promulgated for the implementation thereof.

F. “Personnel Board.” The Personnel Board of Houston County, Alabama.

G. “Personnel Board Rules.” The Rules and Regulations of the Personnel Board of Houston County, Alabama, as may be amended from time to time.

H. “Policy.” The Policy and Procedures for Unclassified Employees of the Houston County Commission.

I. “Sick Leave.” Leave time accumulated by Unclassified Employees for use during illness and related reasons in accordance with the application of the provisions of The Personnel Board Rules. Sick leave shall accrue and be taken or used by Unclassified Employees in the same manner as provided by The Personnel Board Rules to Classified Employees unless otherwise determined, set or provided by the Commission.

J. “Unclassified Employees” or “Unclassified Positions” Unclassified Employees or “Unclassified Positions” are defined as any “at will” employee or employment position in the service of the Houston County Commission who reports directly to the Houston County Commission, the County Engineer or the County Chief Administrative Officer, as authorized and hired by the Houston County Commission, and who or which is designated or defined as a part of the “Exempt Service” in “The Rules and Regulations of The Personnel Board of Houston County” and Act Number 84-578 of the Legislature of the State of Alabama.

3. Appointment.

The Houston County Commission (“The Commission”) is authorized to fill vacancies in Unclassified Positions in any manner that the Commission deems necessary to secure, in the judgment and discretion of the Commission, the most qualified or otherwise suitable individual to fill the position. There shall be no restriction on the Commission regarding the geographical area from which Unclassified Position candidates may be recruited or employed. Applications, resumes or any other method determined suitable by the Commission may be used as the method of applying for open positions. All Unclassified Employees shall be “at will” employees who serve at the pleasure of the Houston County Commission.

It is the goal of the Commission to provide high quality and appropriate governmental

services, within the budgetary limitations of the Commission, to the citizens of Houston County, Alabama. In that regard, it is the expectation of the Commission that all Unclassified Employees, as department heads or supervisors, should assume an appropriate leadership role in their respective departments and at all times set an example of the appropriate standards of job performance for other county employees. Unclassified Employees, who are department heads, should expect to be held to a higher standard of job performance than other employees.

4. Discipline.

A. With regard to Unclassified Employees, the Commission has broad authority and discretion in the way and in what form disciplinary action is provided for and administered and reserves the right to exercise that discretion at all times to provide for the effective provision of services to the citizens of Houston County, Alabama. Whenever a disciplinary matter involves the good name and character of the Unclassified Employee or other employee, all discussion of said disciplinary matter should be done in executive session in accordance with applicable law.

B. Unclassified Employees who are not serving in an Exempt Position shall be addressed to the Commission Chairman who in the Chairman's discretion, may undertake to address any such disciplinary matter or may allow the handling of any disciplinary matter by the Chief Administrative Officer or any department head.

5. Administrative Leave.

Administrative leave for Unclassified Employees, shall be provided as may be determined by the Commission in its discretion. Whenever the determination of Administrative Leave involves the good name and character of the Unclassified Employee all discussion of the issue of such Administrative Leave should be done in executive session in accordance with applicable law.

6. Pay and Benefits.

The Commission in its sole discretion shall determine and set the pay for “Unclassified Positions” and “Unclassified Employees”. The Commission shall determine and set any raises or promotions. All salaries and benefits for the Unclassified Employees shall be budgeted and approved by the Commission as may be required by law.

7. Work Schedule and Overtime.

An Unclassified Employee in an Exempt Position with the approval of the Commission or their Department Head will establish the work schedule for said Unclassified Employee. Exempt Positions are salaried positions and are exempt under the Fair Labor Standards Act of 1938, 29 U.S.C § 201 et sq. (“FLSA”) and the Exempt Positions may require more than forty hours of work per week. Salaried Exempt Positions shall receive no overtime pay unless such pay should become mandated by the Fair Labor Standards Act or other applicable law.

Unclassified Employees in an Exempt Position who work Excessive Hours may be granted the benefit of additional paid leave based on the criteria set forth herein. **With regard to work time away from the office for one or more full work day(s) for travel or meetings, said travel day(s) or meeting day(s) shall be counted as no more than the unclassified employees’ normal scheduled working hours per calendar day.** For each Excessive Hour worked, the Exempt Employee may be granted one (1) hour of additional paid leave pursuant to this policy. No more than forty (40) unused Excessive Hours of work may be accumulated at any one time for purposes of the granting of the additional paid leave contemplated herein.

The additional paid leave granted pursuant to this Policy is not a right for which an Unclassified Employee may make demand but is a privilege and additional benefit that is granted in

accordance with this Policy which may be changed from time to time as the best interests of the County are determined by the Commission. Separation from employment in the service of Houston County for any reason shall result in the forfeiture of any unused additional leave with pay granted pursuant to this Policy.

As a precondition to qualifying for the granting of the additional paid leave contemplate herein, the Unclassified Employee shall complete, maintain and submit the additional time and attendance record/report to the Payroll Department at the end of each pay period for which additional paid leave time is requested. All time and attendance records for Unclassified Employees will be maintained through the Time and Attendance System.

8. Leaves of Absence.

The following types of leave are officially established: holidays, vacation leave, sick leave, military leave, jury leave, leaves for special meetings and conferences, administrative leave with or without pay and additional paid leave time granted for Excessive Hours of work. Any Unclassified Employee who is absent from work without authorized leave may be subject to disciplinary action as determined by the Commission or its representative(s).

9. Holidays.

Unclassified Employees shall receive the same holidays as those determined by the Houston County Personnel Board unless otherwise determined or authorized by the Commission.

10. Annual Leave.

Unclassified Employees shall accrue and receive the same Annual Leave time provided by

the Personnel Board Rules for Classified Employees unless otherwise determined or authorized by the Commission.

11. Sick Leave, Military Service Leave and Reinstatement, Temporary Leave for National Guard and Armed Forces Reserve Training, Civil/Legal Leave, Hazardous Weather Leave, Family and Medical Leave Act Leave.

Unclassified Employees shall accrue or be entitled to receive the same Sick Leave, Military Service Leave and Reinstatement, Temporary Leave for National Guard and Armed Forces Reserve Training, Civil/Legal Leave, Hazardous Weather Leave, Family and Medical Leave Act Leave as provided by The Personnel Board Rules except as may be otherwise determined or authorized by the Commission in accordance with applicable law.

12. Special Meetings and Conferences.

Unclassified Employees will be allowed to attend meetings and conferences as may be approved in the Commission's Annual Budget for the County or as otherwise authorized by the Commission. **As stated herein above, for time away from the office for one or more full work day(s) for travel or meetings, said travel day(s) or meeting day(s) shall be counted as no more than the unclassified employees' normal scheduled working hours per calendar day for purposes of computing Excessive Hours..**

THE COMMISSION RESERVES THE RIGHT, AT ANY TIME, TO DEVIATE FROM, MODIFY, CHANGE, DISREGARD, SUSPEND OR CANCEL AT ANY TIME, WITHOUT WRITTEN NOTICE OR VERBAL NOTICE, ALL OR ANY PART OF THE POLICY'S CONTENTS AS CIRCUMSTANCES MAY WARRANT OR REQUIRE.

ADOPTED AND MADE EFFECTIVE THE 14TH DAY OF OCTOBER, 2008.

POLICY #28

COUNTY EXCESS MATERIALS

Date Adopted – 8-22-05

Date Amended – 1-11-16

Minute Book 40 Page 12

POLICY: To establish a policy for disposal of county property.

PROCEDURE: All county owned property deemed surplus, obsolete, damaged or otherwise no longer needed by the county shall be disposed of under the guidance and responsibility of the County Engineer. The County Engineer is authorized to determine the most efficient and cost effective means for disposal and shall present a list of the materials to be disposed of along with disposal recommendations to the Commission for approval.

POLICY #29

SMOKING POLICY IN HOUSTON COUNTY BUILDINGS AND VEHICLES

DATE ADOPTED: 5-8-06

MINUTE BOOK 35 PAGE 308

POLICY

To establish a policy concerning smoking in County buildings and vehicles.

PROCEDURE

It is the policy of the Houston County Commission to establish a smoke free work place. Smoking within all buildings and in all vehicles owned and/or under control of the Houston County Commission shall be prohibited. This prohibition in buildings shall be in effect and enforced as prescribed by Ordinance #92-115 of the City of Dothan. This prohibition in vehicles shall be enforced as a Group One disciplinary offense. This prohibition shall not apply to the inmate portion of the Houston County Jail. Smoking within the inmate portion of the Jail shall be regulated in accordance with agreements reached by the Houston County Sheriff's Department and the Houston County Health Department.

POLICY #30

KEY POLICY

DATE ADOPTED: 9-25-06

MINUTE BOOK 35 PAGE 361

DATE AMENDED: 7-28-08

MINUTE BOOK 36 PAGE 207

- I. All access granted to the following Houston County Buildings or any building covered under the County Buildings Department budget, will be authorized by the Houston County Commission: Administration, Courthouse, Veterans Affairs, DHR, Farm Extension Office, Community Corrections, RSVP, JCS/Woolsworth, SARCOA, and (Downtown Maintenance Shop)
1. All key/key cards that access exterior doors will be authorized by the Houston County Commission. The Chief Administrative Officer will present to the Commission a list of those position titles for which exterior door keys are recommended for approval. Only those positions approved by the County Commission will be issued exterior door keys. Issue and control of said keys will be the responsibility of the Maintenance Manager.
 2. All keys to individual department doors will be authorized by each department head. Keys will be issued upon written request and will be the responsibility of the said department. It is also the responsibility of the department head to notify the Maintenance Department of any changes in users, or lost keys/key cards.
 3. All grand master keys will be authorized by the Houston County Commission. The Chief Administrative Officer will present to the Commission a list of those position titles for which Grand Master keys are recommended for approval. Only those positions approved by the County Commission will be issued grand master keys. Issue and control of said keys will be the responsibility of the Maintenance Manager.
- II. Duplication and Misuse of keys/key cards
1. Any expense incurred due to loss or theft of keys will be the responsibility of the said department or independent agency.
 2. Duplication of any key/key card is strictly prohibited by any person other than employees of the County Buildings Maintenance Department as

authorized by the Maintenance Manager. Disciplinary action will be handled by the department head. Independent agencies that hold keys under this policy will be responsible to the Houston County Commission.

3. Keys/key cards issued to any person is intended for their use alone. Loaning keys to another person for any length of time is strictly prohibited.
4. Keys/key cards remain the property of Houston County and are to be returned upon resignation, termination, retirement, or other separation from employment with Houston County or independent agencies governed by this policy.

POLICY #31

ACCEPTANCE OF PRIVATE DIRT ROADS

DATE ADOPTED: 10-10-06

MINUTE BOOK 35 PAGE 366

DATE AMENDED: 7-28-08

MINUTE BOOK 36 PAGE 207

POLICY: In certain unusual circumstances where the welfare of citizens is in question, the Houston County Commission may vote by majority of elected members to accept a private dirt road as a county road under the following conditions:

PROCEDURE:

- 1) The County must be able to obtain a 60 foot dedicated right of way given by the landowners of the road. The condemnation process will not be used in this procedure.
- 2) All dead end roads must have a minimum 100 foot cul-de-sac or a fifty foot radius.
- 3) The road must have at least two residences to be considered for acceptance.
- 4) The road must have been a private dirt road prior to September 1, 1995 to be considered for acceptance.
- 5) Each road will be considered on its own merit and must be an unusual circumstance detrimental to the residents of the road before it will be considered.
- 6) The County will accept no more than one mile of private dirt roads per fiscal year.
- 7) The County Engineer will prepare a full report for the Commission including number of landowners, houses, extenuating circumstances, and his recommendation on the road. The report will be provided to the Commission before the item is placed on an Administrative or Regular agenda for a vote.
- 8) Only roads in the unincorporated parts of Houston County will be considered for acceptance.

It is understood that this policy is not designed to create a tool for Commission members to add additional roads for the taxpayers of Houston County to maintain, but instead is to be used in the rare instance when all other options have been excluded.

ELIMINATE PAGE 2 OF THIS POLICY

POLICY FOR ACCEPTANCE OF PRIVATE ROADS

For a private road to be accepted into the Houston County road system, the road must have a 60 foot dedicated right-of-way with ten (10) houses per mile. It has to have been a dirt road for ten (10) years and must be recommended by the County Engineer. Houston County will accept one (1) mile per year into the maintenance system.

POLICY #32

CALL OUT PROCEDURES FOR ROAD AND BRIDGE EMPLOYEES

DATE APPROVED: 12-11-06

MINUTE BOOK 35 PAGE 388

POLICY

A non-exempt employee who responds to a call to perform County services after normal working hours, as authorized by his/her department head, is on **Call-Out Status**.

PROCEDURE

An employee shall be paid at overtime rates for all calls to which he/she responds. An employee shall be guaranteed a minimum of two (2) hours overtime for each time he/she is called out. Such time shall be computed from the time the employee leaves his non-job site and returns to that point.

When an employee is required to use their personal vehicle to travel to the job-site or to the County yard to pick up a vehicle to drive to the job site, they will be eligible for mileage reimbursement for the use of their personal vehicle.

**NOTIFICATION PROCEDURE REGARDING TEMPORARY
ROAD CLOSINGS**

DATE ADOPTED: 3-20-00
MINUTE BOOK PAGE
DATE AMENDED : 7-28-08
MINUTE BOOK 36 PAGE 207

PURPOSE: To establish formal procedures to be followed in the event of a road closing.

PROCEDURE: The following procedure is hereby established with regard to the notification of entities affected by road closings:

- 1) Road and Bridge will notify EMA of any road closings due to construction or emergency. Location, reason for closure, and estimated time to reopen will be provided.
- 2) EMA will notify County Road Department of any road closings due to emergency giving same information as item #1.
- 3) Road Department will notify the Town Hall or Mayor of towns affected by the closure giving same information as item #1. If after hours, message is to be left if possible or contact is to be made first thing the following morning.
- 4) EMA will notify affected school systems in emergency situations. County Road Department will notify school systems concerning preplanned construction.
- 5) EMA will notify all emergency personnel and law enforcement via page giving same information.
- 6) Repeat process in reverse when road reopens.

POLICY #34

RENTAL OF COUNTY VOTING MACHINES

DATE ADOPTED: 3-24-08
MINUTE BOOK 36 PAGE 164

POLICY	To establish guidelines for the rental of County-owned Election machines.
PROCEDURE	County Owned HAVA compliant Election machines may be rented by another Houston County municipality or town for a fee of \$100 per machine per election cycle. Houston County will be responsible for the delivery and pick up of rented machines. Houston County will be responsible for ink cartridges to be used in the rental machines. Fees will be collected by the Probate Judge and submitted to the County General Fund.

POLICY #35

MAINTENANCE ON COUNTY OWNED VEHICLES

DATE ADOPTED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish guidelines for servicing county owned vehicles.

PROCEDURE: All County owned vehicles should have preventative maintenance and repair work performed by the County Shop unless otherwise directed by the County Shop. For work performed by the County Shop, each department will only be charged for the cost of parts and/or materials required to repair and/or maintain those vehicles assigned to their department. The only exception to this policy will be heavy equipment.

POLICY #36

USE OF COUNTY LOGO

DATE ADOPTED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish guidelines concerning use of the county logo.

PROCEDURE: All County owned vehicles and County owned equipment is required to be marked with the County Logo. Exceptions to this would include small pieces of equipment such as weed-eater, push mowers, tools designed for personal use, etc. This list of exceptions would generally include those pieces of equipment too small for practical application of the county logo. The Sheriff's Department and EMA vehicles are excluded from this policy.

In addition, all correspondence of an official nature that is issued by county departments or county officials should have the county logo included on the correspondence.

GUIDELINES FOR FUEL PUMP ACCESS

DATE ADOPTED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish a policy for accessing Fuel Pumps for County Vehicles and Equipment by County Employees.

PROCEDURE: All County Employees who are authorized to operate County Vehicles and/or equipment shall adhere to the following guidelines when obtaining fuel from the fuel pumps located at the Road & Bridge Department:

1. No Swapping fuel keys
 - A. **DO NOT** fuel another vehicle with your vehicle key.
 - B. **DO NOT** fuel your vehicle with a key not assigned to it.
 - C. If your key is lost, contact the Road & Bridge Department Shop for a backup key **IMMEDIATELY**.
2. **DO NOT** put fuel in containers for small equipment use with your fuel key.
 - A. Fuel cans and small equipment must be fueled using a miscellaneous gas key.
 - B. If you are running small equipment see Road & Bridge Shop for miscellaneous key.
3. All fuel put into any vehicle must be entered on that vehicle's fuel log sheet.
 - A. Cash and credit card transactions should be identified in your "NOTE" OR "COMMENT" column as "CASH."
4. Fuel log sheets must be turned in by the 10th of the following month.

POLICY #38

RESERVE POLICY

DATE ADOPTED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish a guideline regarding County fund reserve levels.

PROCEDURE: In order to assure an adequate funding reserve, the Houston County Commission hereby adopts the following reserve balance policy.

Total Reserve (including General Fund + Road and Bridge + Other) =

Approved General Fund budget expenditures x 25%

Funds used in the calculation of "General Fund" include:
General Fund, Contingent fund, Farm Center, Sanitation, EMA, APCO ref., Revenue Commissioner and all other funds classified under the "0" General Fund category.

The calculated fund reserve will be the minimum year-end on hand fund balance approved during the budget approval process. The expenditure of such funds may be authorized by the Houston County Commission.

POLICY #39

PURCHASES OF NEW VEHICLES

DATE ADOPTED: 7-28-08
MINUTE BOOK 36 PAGE 207

POLICY: To establish review guidelines regarding the purchase of new vehicles.

PROCEDURE: In order to provide the Houston County Commission with information regarding new vehicle purchases, the request for purchase of new vehicles must first be submitted to the Chief Administrative Officer of Houston County. The Chief Administrative Officer will be responsible for gathering information from the requestor and other resources and for submitting an analysis to the Commission. The analysis should include:

- A detailed description of the vehicle to be purchased including proposed options
- A general description of the work application for which the vehicle will be used
- Alternative vehicle purchase options
- Proposed purchase price and proposed purchase price for alternative vehicle options
- Indication as to whether or not the vehicle can be serviced by the County Shop

The completed review must be submitted to and approved by the Houston County Commission prior to issue of a purchase order for the new vehicle.

POLICY #40

**HOUSTON COUNTY COMMISSION
COUNTY CREDIT CARD POLICY AND PROCEDURES**

DATE ADOPTED: 5-29-07
MINUTE BOOK 36 PAGE 43
DATE AMENDED: 7-28-08

This policy was amended and incorporated into the Purchasing Policy and Procedures
(Policy #4) on 7-28-08.

HOUSTON COUNTY SANITATION DEPARTMENT

HOUSEHOLD GARBAGE & TRASH COLLECTION POLICY

DATE ADOPTED: 5-12-03
MINUTE BOOK 34 PAGE 165
DATE AMENDED: 5-9-16
MINUTE BOOK 40 PAGE 44

I. DEFINITIONS

DEFINITION OF GARBAGE: Garbage is defined as all debris accumulated within the household that is in need of disposal. Garbage **does not** include household furnishings, carpet, remodeling debris, appliances, batteries, tires, and propane tanks.

DEFINITION OF TRASH: Trash is defined as large cardboard boxes, toys, household furnishings, carpet, remodeling debris and appliances.

DEFINITION OF LIMB/YARD DEBRIS: Limb/yard debris is defined as any of the following: tree limbs, shrubbery, grass trimmings, leaves, and pine straw.

Please see Section VIII. for the procedure for having Trash and Limb/Yard Debris picked up and the charges for pick up of those items.

Please note that the County **will not** pick up batteries, tires, or propane tanks and disposal of these items is the responsibility of the resident.

II. CONTAINERS

All Garbage shall be bagged in heavy duty plastic bags and placed loosely in assigned Houston County Garbage Containers. The Houston County Sanitation Department will not be responsible for spillage of Garbage due to stray animals or containers being improperly placed on the county right-of-way. Additional bags or unauthorized containers will not be picked up by Houston County.

1. Contents

- A. Containers shall contain only Garbage.
- B. Garbage must be bagged to avoid wind-blown litter.
- C. Needles of any kind must be placed into a bottle or other plastic container before being placed in the Garbage.
- D. No hot ashes, liquids, paints, tires, animal carcasses, household hazardous waste, or automobile parts.
- E. Animal waste must be double bagged.

2. Capacities

- A. All Garbage must be placed loosely in the container and not compacted.
- B. The lid must be closed and have nothing on top of the container.
- C. The total weight of all contents shall not exceed 250 pounds.

III. FEES

The Alabama Law (Ala. Code §§22-27-1, et seq.) which establishes mandatory participation in and subscription to the system of services by Houston County provides that every person, household, business, industry, or property owner is liable for the monthly fee for the solid waste or garbage collection services made available to such person, household, business, industry or property owner for the property generating solid waste or garbage.

1. Monthly Fee

The fee for Garbage pickup is currently \$15.00 per month. There will be a \$5.00 per month late fee for any account that is not paid in full by the billing due date.

Any customer who's sanitation fee is delinquent by 60 days will receive a notice indicating that the can will be picked up if payment is not received within 30 days. If payment becomes 90 days or more past due, the garbage can will be picked up. **If a garbage container is retrieved for nonpayment, a pickup and re-delivery service charge of \$50.00 will be assessed and added to the outstanding balance due by the customer.** In addition, customers who fail to pay their garbage bill may be subject to civil and criminal action.

2. Replacement Cost of Garbage Containers

If a container is damaged by a resident beyond use or lost or damaged because it was not removed from the right-of-way by close of business the following day, the resident must pay \$150.00 to receive a new container.

If the container becomes damaged from normal use, repairs will be made by Houston County or a replacement container will be issued. If the container is lost or stolen the customer must contact Houston County Sanitation Department.

3. Additional Garbage Containers

Sanitation customers may request an additional container. There will be a seventy-five dollar (\$75.00) NON-REFUNDABLE, one-time rental fee per extra container.

All containers are assigned to an address, not a customer/resident. The containers must be moved to a new address by the Houston County Sanitation Department. **Do not take the garbage containers if you move.**

IV. LOCATION

All containers shall be placed on Houston County right-of-ways on the scheduled pickup day and shall be placed within three (3) feet of the edge of the road. Containers that are beyond reach of the garbage trucks or are placed in the wrong location will not be picked up. Once the container is properly placed on the right-of-way, the Garbage will be collected on the *next* regularly scheduled pickup day.

If the County Engineer determines that a non-county maintained road could be damaged by the sanitation trucks or could cause damage to the sanitation trucks, or may be unsafe for the sanitation trucks to travel, then an alternate pickup location will be assigned (such as the nearest county maintained road right-of-way).

V. TIME

Household garbage containers shall be placed on the right-of-way by 6:00 a.m. on your regular collection day. Garbage will be picked up once per week on your assigned day. If you fail to have your Garbage out on the right-of-way by 6:00 a.m. on your scheduled pickup day, that Garbage will not be picked up until your next scheduled pickup day of the following week.

VI. EMPTY CONTAINERS

Sanitation customers/residents are responsible for removing the containers from the right-of-way. Empty containers must be removed from the right-of-way by close of business the following day. If the container is not removed from the county right-of-way, by close of business the day following Garbage collection, the container will be tagged with a warning, and will be recorded by Houston County Sanitation Personnel. If the container is left out on the right-of-way three days or longer, it will be considered no longer in use and may be removed by the Sanitation Department. **If a garbage container is retrieved for being left on the right-of-way, a pickup and re-delivery service charge of \$50.00 will be assessed and added to the outstanding balance due by the customer.**

VII. HOLIDAYS

The Houston County Sanitation Department observes twelve holidays per calendar year. Some of the holidays are considered off holidays, which means there will be no pick up that day. And some of the holidays are considered working holidays, which means the garbage pickup day will remain the same for that week.

The County Engineer and the County Commission decide the County Holiday Schedule and the Sanitation Holiday Schedule. This schedule is sent to all sanitation customers in November or December for the following calendar year. The holiday schedule can also be found online at www.houstoncounty.org under ►Departments►Sanitation Pickup►Holiday Pickup Schedule.

Houston County Holidays (subject to change at the discretion of the commission).

- New Years Day

- Martin Luther King Day / Robert E. Lee birthday
- President's Day
- Confederate Memorial Day
- Memorial Day
- Jefferson Davis Birthday
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Christmas Day

VIII. TRASH, CONSTRUCTION DEBRIS, AND LIMB/YARD DEBRIS PICKUP

Trash (see definitions) can be picked up at a residence, but there will not be a set date or time for this service. Trash will be picked up in as timely a manner as possible, but at the discretion of the Houston County Sanitation Department. Please call the Sanitation Department ([334-793-5442](tel:334-793-5442)) and place a trash, construction debris, or limb pickup work order. A Sanitation Supervisor will go to the residence and give a price quote, if applicable, for the pickup. Regular office hours are Monday through Thursday, from 6:30 am until 5:00 pm.

Pickup Charges for Trash, Construction Debris, and Limbs / Yard Debris

Please note: Trash, Construction Debris, and Limbs / Yard Debris that is generated by a contractor will not be picked up by the Houston County Sanitation Department. Disposal of contractor generated debris is the responsibility of the contractor.

Minimum Charge	\$50.00
Half Truck Load	\$75.00 each
Full Truck Load	\$150.00 each

- *All charges are quoted and must be **paid in full**, in advance of the pickup.*
- *There may be exceptions to these guidelines, such as in the event of a natural disaster.*

Please note the following guidelines for limb pickup:

1. The limbs must be cut into lengths not to exceed 5 feet.
2. Limbs and other yard debris **must not** be mixed with Trash or Garbage.

Please observe the following guidelines when placing trash near the street on the right-of-way:

1. Do not put Trash in the street (roadway), as this would create a traffic hazard.
2. Do not let Trash block gutters, ditches, or any portions of the County drainage system.
3. Do not place Trash around fire hydrants, sign posts, guide wires, power poles, over water meters, over masonry work, or against fences.

4. Do not place Trash under low hanging power lines, phone lines, television cables, low tree limbs, or near mailboxes.
5. County crews will pick up one pick-up truck load or less of residential Trash per trip (or once per week).
6. The County **will not** pick up tree stumps or debris from land or lot clearing.
7. The County **will not** pick up batteries, tires, or propane tanks.
8. Burning is not allowed on County right-of-ways. The Sanitation Department will not pick up any burn debris.

POLICY #42

SUBJECT: Allowable Speed Limit for Vehicles Owned by Houston County

COMMISSION POLICY

DATE ADOPTED: July 28, 2008

DATE ADOPTED:
MINUTE BOOK

POLICY: To establish a policy regarding the allowable speed limit for county owned vehicles.

PROCEDURE: Except for emergency situations, county owned vehicles are not to exceed the speed limit. Further, while county owned vehicles are traveling within the boundaries of Houston County, the maximum allowable speed for two lane highways is 50 MPH but not to exceed the allowable posted speed limit. County owned vehicles traveling on four lane highways within the county should not exceed the maximum allowable posted speed limit.

IDENTITY THEFT PREVENTION PROGRAM

DATE ADOPTED: 1-26-09

MINUTE BOOK 36 PAGE 274

Purpose:

The purpose of this policy is to comply with the Fair and Accurate Credit Transactions Act and federal regulations promulgated at 16 CFR § 681.2 in order to detect, prevent and mitigate identity theft by identifying and detecting identity theft red flags and by responding to such red flags in a manner that will prevent identify theft.

Definitions:

For the purpose of this policy, the following definitions apply:

- A) Billing Agent means Wiregrass Electric Cooperative, Inc.
- B) Covered Account means an account that Houston County offers or maintains, primarily for personal, family, or household purposes, that invoices or is designed to permit multiple payments or transactions, such as utility account, and Any other account that Houston County offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of Houston County for identifying theft, including financial, operational, compliance, reputation, or litigation risks.
- C) Credit means the right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase services and defer payment therefore.
- D) Creditor means any person who regularly extends, renews, or continues credit; any person who regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit and includes Houston County as it relates to solid waste/sanitation fees.
- E) Customer means a person that has a covered account with Houston County.
- F) Identify theft means a fraud committed or attempted using identifying information of another person without authority. Examples include credit cards, social security card, driver's license, etc..
- G) Notice of address discrepancy means a notice sent to a user by a consumer reporting agency pursuant to 15 U.S.C. §1681 that informs the user of a substantial difference between the address for the consumer that the user provided to request the consumer report and the address(es) in the agency's file for the consumer.
- H) Person means a natural person, a corporation, government or governmental subdivision or agency, trust, estate, partnership, Cooperative or association.
- I) Personal Identifying Information means a person's credit card account information, debit card information, bank account information and drivers'

license information and for a natural person includes their social security number, mother's birth name, and date of birth.

- J) Red Flag means a pattern, practice, or specific activity that indicates the possible existence of identity theft.
- K) Service Provider means a person that provides a service directly to Houston County.

Findings:

- 1) Houston County is a creditor pursuant to 16 CFR § 681.2 due to its provision or maintenance of covered accounts for which payment is made in arrears.
- 2) Covered accounts offered to customers for the provision of services include solid waste/Sanitation Fees.
- 3) The County's previous experience with identify theft related to covered accounts is as follows: None detected as of the adoption of this Policy.
- 4) The processes of opening a new covered account, restoring an existing covered account and making payments on such accounts have been identified as potential processes in which identity theft could occur.
- 5) Houston County limits access to personal identifying information to only those employees involved in opening and restoring covered accounts or accepting payment for use of covered accounts. Houston County's Billing Agent, Wiregrass Electric Cooperative, Inc., also complies with identity theft prevention security measures in order to assure limited employee information access.
- 6) Houston County determines that there is a risk of identify theft when one or more of the following situations occur:

Alerts, Notices and Warnings

- A fraud or active duty alert
- A notice of a credit freeze
- A credit or consumer report indicating a pattern of activity that is inconsistent with history and usual pattern of applicant or customer, such as:
 - Recent and significant increase in volume of inquiries
 - An unusual number of recently est. credit relationships
 - Material change in use of credit, especially with respect to recently established credit relationships
 - Account that was closed for cause or identified for abuse of account privileges by financial institution or creditor

Presentation of Suspicious identification documents such as follows:

- Those which appear altered or forged;
- Those in which the photo or physical description is not consistent with appearance of applicant or customer,
- Those on which information is not consistent with information provided by person opening account or customer presenting ID;
- Those on which information is not consistent with readily accessible on file.
- Those new account applications which appear to have been altered or forged or which give appearance of having been destroyed or reassembled.

Suspicious Personal Identifying Information (PII):

- Address doesn't match any address in consumer report OR social security number has not been issued or is listed on Social Security Administration's Death Mater List
- PII not consistent with other PII provided by customer. Example – no correlation between SSN range and date of birth.
- PPI associated with known fraudulent activity indicated by internal or third party sources used by Houston County. Example – address on application same as address provided on fraudulent application OR phone number on application same as number on fraudulent application.
- SSN same as that submitted by other persons opening account or current customer.
- Address or phone number same or similar to those submitted by unusually large number of others opening accounts or other customers.
- Person opening account or customer fails to provide all required PII on application or in response to notification that the application is incomplete.

Unusual Use of or Other Suspicious Activity Related to Customer Account

- Unusual account activity on account
- Mail sent to account is returned repeatedly as undeliverable although account continues to have activity
- Houston County or the Billing Agent for Houston County is notified that customer is not receiving paper statements
- Houston County or the Billing Agent for Houston County is notified of unauthorized charges or transactions in connection with a customer's covered account

Notice from customers, victims of identify theft, law enforcement authorities, or other persons regarding possible identify theft in connection with covered accounts held by Houston County or the collection agent for Houston County.

Detection, Prevention and Mitigation:

In order to assure protection of identity and other customer information, Houston County or the Billing Agent for Houston County will implement the following guidelines:

Detection:

- All customers will provide at a minimum the following information:
 - Full Name
 - DOB
 - Address
 - Social Security Number or Taxpayer ID
 - For non-US citizens, one or more of the following: Taxpayer ID passport number and country of issuance, alien ID card

number, or number and country of any other government issued document showing photo and nationality

Preventing and Mitigating ID Theft:

If ID theft is detected, Houston County or the Billing Agent for Houston County will respond by taking one or more of the following steps:

- Monitor the account for evidence of ID theft
- Contact the customer
- Reopen the account using a new account number
- Close existing account
- Not attempt to collect on customer account or not sell on covered account to debt collector
- Determine that no response is warranted under circumstances

Houston County's Billing Agent, Wiregrass Electric Cooperative, Inc., will take all necessary steps to assure privacy and control of credit card payments made over the internet.

Houston County's sanitation fee Billing Agent, Wiregrass Electric Cooperative, Inc., will develop and provide to the Houston County Commission its own internal Identity Theft Prevention Policy (i.e., "Red Flags Policy") in accordance with guidelines outlined in the Fair and Accurate Credit Transactions Act and federal regulations promulgated at 16 CFR § 681.2.

The Houston County Commission shall annually review and, as deemed necessary, update the Identity Theft Prevention Program along with any relevant red flags in order to reflect changes in risks to customers or to the safety and soundness of Houston County and its covered accounts from identify theft. In so doing, the Houston County Commission shall consider the following factors and exercise its discretion in amending the program:

- 1) Houston County's experiences with identify theft;
- 2) Updates in methods of identify theft;
- 3) Updates in customary methods used to detect, prevent and mitigate identify theft;
- 4) Updates in the types of accounts that Houston County offers or maintains;
and
- 5) Updates in service provider arrangements

Treatment of Address Discrepancies

In the event that the Houston County Commission or its Billing Agent receives a notice of address discrepancy, the employee responsible for verifying consumer addresses for the purpose of providing the service or account sought by the consumer shall perform one or more of the following activities, as determined to be appropriate by such employee:

- 1) Compare the information in the consumer report with:

(a). Information the Houston County Commission or its Billing Agent obtains and uses to verify a consumers identity in accordance with the requirements of the Customer Information Program rules implementing 31 U.S.C. § 5318 (1);

(b). Information the Houston County Commission maintains in its own records or the records of its Billing Agent, such as applications for service, change of address notices, other customer account records or tax records; or

(c). Information the Houston County Commission or its Billing Agent obtains from third-party sources that are deemed reliable by the relevant employee; or

2) Verify the information in the consumer report with the customer.

Furnishing Consumer's Address to Consumer Reporting Agency

In the event that the Houston County Commission or its Billing Agent reasonably confirms that an address provided by a consumer is accurate, the Houston County Commission or its Billing Agent is required to provide such address to the consumer reporting agency from which it received a notice of discrepancy with respect to such consumer. This information is required to be provided to the consumer reporting agency when:

(a). The Houston County Commission or its Billing Agent is able to form a reasonable belief that the consumer report relates to the consumer about whom it requested the report;

(b). The Houston County Commission or its Billing Agent establishes a continuing relation with the consumer; and

(c). The Houston County Commission or its Billing Agent regularly and in the ordinary course of business provides information to the consumer reporting agency from which it received the notice of address discrepancy.

Such information shall be provided to the consumer reporting agency as part of the information regularly provided by the Houston County Commission or its Billing Agent to such agency for the reporting period in which the Commission establishes a relationship with the customer.

Methods of Confirming Consumer Addresses

The employee charged with confirming consumer addresses may, in his or her discretion, confirm the accuracy of an address through one or more of the following methods:

1) Verifying the address with the consumer

2) Reviewing the Houston County Commission's records or the records of its Billing Agent to verify the consumer's address;

3) Verifying the address through third party sources; or

4) Using other reasonable sources.

Program Administration and Oversight

Houston County's Chief Administrative Officer (CAO) is responsible for the oversight of the program and for the program implementation. The CAO is responsible for reviewing

reports prepared by staff regarding compliance with red flag requirements and with recommending material changes to the program as necessary in the opinion of the CAO, to address changing identify theft risks and to identify new or discontinued types of covered accounts. Any recommended material changes to the program shall be submitted to the Houston County Commission.

The CAO will report to the Houston County Commission at least annually on compliance with the red flag requirements. The report shall be due no later than September 30th each year and shall address material matters related to the program and evaluate issues, including but not limited to:

- 1) The effectiveness of the program policies and procedures in addressing the risk of identify theft in connection with the opening of covered accounts and with respect to existing covered accounts.
- 2) Service provider arrangements;
- 3) Significant incidents involving identify theft and management's response; and
- 4) Recommendations for material changes to the Program.

The CAO is responsible for providing training to all employees responsible for or involved in opening a new covered account, restoring an existing covered account or accepting payment for a covered account with respect to the implementation and requirements of the Identify Theft Prevention Program. The CAO shall exercise his or her discretion in determining the amount and substance of training necessary.

POLICY #44

Reimbursement of FEMA and Federal Highway Administration funding from Small Towns

DATE ADOPTED: 6-8-09

MINUTE BOOK 37 PAGE 37

DATE AMENDED:

During a presidential declared disaster in which small towns with a population less than 5,000 will be receiving FEMA Funding or Federal Highway Administration Funding on city controlled streets or roads repaired by Houston County Road and Bridge, Houston County shall receive all the funds received by the town from FEMA or Federal Highway Administration for those completed repairs made by the County. (This includes materials, labor, equipment and administrative cost.) This policy shall be retroactive to March 28, 2009.

Policy #45

Threshold for Capitalizing In-House Developed Software

Dated Adopted: 1-24-11

Minute Book: 37 Page: 200

Policy: To establish a threshold for capitalizing in-house developed software.

PROCEDURE: In accordance with guidelines established by GASB 51 and communicated by the State Examiners office, a threshold of expenditures exceeding \$25,000 is hereby established for the development of in-house designed software. Software development costs that equals or exceeds the \$25,000 threshold limit will be capitalized while software development cost below the \$25,000 threshold will be expensed.

The capitalization limit pertains to in-house labor expenditures occurring after the initial design of the software and continuing until the software is implemented.

POLICY #46

Excess Funds Claims From Tax Sales

Dated Adopted: 9-26-11

Minute Book: 38 Page:

POLICY

To establish a policy and authorization for the handling of claims and demands made against the County for excess funds after the sale of lands for the payment of unpaid taxes assessed on the lands, or against the owners of the lands for same as authorized by Chapter 10, Sale of Land, Title 40 of the Code of Alabama 1975, as amended; and to comply with the legal requirements, set forth in Chapter 12, Claims and Demands Against County, Article 11 of the Code of Alabama of 1975, as amended, for the inspection, review, auditing and the corresponding payment and registration or rejection of said claims and demands.

PROCEDURE

1. Claim for excess funds made within three years of the date of the tax sale requires action by **either** the CAO **or** the Chairman.

When a claim is made for excess funds within three (3) years after the date of the tax sale, the following procedures shall apply:

- a. The Chief Administrative Officer (ACAO@) **or** the Chairman of the County Commission (AChairman@) shall:
 - (1) inspect, review and audit each claim presented for payment to ensure that the claim is a valid and legally payable claim as required by law;
 - (2) examine the Certificate of Land Sold for Taxes;
 - (3) identify the person or entity assessed the taxes at the date and time of the tax sale;
 - (4) request and review identification documentation (e.g. driver=s license, etc.) to confirm that the person or entity applying for the excess was the person or entity who was assessed the taxes (Aoriginal owner@);

- (5) if the claim is made by a third party on behalf of the owner as the owner=s agent or by the person legally representing such owner, then the agent or representative must also provide a verified claim for the excess funds signed by the original owner and provide a valid power of attorney from the original owner authorizing the third party to act on the original owner=s behalf;
- (6) if deemed necessary by the CAO or Chairman, consult with the county attorney with regard to legal issues related to the claim presented;
- (7) the CAO or the Chairman, if satisfied that all appropriate documentation has been presented and that the claim is otherwise a valid claim by or on behalf of the original owner, the CAO is hereby authorized to cause to be drawn or issued a warrant, check or draft made payable to the original owner of the property and given to the original owner or the agent or legal representative of the original owner as the case may be.

2. Claim for excess funds **not made within three (3) years** of the date of the tax sale but within thirteen (13) years of the date of the tax sale requires action by **both** the CAO **and** the Chairman.

a. The Chief Administrative Officer (ACAO@) **and** the Chairman of the County Commission (AChairman@) shall:

- (1) inspect, review and audit each claim presented for payment to ensure that the claim is a valid and legally payable claim as required by law - All such claims shall be verified claims that comply with the legal requirements related to same;
- (2) examine the Certificate of Land Sold for Taxes;
- (3) identify the person or entity assessed the taxes at the date and time of the tax sale;
- (4) request and review identification documentation (e.g. driver=s license, etc.) to confirm that the person or entity applying for the excess was the person or entity who was assessed the taxes (Aoriginal owner@);

- (5) if the claim is made by a third party on behalf of the owner as the owner's agent or by the person legally representing such owner, then the agent or representative shall also provide a verified claim for the excess funds signed by the original owner and provide a valid power of attorney from the original owner authorizing the third party to act on the original owner's behalf;
 - (6) if deemed necessary by the CAO or Chairman, consult with the county attorney with regard to legal issues related to the claim presented;
 - (7) if the CAO **and** the Chairman shall certify in writing that they are satisfied that all appropriate documentation has been presented and that the claim is otherwise a valid claim by or on behalf of the original owner, cause the claim to be registered as a valid and allowable claim, the CAO or Chairman is hereby **ordered and authorized** to cause to be drawn or issued a warrant, check or draft **made payable to the original owner of the property** and given to the original owner or the agent or legal representative of the original owner as the case may be.
3. In addition to the forgoing, when any claim for excess funds has been, inspected, reviewed and audited as set forth hereinabove, and in consultation with the county attorney, it is the judgment of the CAO or the Chairman that additional documentation, requirements or legal actions are reasonably necessary in order to avoid potential liability or adverse consequence(s) for the county, the Chairman of the Commission is then hereby authorized, on behalf of the Commission, to impose any additional requirements (e.g. third party indemnity agreements) or to take or cause to be taken any additional actions deemed by the Chairman to be necessary to protect the interests of the county (e.g. the filing of declaratory judgment and/or interpleader actions in the Circuit Court of Houston County, Alabama) and to execute all documentation necessary to assert, settle, compromise or otherwise resolve, on behalf of the Commission, any such actions arising out of any claim for excess funds.

LEGAL

AUTHORITY

ALA. CODE ' 11-12-4, Audit B Registration B Payment, provides, in pertinent part, as follows:

The county commission must audit all claims against the county, and every claim or such part thereof as is allowed must be registered in a book kept for that purpose and the chairman of the county commission must give the claimant a warrant on the treasury for the amount so allowed

ALA. CODE ' 11-12-5, Itemization, provides in pertinent part, as follows:

No claim against the county shall be passed upon or allowed by the county commission unless it is itemized by the claimant or some person in his behalf having personal knowledge of the facts

ALA. CODE ' 11-12-10, Review, provides, in pertinent part, as follows:

It shall be the duty of the chairman of the county commission or such other officer as is authorized by law to draw county warrants upon the county treasurer or county depository to inspect and review each claim presented for payment from the public funds of the county, irrespective of whether such claim has previously been audited and allowed by the county commission, and such officer shall examine and determine independently with reference to each of such claims whether or not the expenditure of public money of the county in payment of such claim is authorized by law and whether or not public funds of the county may be expended for the purpose or purposes shown in such claim

ALA. CODE ' 11-12-11, Investigation; Rejection, provides in pertinent part as follows:

In making such determination with reference to the authorized expenditure of public funds of the county in payment of the claims so presented and filed for payment with the county commissioner, such officer shall make such investigation and inquiry, both as to fact and legal sufficiency, as he shall deem reasonably necessary to correctly ascertain the legal liability of the county with reference to each of the claims presented for payment. In the event it should be determined by such officer, as a result of such investigation and inquiry, that payment of such claim or claims may not lawfully be made from the public funds of the county, he shall refuse to affix his signature to or draw warrant upon the county treasurer or county depository authorizing payment of such claim or claims from the public funds of the county.

ALA. CODE ' 11-12-12, Liability for Approval of Claims Not Legally Chargeable, provides as follows:

Should such officer draw a warrant upon the county treasurer or county depository in payment of a claim or claims not legally chargeable to or payable from the public funds of the county such officer shall be held jointly liable with the other members of the county commission of the county for such unauthorized or unlawful expenditure of the public funds

of the county and shall bear the same responsibilities and suffer the same penalties as do the other members of the county commission of the county with reference to the unauthorized or unlawful expenditure of public funds of the county; provided, that sections 11-12-10 through 11-12-12 shall in no way affect or repeal the protection to such official or officials as provided for under written opinion of the attorney general, section 36-15-19 and/or under written opinion of the county attorney.

ALA. CODE ' 40-10-28, *Excess Funds After Sale*, provides as follows:

The excess arising from the sale of any real estate remaining after paying the amount of the decree of sale, and costs and expenses subsequently accruing, shall be paid over to the owner, or his agent, or to the person legally representing such owner, or into the county treasury, and it may be paid therefrom to such owner, agent or representative in the same manner as to the excess arising from the sale of personal property sold for taxes is paid. If such excess is not called for within three years after such sale by the person entitled to receive the same, upon the order of the county commission stating the case or cases in which such excess was paid, together with a description of the lands sold, when sold and the amount of such excess, the county treasurer shall place such excess of money to the credit of the general fund of the county and make a record on his books of the same, and such money shall thereafter be treated as part of the general fund of the county. At any time within 10 years after such excess has been passed to the credit of the general fund of the county, the county commission may on proof made by any person that he is the rightful owner of such excess of money order the payment thereof to such owner, his heir or legal representative, but if not so ordered and paid within such time, the same shall become the property of the county.

ALA. CODE ' 6-5-20, *Generally*, provides as follows:

- a. An action must not be commenced against a county until the claim has been presented to the county commission, disallowed or reduced by the commission and the reduction refused by the claimant.*
- b. The failure or refusal of such a county commission to enter upon its minutes the disallowance or reduction of the claim for 90 days is a disallowance.*
- c. Proof of the fact of presentation of such claim to such county commission may be made by parol evidence.*

Policy #47

Capital Replacement Departmental Spending

Date Adopted: September 23, 2013

Minute Book: 38 Page #230

Policy: To establish a procedure for expenditure approval from the Capital Replacement department category.

PROCEDURE: In order to facilitate fund allocation, expenditure tracking and budget planning, a department category entitled "Capital Replacement" has been established for the purpose of replacing obsolete large-ticket capital equipment. Funding for the "Capital Replacement" department will be established during the annual budget process based on equipment replacement requirements and available funding.

Expenditures from this account should occur in the following manner:

In non emergency situations the General Manager of County Buildings should present a request to the County Commission for approval to release funds associated with a specific capital replacement project. Requests should include the cost, description, timing and other relevant details of the project.

In emergency situations the General Manager of County Buildings should present the request to the Commission Chairman for approval, or, in his absence, the CAO. The request should include the cost, description, timing and other relevant information. The General Manager of County Buildings should notify the Commission of the expenditure at the next scheduled Commission meeting.

Policy # 48

RIGHT OF WAY ENCROACHMENT POLICY

Date Adopted: 4/14/14

Minute Book: 39 PAGE 52

HOUSTON COUNTY

Effective Date: April 14, 2014

POLICY: To establish a policy to prevent Hazardous structures on Houston County's Right of Ways.

Procedures: **NO RIGHT OF WAY ENCROACHMENTS ARE ALLOWED ON COUNTY RIGHT OF WAY** (such as non-breakaway mail boxes, brick mailboxes, brick columns, brick head walls, concrete columns, fences, buildings, etc.) No mailbox made of brick or any type of non-breakaway materials are allowed on Houston County right of ways. Mailboxes on the right of way must be mounted on a wooden post not greater than **4"x4"** or **4"** in diameter, or **2"** in diameter hollow thin walled metal post. Mailboxes should also comply with the United States Postal Service Regulations. A copy of this Encroachment Policy will be given out when a driveway pipe is sized and/or a building permit application is applied for.

Property owners will be notified by letter if there is an encroachment on the right of way. Any existing hazard on the right of way will be removed by Houston County after thirty (30) days from the date shown on the notification letter.

This policy shall not apply to platted subdivisions.

TRAVEL REIMBURSEMENT

Date Adopted: 10/24/2016

Minute Book: 40 PAGE 84

County employees are authorized to receive reimbursement for county-related travel expenses incurred when traveling outside Houston County. Reimbursable expenses include:

- Mileage reimbursement for use of personal vehicle. The county will reimburse at the same rate as established by the State of Alabama.
- Hotel Expense
- Meal Expense. Tips should not exceed normal local custom and in no case should tips exceed 20% of the meal cost.
- Gasoline purchased for county vehicles.
- Parking expense
- Transportation cost other than mileage
- Miscellaneous incidental non personal expense

In order to be reimbursed for travel expense all employees must complete a county Expense Report Form, obtain an authorizing signature from their Department Head and submit the Expense Report Form to the Accounting Department.

All submitted expenses must have a detailed itemized list, including an itemized list for food purchases, supporting the expenses submitted for reimbursement.

The cost of alcohol purchases will not be reimbursed by the county.

Departmental annual travel expense cannot exceed the department's budgeted annual travel expense as approved by the Houston County Commission.

The county will provide a cash travel advance upon request. If an employee receives a travel advance he/she must submit the required signed Expense Report Form within 14 days after the expense is incurred. The expense report must indicate the travel advance amount and must include a detailed itemized list of all expenses. If the travel advance exceeds the travel expenses, the employee must return to the county the excess cash advance portion at the time the expense report is submitted.

Policy #50

POLICY FOR OPEN RECORDS REQUEST TO HOUSTON COUNTY, ALABAMA

Date Adopted: 3/13/17

Minute Book: 40 Page: 116

POLICY: To establish a procedure for the county for providing copies of records requested.

PROCEDURE: In response to a valid public records request pursuant to ALA. CODE § 36-12-40, the following procedure is adopted for handling records requests:

(A) Every citizen seeking to inspect or make copies of public writings shall complete and submit a *Houston County Public Records Request Form*, a copy of which is attached below. For records already governed by separate federal statute, state statute, or local act, the law for those records shall be followed.

When a public inspection of records is requested, a custodian of those records will oversee inspection, retrieval, and re-filing. Appointments must be scheduled in advance. A labor charge will be imposed as set out below. Charges for requests are based upon the hourly base rate of pay for the employee of the applicable department who can respond to the request and the hourly base rate of pay for a custodian of those records to oversee retrieval, research, duplication, preparation, and re-filing of those records, multiplied by the actual time worked, and is computed on the basis of quarter hours, rounded up. The standard rate of copies shall be \$0.25 per page plus expenses incurred in providing public writings, including retrieval, research, duplication, preparation, and re-filing time of the public writings. Labor charges are in addition to the per page cost specified above and are due and payable even if no records responsive to the request are located, or in the event the requested records are subsequently determined to be exempt from disclosure.

The Office of the County Administrator will provide the requestor with an estimate of costs. A deposit in the amount of the estimated cost will be required when the Office of the County Administrator determines that more than one (1) hour of staff time will be needed to respond to a request. If the final cost is less than the deposit, the difference will be refunded; if greater, the additional cost must be paid prior to delivery or review of the records. Deposits and final costs for records may be paid by cash, check, cashier check, or money order. Credit and debit cards are not accepted. If payment is made by cash, the exact amount is required; picture ID is required for payment by check.

(B) Instead of the costs stated above and the form requirements provided in this policy, the judge of probate may elect to charge a flat fee of \$1.00 or more for copies of documents on record with the probate department, and the revenue commissioner may elect to charge a flat fee of \$1.00 or more for copies of documents on record with the revenue department.

HOUSTON COUNTY PUBLIC RECORDS REQUEST FORM

DATE _____ TIME _____ RECEIVED BY _____
(Initials)

THE FOLLOWING MUST BE COMPLETED

RECORDS REQUESTED:

NAME _____ PHONE _____
(Please Print Legibly)

ADDRESS _____ CITY/ZIP _____

SIGNATURE _____ ORGANIZATION _____

Your stated interest in the Records Requested: _____

COSTS: The County is permitted by law to recoup reasonable costs incurred in providing public records which can include retrieval, research, duplication, and preparation time.

INSPECTION OF PUBLIC RECORDS: When a public inspection of records is requested, a custodian of those records will oversee inspection, retrieval, and re-filing. Appointments must be scheduled in advance. A labor charge will be imposed as set out herein.

MATERIALS: The cost of copies sized 8.5x11 or 8.5x14 inches is \$0.25 per page. Fees are due whether the records are provided by paper or by PDF file.

LABOR: Charges for requests are based upon the hourly base rate of pay for the employee of the applicable department who can respond to the request and the hourly base rate of pay for a custodian of those records to oversee inspection, retrieval, and re-filing of those records, multiplied by the actual time worked, and is computed on the basis of quarter hours, rounded up. Labor charges are in addition to the per page cost specified above and are due and payable even if no records responsive to the request are located, or in the event the requested records are subsequently determined to be exempt from disclosure.

DEPOSIT: The Office of the County Administrator Houston County, Alabama will provide the requestor listed above with an estimate of costs. A deposit in the amount of the estimated cost will be required when the Office of the County Administrator determines that more than one (1) hour of staff time will be needed to respond to a request. If the final cost is less than the deposit, the difference will be refunded; if greater, the additional cost must be paid prior to delivery or review of the records.

FORM OF PAYMENT: Deposits and final costs for records may be paid by cash, check, cashier check, or money order. Credit and debit cards are not accepted. If payment is made by cash, the exact amount is required; picture ID is required for payment by check.