CITY OF IDAHO CITY

REGULAR CITY COUNCIL MEETING
Wednesday March 23, 2021
6:00 P.M
City Hall, 511 Main Street, Idaho City, ID 83631

CALL MEETING TO ORDER
ROLL CALL
PLEDGE OF ALLEGIANCE

I. CONSENT AGENDA

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it is discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.

A. APPROVAL OF MINUTES: MARCH 9, 2022, ***ACTION ITEM***
B. IDAHO CITY EVENT CHECKLIST: ***ACTION ITEM***
   1. GOLD DUST RODEO – GOLD DUST ARENA COMMITTEE- JUNE 24TH AND 25TH 2022
C. BILLS/PAYABLES: MARCH 10, 2022, THROUGH MARCH 23, 2022, ***ACTION ITEM***

II. PUBLIC HEARINGS

Items listed as public hearings allow citizen comment on the subject matter before the Council. Residents or visitors wishing to comment upon the item before the Council should follow the procedural steps. In order to testify, individuals must sign up in advance, providing sufficient information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for presentation by the applicant, submission of information from City staff, followed by public testimony. ***ACTION ITEM***

1. PROPOSED RESIDENTIAL ZONING OF LAND UPON ANNEXATION OF A PARCEL OF PROPERTY LOCATED AT 6 PROFFER LANE, IDAHO CITY, IDAHO THAT IS CURRENTLY BEING USED A RESIDENTIAL PROPERTY AND A RELATED ZONING MAP AMENDMENT TO INCLUDE THE PROPERTY.

III. ENGINEER'S REPORT

1. WATER RIGHTS OPTIONS

IV. OLD BUSINESS

1. EMERGENCY OPERATING PLAN
2. RV/MOBILE HOME PARK DISCUSSION WITH PLANNING AND ZONING CHAIRPERSON

V. NEW BUSINESS

1. COWBOY CAMPGROUND – SEASON KICK OFF WEEKEND – SABRINA AMIDON

VI. ORDINANCES AND RESOLUTIONS

Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements. ***ACTION ITEM***

1. RESOLUTION 2022- 01 FINANCIAL CONTROL POLICY
2. RESOLUTION 2022- 02 PERSONNEL POLICY
3. RESOLUTION 2022- 03 COMMUNICABLE DISEASE POLICY
4. RESOLUTION 2022- 04 SOCIAL MEDIA POLICY

5. ORDINANCE NO. 367 SHORT TERM RECREATIONAL VEHICLE USE
6. ORDINANCE 368 IDAHO CITY FILMING INSIDE CITY LIMITS
7. RESOLUTION 2022- 05 IDAHO CITY FILMING INSIDE CITY LIMITS POLICY FEES

VII. COMMITTEE REPORTS

A. PARKS & RECREATION COMMISSION
B. HISTORIC PRESERVATION COMMISSION
C. PLANNING & ZONING COMMISSION
D. IDAHO CITY CHAMBER OF COMMERCE

VIII. EXECUTIVE SESSION

Certain City-related matters may need to be discussed confidentially as a matter of law subject to applicable legal requirements; the Council may enter executive session to discuss such matters. ***ACTION ITEM***

IX. EMPLOYEE UPDATES

A. PUBLIC WORKS
B. LAW ENFORCEMENT
C. CLERK/TREASURER'S OFFICE
   1. WATER AND SEWER UPDATES
   2. MARCH BUDGET REPORT

D. CITY ATTORNEY

X. COUNCIL UPDATES

XI. MAYOR UPDATES

XII. CITIZEN COMMENTS

This section of the agenda is reserved for citizens wishing to address the Council regarding City-related issues that are not on the agenda. To ensure adequate public notice, Idaho Law provides that any item requiring Council action must be placed on the agenda of an upcoming Council meeting, except for emergency circumstances. Comments related to future public hearings should be held for that public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Persons wishing to speak will have 5 minutes. Comments regarding performance by city employees are inappropriate at this time and should be directed to the mayor, either by subsequent appointment or after tonight's meeting, if time permitting.

ADJOURNMENT

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 511 Main Street or call 208-392-4584.

Mayor:	**Chief of Police:**	**Public Works Director:**	**City Clerk-Treasurer:**	511 Main Street
Ken Everhart	Mark Otter	Tami Claus	Nancy L Ptak	PO Box 130
Council members:	**City officers:**	**Public Works:**	**Deputy Clerk:**	Idaho City, ID 83631
Tom Secor Jr	Mathew Archuleta	Gene Bettys	Sue Robinson	(208)392-4584
David Martin	Ericca Robbins	Dominick Nalley		4cityfolk@gmail.com
Ashley M Elliott		**Janitorial:**		idahocityclerk@gmail.com
Mari Adams		Dale Rutter		idahocitypublicworks@gmail.com

CITY OF IDAHO CITY

REGULAR CITY COUNCIL MEETING
Wednesday, March 9, 2022
6:00 P.M
City Hall, 511 Main Street, Idaho City, ID 83631

Join Zoom Meeting
https://us02web.zoom.us/j/83766984776?pwd=WEVZU1dnSGorYkFncDY4NVN1S0s1dz09
Meeting ID: 837 6698 4776
Passcode: 331161

MINUTES

CALL MEETING TO ORDER: Council President Secor called the meeting to order at 6:02 pm
ROLL CALL: Secor, Adams, Elliott, and Martin present, Mayor Everhart was not present.
PLEDGE OF ALLEGIANCE: Council President Secor led the pledge of allegiance.

I. CONSENT AGENDA

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it is discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.

A. APPROVAL OF MINUTES FEBRUARY 23, 2022, ***ACTION ITEM***

Martin made a motion to approve the minutes dated February 23, 2022, seconded by Elliott. 4 ayes

B. IDAHO CITY EVENT CHECKLIST ***ACTION ITEM***

None currently.

C. BILLS/PAYABLES: FEBRUARY 24, 2022, THROUGH MARCH 9, 2022, ***ACTION ITEM***

Martin made a motion to pay the bills dated February 24, 2022, through March 9, 2022, in the amount of $45,500.14, seconded by Adams, 4 ayes.

II. PUBLIC HEARINGS

Items listed as public hearings allow citizen comment on the subject matter before the Council. Residents or visitors wishing to comment upon the item before the Council should follow the procedural steps. In order to testify, individuals must sign up in advance, providing sufficient information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for presentation by the applicant, submission of information from City staff, followed by public testimony. ***ACTION ITEM***

III. ENGINEER'S REPORT

FOR THE CITY'S REVIEW

1. IDEQ REIMBURSEMENT FORM
2. JANUARY 2022 PROGRESS REPORT
3. MOUNTAIN WATERWORKS INVOICE #6151
4. NOTICE OF ACCEPTABILITY OF WORK
5. CONSENT OF SURETY TO FINAL PAYMENT
6. CONTRACTOR PAY APPLICATION #6-FINAL RETAINAGE
7. ALLOW MAYOR SIGNATURE ON PARTIAL PAY REQUEST ON DW1104 ***ACTION ITEM***

Elliott made a motion to allow the mayor's signature on partial pay request on DW1104 in the amount of $10,786.30 with an additional amount from Mountain Waterworks portion of $5,620.75. These amounts are reimbursed to the city through the grant and were part of the bills payable. Seconded by Adams, 4 ayes.

IV. OLD BUSINESS

1. PERSONNEL POLICY ***ACTION ITEM***

Added Juneteenth as a federal holiday, changed sick hours, and verified everything is up to date. Comp hours changed from 80 to 40, sick hours changed from 480 to 240. Vacation hours cap out at 120, no change from

current policy. The updated personnel policy will be presented in resolution form and voted on at the next meeting.

2. COMMUNICABLE DISEASE POLICY ***ACTION ITEM***

The Communicable Disease Policy was discussed and will be presented in resolution form and voted on at the next meeting.

3. SOCIAL MEDIA POLICY ***ACTION ITEM***

The Social Media Policy was discussed and will be presented in resolution form and voted on at the next meeting.

4. WATER LEAK FORGIVENESS POLICY ***ACTION ITEM***

Martin made a motion to adopt the Water Leak Adjustment Policy as written, seconded by Secor, 4 ayes.

5. IDAHO CITY FILMING INSIDE CITY LIMITS POLICY ***ACTION ITEM***

Martin, upon advice from City Attorney Callahan, asked Clerk Ptak to turn the Idaho City Filming Inside City Limits Policy into an ordinance. The fees for filming will need to be in resolution form.

6. FINANCIAL CONTROL POLICY ***ACTION ITEM***

Not currently available.

7. CUSTOMER SERVICE POLICY ***ACTION ITEM***

Elliott made a motion to adopt the Customer Service Policy, seconded by Martin, 4 ayes.

8. EMERGENCY OPERATING PLAN ***ACTION ITEM***

Not currently available.

V. NEW BUSINESS

1. CITY BUSINESS LICENSE FEES

Clerk Ptak provided the council with business license fee schedules and applications from other Idaho cities to compare with our current fees and application.

VI. ORDINANCES AND RESOLUTIONS

Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements. ***ACTION ITEM***

1. SHORT TERM RECREATIONAL VEHICLE USE ORDINANCE NO. 367

The revision is addressing regulation of how long and under what conditions people can live in a recreational vehicle. City Attorney Callahan recommended to repeal Chapter 4, Title A. Code section 4-4-3 indicates that the time limitations of living in a recreational vehicle do not apply when the vehicle is located in a mobile home or recreational vehicle park or connected through an approved and exclusive connection to city water and sewer services provided that proper steps are taken to prevent water and sewer connections from freezing. Code section 4-4-4 stipulates that a resident can live in a recreational vehicle on their property for 180 days while constructing or remodeling their permanent structure. It was discussed whether the time limit should be removed or amended. There was a discussion on whether to add wording that a snow load roof would be required for safety standards. The council will look at Elmore County's policies for guidance. Exceptions, paragraph B address allowing residents currently living in their recreational vehicle on their property to continue doing so after the Code Section passes until the resident changes their use, or relocates the recreational vehicle to another property, or a permanent dwelling is constructed on the property.

VII. EXECUTIVE SESSION

Certain City-related matters may need to be discussed confidentially as a matter of law subject to applicable legal requirements; the Council may enter executive session to discuss such matters. ***ACTION ITEM***

None currently.

VIII. EMPLOYEE UPDATES

A. PUBLIC WORKS

Public works Director Tami Claus addressed the council about sewer issues on Hill Road that are being addressed.

B. LAW ENFORCEMENT

Not present.

C. CLERK/TREASURER'S OFFICE

1. WATER AND SEWER UPDATES

Clerk Ptak updated the council on the procedure for past due accounts.

2. FEBRUARY BUDGET REPORT

Clerk Ptak updated the council on how the prior month's budget is used to assess which accounts are used to pay the current month's bills.

D. CITY ATTORNEY

City Attorney Callahan will be attending the upcoming Planning and Zoning workshop.

IX. COUNCIL UPDATES

Elliott updated that donations for the silent and live auctions for the St. Patrick's Day dinner at ICHS are still needed.

X. MAYOR UPDATES

No updates currently.

XI. CITIZEN COMMENTS

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No comments currently.

ADJOURNMENT 7:20

ATTEST:

Date approved:

Nancy L Ptak, City Clerk-Treasurer

Ken Everhart, Mayor

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Mari Adams		Dale Rutter		idahocitypublicworks@gmail.com

City of Idaho City

IDAHO CITY EVENT CHECKLIST

EVENT SPONSOR: Gold Dust Arena Committee
DATE(S): June 24th and 25th 2022
EVENT NAME: Gold Dust Rodeo
PERSON IN CHARGE: Tonya Leonard
ADDRESS: 140 7th St., Penrose, CO 81240
PHONE: Daytime [redacted] Evenings [redacted]

1. PARK POLICY
THE EVENT SPONSOR HAS READ THE IDAHO CITY PARK POLICY AND AGREES TO COMPLY AND TO SEE THAT EVENT PARTICIPANTS COMPLY WITH THE BEST OF THEIR ABILITIES.
INITIAL HERE TL

2. EVENT DESCRIPTION
BRIEFLY DESCRIBE WHAT YOUR EVENT ENCOMPASSES:
Idaho Cowboys Association (ICA) approved Prime Rodeo for a Rodeo

3. SITE PLAN
ATTACH A SITE PLAN SHOWING THE EXACT LOCATION OF ALL THE DIFFERENT FUNCTIONS OR YOUR EVENT (I.E. SHOW PERFORMANCE SPACES; VENDOR AREAS; EMERGENCY SERVICES; TRASH RECEPTACLES; PORTA POTTIES; PROPOSED PARKING USES, ETC.) Same plan as all years prior submitted. Mapped attached for reference.

4. EVENT HOURS
WHAT ARE THE DAILY HOURS OF OPERATION FOR YOUR EVENT?
3 Separate show times:

- Friday night 6 to 10 pm
- Saturday Slack 10 am to 11 am
- Saturday night 6 to 10 pm

5. GENERATORS OR AMPLIFIED SOUND SYSTEMS
ARE YOU PROPOSING TO USE ELECTRICAL GENERATORS OR AMPLIFIED SOUND SYSTEMS?
X YES ☐ NO Yes.
IF SO, PLEASE SHOW THEIR LOCATIONS ON YOUR SITE PLAN AND DESCRIBE IN THE SPACE PROVIDED BELOW WHAT THEY WILL BE USED FOR AND WHAT PRECAUTIONS YOU ARE TAKING TO SEE THAT THEY ARE USED PROPERLY AND SAFELY.

The Bird Box will hold all equipment needed for sound system. Announcer supplies own equipment that is all electrical. Lights will be supplied, delivered, set up and removed by Evergreen Lighting located in Idaho City. Saturday Night Karaoke or Possible Band from 10 pm to Midnight 12 AM

6. ***DESCRIBE BELOW YOUR PLANS FOR TRASH DISPOSAL. WHAT ARE YOUR PLANS FOR TRASH COLLECTION AND CONTAINMENT, RECEPTACLE LOCATIONS AND AFTER-EVENT CLEANUP?

Boise County Sanitation will pick up trash daily and supply large dumpsters for our use for the weekend. We have a 4H group lined up to help with rodeo grounds clean up after the event.

*****ITEMS 7, 8 AND 9 MUST BE PREAPPROVED BY THE CITY CHIEF OF POLICE AND INITIALED PRIOR TO SUBMITTAL TO THE CITY CLERK FOR COUNCIL REVIEW. *****

A FEE FOR COUNCIL APPROVED EVENTS WILL BE SET AT $25.00 AN HOUR PER OFFICER TO COVER ADDITIONAL COVERAGE OF LAW ENFORCEMENT IF DEEMED NECESSARY.
THE NUMBER OF HOURS FOR EVENTS WILL BE DETERMINED BY THE IDAHO CITY CHIEF OF POLICE.

7. ***DESCRIBE BELOW YOUR SECURITY PLAN AND YOUR EMERGENCY SERVICES PLAN FOR THE EVENT:

Rodeo Staffing of 20+ people will be on the grounds at all times and available. All gates are monitored by rodeo personnel. Idaho City Ambulance is on site for 3 all weekend events.

CITY CHIEF OF POLICE INITIAL HERE _____

8. ***DESCRIBE BELOW YOUR TRAFFIC CONTROL/PARKING PLAN:

We have a rodeo board person assigned to help with parking. We would like to use the baseball field parking in addition to the rodeo grounds parking. (NOT the actual ball field.)

CITY CHIEF OF POLICE INITIAL HERE _____

9. ***CONSUMPTION OR POSSESSION OF ALCOHOL

WILL ALCOHOL BE CONSUMED OR POSSESSED AT THE EVENT? ☐X YES ☐ NO

IF SO, IF MORE THAN A KEG OR THREE (3) CASES ARE POSSESSED BUT NOT OFFERED FOR SALE, A PERMIT MUST BE SECURED FROM THE CITY.

WILL THE ALCOHOL BE OFFERED FOR SALE? ☐X YES ☐ NO

IF YES, PROPER PERMITS MUST BE SECURED FROM THE STATE OF IDAHO AND THE CITY OF IDAHO CITY AND A DESIGNATED AREA FOR SALE AND CONSUMPTION IS REQUIRED. SHOW THE LOCATION OF THIS DESIGNATED AREA ON YOUR SITE PLAN.

CITY CHIEF OF POLICE INITIAL HERE _____

10. PROOF OF INSURANCE
ATTACH A COPY OF THE FORM SHOWING THE CITY OF IDAHO CITY AS CO-INSURED IN THE AMOUNT OF $1,000,000. Will provide – currently getting from Farm Bureau.

11. VENDOR PERMITS
THE EVENT SPONSOR IS AWARE THAT ANY VENDOR WITHIN THEIR EVENT MUST HAVE A VENDOR'S PERMIT FROM THE CITY PRIOR TO CONDUCTING BUSINESS AND TAKES FULL RESPONSIBILITY HEREIN TO SEE THAT COMPLIANCE IS MET.
INITIAL HERE _____TL_

12. FOOD CONCESSIONS
WILL YOU OR ANY OF YOUR VENDORS BE SERVING, SELLING, OR GIVING AWAY FOOD?

- ☐ X YES
- ☐ NO

IF SO, THE PROPER PERMITS FROM THE CENTRAL DISTRICT HEALTH DEPARTMENT MUST BE SECURED. I **request an alcohol variance**. Permit will be with the food vendor, I will have central district health permit from the food vendor. I will instruct the food vendor to obtain the Idaho City catering permit.

PARKS AND RECREATION FEE SCHEDULE
WHEREAS, THE CITY COUNCIL WISHES TO SET USE FEES FOR CITY RECREATION FACILITIES AS FOLLOWS:

1. COMMERCIAL OR DEDICATED USE OF ANY CITY RECREATIONAL FACILITIES SHALL BE 5% OF GROSS PROCEEDS OR A MINIMUM CHARGE OF $75.00 PER DAY PLUS 6% USE TAX.

THE FOLLOWING SECURITY DEPOSIT IS REQUIRED, REFUNDABLE IF RENTAL REQUIREMENTS ARE COMPLETED:

50 TO 99 PEOPLE $50.00, 100 TO 249 PEOPLE $100.00, 250 PEOPLE OR MORE $300.00

EXCEPTIONS MAY BE SET BY THE CITY COUNCIL BASED ON RECOMMENDATION FROM THE IDAHO CITY PARKS AND RECREATION COMMISSION.

VEDORS FEES

1. VENDORS LICENSE DAILY FEE $15.75.
2. VENDORS LICENSE DAILY FEES (NONPROFIT ORG.) $7.35.
3. VENDORS LICENSE YEARLY FEE (NON-REFUNDABLE) $52.50.
4. CARNIVAL OR PUBLIC ENTERTAINMENT WITH LESS THAN 10 CONCESSIONS, RIDES, OR SIDESHOWS, DAILY FEE $210.00.
5. CARNIVAL OR PUBLIC ENTERTAINMENT WITH MORE THAN 10 CONCESSIONS, RIDES, OR SIDESHOWS, DAILY FEE SHALL BE $21.00 PER CONCESSION, RIDE OR SIDESHOW.

AN ADDITIONAL EVENT LICENSE FEE MAY BE REQUIRED FOR CARNIVALS, PUBLIC ENTERTAINMENT, OR SPONSORED EVENTS IN AN AMOUNT APPROVED BY THE CITY COUNCIL AS MEETING THE CITY'S EXPENSES RELATED TO THE ACTIVITY, INCLUDING BUT NOT LIMITED TO THE PROVISION OF PUBLIC WORKS AND POLICE.

A PERMITTEE FOR A CARNIVAL, PUBLIC ENTERTAINMENT, OR SPONSORED EVENT SHALL ESTABLISH FINANCIAL RESPONSIBILITY IN THE FORM OF AN INSURANCE POLICY ISSUED JOINTLY TO THE OWNER AND THE CITY OF IDAHO CITY IN THE MINIMUM AMOUNT OF ONE MILLION DOLLARS, SINGLE LIMIT.

COMMUNITY HALL RENTAL FEES
WHEREAS, THE CITY COUNCIL WISHES TO SET USE FEES FOR THE COMMUNITY HALL AS FOLLOWS: N/A

1. NON-PROFIT GROUPS $42.00 PER DAY PLUS ($2.52) 6% USE TAX
2. PRIVATE GROUPS AND GOVERNMENT AGENCIES $84.00 FOR 5 OR FEWER HOURS PLUS ($5.04) 6% USE TAX
3. PRIVATE GROUPS AND GOVERNMENT AGENCIES $157.50 FOR MORE THAN 5 HOURS PLUS ($9.45) 6% USE TAX

A $50.00 DEPOSIT REQUIRED; REFUNDABLE IF RENTAL AGREEMENT REQUIREMENTS ARE COMPLETED.

THE COUNCIL CAN WAIVE A PORTION OF THE FEE OR SET A MONTHLY USE FEE FOR GROUPS DESIRING TO USE THE HALL ON A SET SCHEDULE FOR A CLASS OR MULTI-DAY EVENT.

OFFICE USE ONLY:
ALL ATTACHMENTS AND/OR PERMITS AND FEES RECEIVED:
SITE PLAN _____
PROOF OF INSURANCE _____
ALCOHOL/CATERING PERMITS _____
VENDOR'S PERMITS _____

DATE EVENT CHECKLIST RECEIVED AND FOUND TO BE COMPLETE: _____

APPROVED:_____DENIED: _____

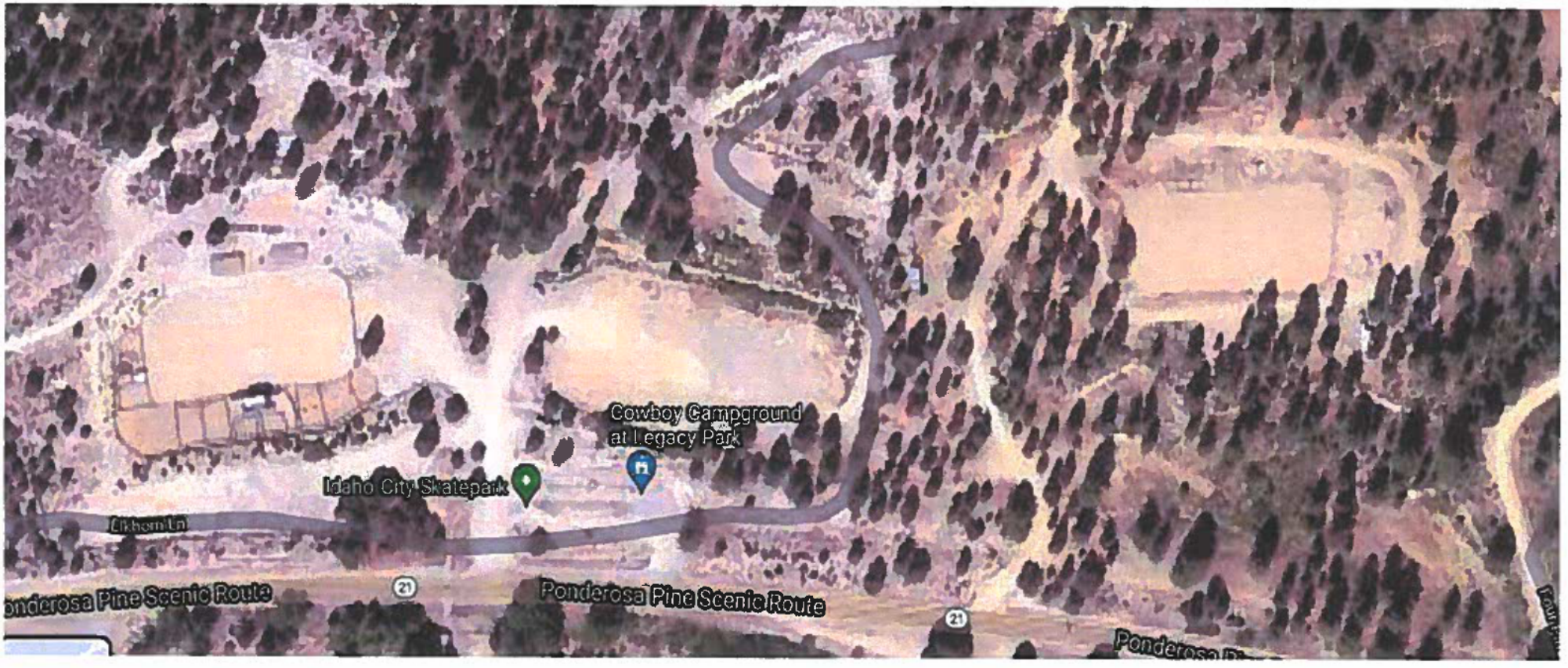
AFTER EVENT COMMENTS:
WAS THE SITE CLEANED UP PROPERLY IN A TIMELY FASHION? ☐ YES ☐ NO
COMMENTS_____

DID THE EVENT SPONSOR MEET ALL OF THEIR OBLIGATIONS AND RESPONSIBILITIES? ☐ YES ☐ NO
COMMENTS_____

SHOULD THIS PARTY BE ALLOWED TO USE CITY PROPERTY AGAIN? ☐ YES ☐ NO
COMMENTS_____

SIGNED: _____

Gold Dust Arena Committee – Gold Dust Rodeo Event June 24th & 25th 2022. Submitted by Tonya Leonard



Contestant parking will be on the rodeo grounds along side the arena and highway 21, handicapped parking is allotted spacing directly in front of the rodeo grounds where the entrance is located, spectator parking is located in the lower parking gravel area, rodeo personnel parking is one level up from the main parking and requesting over flow parking over at the ball park parking lot. (NO Parking or animals are allowed on the ball field).

Gmail

Nancy L Ptak <idahocityclerk@gmail.com>

City of Idaho City-Well Development February 2022

Ed Stowe [redacted] Wed, Mar 16, 2022 at 2:48 PM
To: Kristina Gillespie [redacted], Nancy L Ptak <idahocityclerk@gmail.com>
Cc: "idahocitymayor1@gmail.com" <idahocitymayor1@gmail.com>

Nancy,

If you guys could put us on the agenda for water rights options as well that would be great. Also I talked to Kurita today and they're going to credit you for one site visit since we had 5 in the contract and only used 4.

Kenny, I'll get that draft O&M/record drawings package over to you and submitted back to you and DEQ tomorrow; we're packaging it right now.

Thanks,

Ed Stowe, P.E. | **Mountain Waterworks, Inc.**

SENIOR PROJECT MANAGER

Boise - Lewiston - McCall

[redacted]

[redacted]

E[redacted]

[Quoted text hidden]

CITY OF IDAHO CITY

ORDINANCE No.

AN ORDINANCE OF THE CITY OF IDAHO CITY, BOISE COUNTY, IDAHO, REPEALING TITLE 8, CHAPTER 4, CREATING A NEW TITLE PROVIDING FOR THE TEMPORARY USE OF RECREATIONAL VEHICLES AND PROVIDING PENALTIES, AMENDING TITLE 8, CHAPTER 1 TO MAKE A CORRECTION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Idaho City finds it is necessary to regulate the habitation of recreational vehicles and other such structures primarily designed as temporary living accommodations to promote the public health, safety, and welfare of the citizens of Idaho City and the orderly growth of the City of Idaho City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO CITY, IDAHO:

Section 1. REPEAL OF TITLE 8, CHAPTER 4 OF THE CITY CODE OF IDAHO CITY. Ordinance No. 1-35, governing the use requirements and penalties for using a trailer for sleeping and eating quarters, enacted May 8, 1959, and codified as Chapter 4 of Title 8 of the City Code of Idaho City is repealed.

Section 2. ADDITION OF NEW CHAPTER TO TITLE 4 REGULATING THE SHORT-TERM USE RECREATIONAL VEHICLES. A new Chapter 4 of Title 4 of the City Code of Idaho City shall be created as follows:

4-4-1: <u>Short Title:</u> This ordinance shall be referred to as the "Short-Term Recreational Vehicle Use Ordinance."

4-4-2: <u>Definitions:</u> For the purposes of this chapter, the terms Recreational Vehicle or RV include, but are not limited to, the following specific vehicles:

Camper: A separate vehicle designed for human habitation and which can be attached or detached from a pickup truck. When removed from the truck, campers are called "unmounted campers". These campers are sometimes referred to as "truck campers" and "overhead campers". Camper shells on pickup trucks are excluded from this definition.

Camping Trailer: A type of trailer or trailer coach, the walls of which are so constructed as to be collapsible and made out of either canvas or similar cloth, or some form of rigid material such as fiberglass, plastic or metal. The walls are collapsed while the recreational vehicle is being towed or stored and are raised or unfolded when the vehicle becomes temporary living quarters and is not being moved.

Motor Home: A motorized vehicle that has a truck or motor van chassis primarily designed to provide temporary living quarters for travel, camping, recreation and vacation use.

Travel Trailer: A trailer without its own motive power, designed as a temporary dwelling for travel, camping, recreation and vacation use. This definition includes fifth wheelers.

4-4-3: General Provision Regarding Recreational Vehicles:

A. Except as otherwise provided herein or in other sections the City Code of Idaho City or unless otherwise prohibited, no person shall park or place within the city limits any recreational vehicle actively in use as sleeping or living accommodations for more than fourteen (14) consecutive days in any six (6) month period~~, unless the recreational vehicle is located in a mobile home or recreational vehicle park~~.

B. The time limitations in Paragraph A do not apply when the recreational vehicle is:

1. Located in a mobile home or recreational vehicle park; or

2. Connected through an approved and independent connection to city water and sewer services, provided that appropriate steps must be taken between the months of October through May to protect water and sewer connections from freezing.

4-4-4: Exceptions:

A. A recreational vehicle may be used as temporary housing when a building permit has been issued and a permanent dwelling structure is being constructed or substantially remodeled such that the permanent dwelling structure is not habitable, ~~provided that use as temporary housing is limited to the shortest of: (1) a period of not more than one hundred eighty (180) days, (2) the duration during which the building permit is valid, or (3) thirty (30) days after a certificate of occupancy has been issued. The City Council may approve grant an extension of up to one hundred eighty (180) days upon a request prior to the expiration of the initial time period.~~

B. A recreational vehicle may continue to be used and maintained as permanent housing when it was being used as permanent housing before this Chapter was enacted and until a change of use or relocation to another property occurs or a permanent dwelling structure is constructed. A recreational vehicle may be repaired or replaced. This exception in this paragraph does not supersede, excuse, or waive compliance with any other provision of the City Code of Idaho City or any other applicable federal, state, or local law, regulation, rule, or ordinance.

4-4-5: Penalty:

A. A first violation of this chapter shall be an infraction punishable by a penalty not to exceed fifty dollars ($50).

B. A second violation of this chapter within three (3) years of the commission of the first offense for which the person was convicted shall be an infraction punishable by a penalty not to exceed one hundred dollars ($100).

C. A third violation of this chapter within three (3) years of the commission of the first offense for which the person was convicted shall be a misdemeanor and be punishable by a fine not exceeding one thousand dollars ($1,000), by imprisonment not to exceed six months, or both.

D. Each twenty-four (24) hour period that a violation continues shall be a separate violation.

Section 3. CORRECTION TO SECTION 3, CHAPTER 1, TITLE 8 OF THE CITY CODE. The City Code of Idaho City, Section 8-1-3 be amended with the following correction:

8-1-3: MOBILE HOME, TRAILER OR MANUFACTURED HOME:

Any mobile home, trailer or manufactured home which is proposed to be placed upon property inside the corporate limits of the City shall meet the standards set forth by the ~~Idaho State Industrial Commission~~ Idaho Division of Building Safety. This requirement shall also apply to moving an existing mobile home, trailer or manufactured home from one lot inside the City limits to another lot inside the City limits. Any such mobile home or trailer shall not be older than the year 1976.

Section 4. SAVINGS CLAUSE. Ordinance 1-35 repealed by this ordinance, shall remain in force to authorize the arrest, prosecution, conviction and punishment of a person who violates Ordinance 1-35 prior to the effective date of this ordinance.

Section 5. SEVERABILITY CLAUSE. The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

Section 6. EFFECTIVE DATE. That this ordinance shall be in full force and effect upon passage, approval and publication according to law.

PASSED BY THE COUNCIL of the City of Idaho City this _____day of _____, 2022.

APPROVED BY THE MAYOR of the City of Idaho City this_____ day of _____, 2022.

_____

Kenny Everhart, Mayor

ATTEST:

_____

City Clerk

CHAPTER 4

TRAILERS

SECTION:

8-4-1: DEFINITION:
The word "trailer", as employed in this Chapter, shall mean any vehicle or structure so designed and constructed in such manner as will permit occupancy thereof as a place of abode, and so designed that it is or may be mounted on wheels and used as a conveyance on highways or streets, whether propelled by its own or other motive power. (Ord. 1-35, 5-8-1959)

8-4-2: USE REQUIREMENTS:
No trailer or other vehicle within the corporate limits of the City shall be used or occupied, or permitted to be used or occupied, as sleeping or eating quarters unless:

A. Each faucet site shall be equipped with facilities for draining of waste, and all faucet sites and sanitary facilities shall be connected by means of a rigid pipe to a septic tank or other underground tank or barrel chemically treated and so located so as not to drain directly into any watercourse; or

B. All sanitary facilities and faucet sites in such trailer shall be securely sealed, and their use shall be unlawful.

C. In no case, in the use of trailers, shall wastewater be disposed of except as provided by subsection A of this Section, and it shall be unlawful to otherwise dispose of wastewater, or to throw or discharge wastewater from any trailer upon the surface of the ground. (Ord. 1-35, 5-8-1959)

8-4-3: VIOLATION:
The violation of any provision of this Chapter shall be unlawful and punishable as a misdemeanor. Each day of violation shall constitute a separate violation. (Ord. 1-35, 5-8-1959)

Gmail

Nancy L Ptak <idahocityclerk@gmail.com>

Cowboy Campground - Spring Camping Kick Off Weekend, May 21 -22

S Amidon [redacted] Wed, Mar 16, 2022 at 10:03 AM
To: Nancy Ptak <idahocityclerk@gmail.com>

Hello Nancy,
Just got off the phone with Sheriff Otter and informed him about our newest event we are bringing to the IC area and I wanted to let you know to please put me on the agenda for the next Council & Recreation meeting, just to inform the city about this event. Our flyers and info should be set by then, I am still finishing the planning and looking for a few more ideas and guest speakers to add to the line up.

Please reach out and let's talk about this event and let me explain the details, or share your thoughts and ideas to be added to our lineup.
My number is [redacted] *or email, cowboycampground@gmail.com. Thank You.*

Best Regards,
Sabrina Amidon

Season Kick Off Weekend
Cowboy Campground - Idaho City
CowboyCampground.com **CowboyCampground@gmail.com** **208.362.4343**

Camping comes with many challenges and choices. It's an opportunity to learn valuable life skills while having lots of fun, but that can be challenging when you're struggling with new equipment or a propane stove you haven't used since last year. The goal of any camper is to be able to relax and enjoy the great outdoors instead of worrying about dead batteries or how to start a campfire or which trail are usable etc.

If you are looking to learn and grow as you enjoy the beautiful Idaho landscape, Cowboy Campground is the place to be.

For our kick-off weekend May 20 - 22, we've enlisted professionals from different walks of life to help our campers learn how to complete your summer checklist for campsite setup, including the little things like charging your batteries, turning on your generator, etc. We have lots of ladies and 1st time campers who have found this type of aid from our experienced camp host and other campers valuable, which is why we are now offering access to these professionals and their little hints and camping tricks for the 2022 season.

Search and Rescue will also be on hand to provide you with the right tools to stay safe

and find help after getting hurt or lost on the trail or access roads. We will have hands-on clinics at our Legacy Park Trust, which oversees Cowboy Campground.

Treasure Valley Back Country Horsemen will also be available to chat about their "Leave No Trace" approach. They will also demonstrate a Dutch Oven cooking session and invite guests to join in and taste some good camping food.

Since Cowboy Campground is a space where horses and recreational vehicles often meet on trails, we will also offer training sessions for everyone on how to approach each other and stay safe. We all share these beautiful trails, and everyone needs to remember to stay vigilant and understand how to interact with their fellow campers to keep the trails safe and fun for everyone to enjoy together which is where the Idaho State Parks & Recreation will be a needed part of our weekend.
We have invited the Idaho City Police Department to partake if they chose to do so.

The Boise National Forest Service will also take the time to hand out maps and have a talk about our wonderful Ponderosa forest.

This is only the beginning of the camping season, and we have many more ideas in development to make Cowboy Campground an amazing experience for all.

Co-sponsors are still needed to make this a great time, offering free breakfasts and dinners.
Please consider jumping on board.

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www.RockyMountainGravel.com
www.CowboyCampground.com

RESOLUTION NO. 2022 - 01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IDAHO CITY ADOPTING A FINANCIAL CONTROLS POLICY; TO SET POLICY FOR INTERNAL CONTROLS OF ALL FINANCIAL PROCESSES FOR THE CITY.

WHEREAS, the City of Idaho City has a responsibility to ensure it handles public funds appropriately; and

WHEREAS, written, adopted financial policies and internal controls have many benefits in assisting Council with the financial management of the City; and

WHEREAS, the auditing firm for the City has recommended that Council adopt financial and internal control policies that promote sound financial management practices designed to meet Council's goals and objectives; and

WHEREAS, staff has prepared a City of Idaho City Financial Policies and Internal Control document that outlines procedures, safeguards, and internal controls for public fund management; and

WHEREAS, the City of Idaho City Financial Policies and Internal Control document, attached hereto as Exhibit A, has been reviewed by the City Attorney.

NOW, THEREFORE, BE IT RESOVLVED by the City Council of the City of Idaho City, Idaho that the Financial Controls Policy, a copy of which is attached hereto and incorporated in full verbatim, is hereby adopted for use by the City of Idaho City. All employees employed by the City of Idaho City shall abide by the terms and conditions 'contained herein.

PASSED BY THE COUNCIL of the City of Idaho City this day of , 2022.

APPROVED BY THE MAYOR of the City of Idaho City this day of , 2022.

_____

Kenneth Everhart, Mayor

ATTEST:

_____

Nancy L. Ptak, City Clerk/Treasurer

City of Idaho City

Financial Controls Policy

Adopted on DATE: by

Resolution No.

INTRODUCTION

This manual puts in place basic accounting, billing, and cash control policies and procedures designed to protect and secure City of Idaho City financial functions, ensure the maintenance of accurate records of financial activities, and ensure compliance with governmental and private funding source reporting requirements. Where this manual conflicts with specific federal or state regulation or with City of Idaho City Council policies (such as the Personnel Manual), the regulations, or Council policy shall prevail.

RESPONSIBILITIES

- The City Council approves financial policies and reviews operations and activities.
- The Mayor has responsibility for assuring that all operations and activities are handled in accordance with city policies.
- Exceptions to these policies may be made on an individual basis, as necessary, with the approval of the City Council.
- The Treasurer is responsible for review of all financial operations.

GENERAL POLICIES

- Administrative staff is comprised of a City Clerk-City Treasurer, Utility Billing Clerk-Deputy Clerk, and office desk clerk.
- There are separation of financial duties and responsibilities so that neither staff has sole control over cash receipts, bank reconciliations, accounts payable or other accounting functions.
- Financial procedures are reviewed on an ongoing basis by the Administration Staff.
- Separate general ledger accounts are maintained as referenced by the Idaho City Clerk, Treasurers, and Finance Officers (ICCTFOA) Accounting Manual.
- Computer passwords are treated confidentially and are not shared with anyone other than essential staff. They are kept in secure location at all times. Procedures may be established requiring the expiration of passwords where appropriate.

COMPLIANCE WITH EXTERNAL POLICIES

City of Idaho City accounting policies and procedures are consistent with:

- ICCTFOA Accounting Manual
- Generally Accepted Accounting Principles (GAAP)
- 2 CFR 220 Subpart F "Audits of States, Local Governments, and Non-Profit Organizations"

SECURITY AND ACCESS

Only authorized staff can access the financial, personnel, payroll, computer systems, on-line and paper records of the organization:

- Access to computer or on-line systems for accounting, personnel, payroll, and on-line banking is controlled by password access only
- Upon separation from the city, of a staff member, the password is immediately locked to prohibit any unauthorized activities or entries.

OVERVIEW OF CITY OF IDAHO CITY ACCOUNTING SYSTEM

The financial records of the City of Idaho City are maintained in an approved electronic software. The City reports the following major governmental funds:

- The GENERAL FUND is the City's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund. Activities included under General Fund are Administration, Law Enforcement, Planning & Zoning, Parks, and various Committee events.
- The STREET FUND accounts for the resources accumulated for the maintenance and construction of city streets
- The WATER FUND accounts for activities of the City's water production, storage, and distribution operations
- The SEWER FUND accounts for activities of the City's sewage collection and treatment operations

Access to the accounting system is controlled to maintain the reliability and integrity of the data. Security is established by the Treasurer to allow different levels of access.

- Data Backup:
  Backup is done daily by the staff using the system and saved on an external drive. One additional copy of system backup is stored in a secure location.We do not do this anymore due to IT saving in cloud, will double check on this

- Funds Received:
  The procedures for funds received ensure that all in-coming funds are properly recorded and safeguarded through proper documentation. Utility Billing Clerk- Deputy Clerk Staff is authorized to collect in-coming funds.

- Funds Disbursed:
  Specialized procedures govern check writing. Only the City Council may authorize the issuance of checks, however sometimes because of time constraints, the checks are cut and a list given to the Council for review. Access to the check printing system is password protected and is included in the responsibilities of the City Treasurer.

- Payroll System:
  Access to the payroll system is controlled by the Treasurer in a confidential manner. Payroll is processed by the Treasurer at the administration office. The Mayor, City Treasurer/City Clerk, and the Council President have check signing authorization.

DETAILED ACCOUNTING PROCEDURES

Receipts

- Payments will be accepted from customers for payment of utility deposits, utility payments, building permits, business licenses, community hall rentals, and other payments owed to the City of Idaho City.
- Mail is to be opened promptly and distributed by Administrative Staff each day.
- All checks, money orders, and cash are promptly receipted and placed in a cash box located in a secure area.
    - Amendment of State Statute #50-208, #50-708, and #57-135 states that it is not necessary to provide a paper receipt for each transaction due to upgrades in modern online payments and accounting systems
- Cash receipt forms which are individually numbered will be completed at time of receipt and copy given to customer.
- Receipts may be voided, but those are also tracked and kept in the book it was originated from.
- Funds awaiting bank deposit are kept in the locked cash box in secure location in the administration office with access limited to the Administrative Staff.
- Each business day the staff member on duty verifies the cash from the prior business day and keeps an amount of cash determined by the City Treasurer in the box for the current day's business.
- Cash will be counted and reconciled at least once a day by the Administrative Staff.
- There will be enough cash kept on hand to make change of not more than $123.00. we will get a cash box for this....
- At least one day per week, staff will reconcile the balances in the Utility Billing system reports in preparation of the bank deposit.
- At least one day per week, the bank deposit is compiled by the Administrative Staff using the reconciliation report from the Utility Billing and Cash Management systems. These 2 reports must balance.
- Another Administrative Staff person will review deposit as needed.
- An Administrative Staff person will deliver the bank deposit to the bank, unless not available, at which time, the City Chief or a Deputy will deliver funds to the bank.
- Bank confirmations are stamped on the deposit slip and kept in the deposit book for future use.
- Once monthly the City Treasurer verifies that all bank account totals add up to total funds received for the month during bank statement reconciliation. The Bank Reconciliation will be reviewed by the Mayor or City Council President and signed monthly. Verification of Bank total for each fund is provided to Mayor or City Council President.
- The monthly Treasurer's Report is then generated and reviewed by the Mayor with the final report approved by the City Council at a designated monthly meeting.
    - Amendment of State Statute #50-208, #50-708, and #57-135 states that Treasurer no longer needs to file all receipts with the monthly reports.

Accounts Receivable

For each grant, contract, loan, or other agreement, the City Clerk will be responsible for preparation of invoices, payment requests, or reports necessary to secure payment to the City of Idaho City. The following procedures ensure that all requests for funds are properly recorded and tracked.

- The City Clerk prepares requests for funds from other agencies or individuals.
- Billings to funding agencies or individuals are filed in the appropriate file until receipt of payment.
- Aged receivables are available for review by the City Council.
- Accounts receivables are reviewed by the City Council and City Treasurer quarterly to ensure receivables have a reasonable expectation of being collected and any necessary steps are taken to ensure collection.
- Utility Billing accounts are considered past due and payable after 30 days of notification from City Clerk. For the purposes of determining delinquent accounts, the Staff will send out a letter with instructions for the resident to allow them to pay the account, once they have moved from the city. If no response, within the 90 days, accounts will be~~After appropriate notifications and time allowed for payment, accounts are~~ transferred by the City Treasurer to a collection agency by ~~the City Treasurer~~, which will actively pursue payment for no more than 5 years. ~~by the City Treasurer.~~
- Once accounts go to collection, the Clerk will make appropriate entry to the Utility Billing system and provide back up for account to be filed in address file for the account.

We have considered using a collection agency in the past, might want to revisit this….

Fund Disbursements

The fund disbursement policies and procedures are designed to ensure that disbursements are properly made based on adequate documentation and proper authorization.

Approvals and Authorization

- The City Council authorizes all expenditures as set out in its annual budget.
- Pre-authorization of certain expenditures outlined by resolution are allowed for routine, time-sensitive expenditures, i.e. insurance, electricity, propane, PERSI, State Tax Commission, payroll taxes, etc.
- Purchases will be approved by supervisor with a Purchase Order, before going to City Treasurer.
- Purchases will be presented to the City Council for approval for items of more than $500.00 $1,000.00 before purchases are made, with the exception listed below.
- Emergency or urgent expenditures relating to operations and services that affect the health, welfare, and/or safety of residents and businesses of the City of Idaho City, and which are time sensitive in nature such that a delay in addressing the problem could bring harm to persons or property or result in major disruption and/or damage to City Infrastructure will be allowed with a cap of $7,000 per incident.
- Expenditure of funds within this limitation requires approval of the Mayor, or in the Mayor's absence, the Council President or if both are unavailable, another member of

the council. It is provided that responsible employees or officials shall take due caution in the decision to spend funds under this policy by evaluating options, with the consultation of professional consultants or staff where reasonably practicable and examining the availability of funds before proceeding with the expenditure.

- Checks are required to have two (2) signatures: The signatories are: the Mayor, the City Clerk, the City Treasurer, and the Council President.

Accounts Payable

- Payment for supplies or services will be made based on invoices attached to a receipt from a department head.
- All invoices and receipts are submitted by the department head to the Treasurer for processing and payment.
- At each City Council meeting, those invoices and/or documentation are presented for approval.
- After approval by Council, the City Treasurer will issue checks to the vendors.

Check Writing/Approval Procedures

These procedures are designed to ensure that all checks have adequate documentation and authorization and that there are no missing checks or checks written to phantom vendors.

- Checks are processed twice a month after Council approval, with the exception of those that are time-sensitive by administration staff.
- Checks are from an approved software.
- Checks are not to be post-dated, signed blank, or made out to cash.
- Checks are recorded and given to the Mayor with a log of checks for the day, for review and approval.
- Voided checks will be filed in numerical order with the copies of check log marked as "voided".
- Checks must be signed by the Mayor, the City Clerk, the City Treasurer, or in the Mayor's absence, the Council President. Two (2) signatures are required.

Electronic Payment and Transfers

These procedures ensure that unauthorized transfers will not be made. Procedures may vary based on the system of the banking institution.

- Electronic banking allows wire transfers, electronic transfers, stop payments on checks, and account balance inquiries to be initiated and complete via computer or telephone.
- Password security is set to allow wire transfers, electronic transfers, and stop payments to be set up by staff designated by the City Treasurer.
- Transfers can only be approved and sent by the City Treasurer and can only be for EFT 941 and state payments at the time of payroll or LGIP deposits as determined by Treasurer, with approval of the Mayor. Additional payments may be made when time is an issue for city accounts past due with approval of the Mayor. Withdrawals from any LGIP account must be approved by motion of City Council.

Payroll

These procedures are designed to assure that payroll is based on proper authorization and required documentation; paid at the approved rate; only paid to actual employees; and to assure that proper and timely reporting is made to federal, state, and local taxing authorities. They are in accordance with the City of Idaho City Personnel Policy, Section IV, Employee Classification, Compensation, and Benefits.

- City of Idaho City payroll for staff is processed bi-weekly no later than 4 business days past the end of payroll period and time is tracked Monday- Thursday
- Payroll is based on time tracked through paper timesheets.
- Time records will reflect hours worked, hours of Over-Time, hours used for Sick time, Vacation time and Compensation time used.
- Time sheets will be signed by employees, then approved and signed by department heads.
- Overtime for non-exempt employees requires the prior approval of the employee's department head.
- Payroll records are maintained by the Administrative Staff in a confidential manner. Information regarding payroll will not be discussed with other staff. Files must be in the locked filing cabinet in the Administration office.
- Documents that verify tax withholding and authorize other deductions such as health insurance and voluntary contributions for employees are filed in the locked filing cabinet in the Administration office.
- The same file contains the I-9 forms and other hiring packet documents.

Preparation and Payment

- Department heads will verify and sign each time sheet and submit the time sheets to the City Treasurer for inclusion in the authorized electronic Payroll system.
- Payroll tax deposits are done electronically by the City Treasurer at the time of each payroll, except for Idaho State Withholding tax, which is electronically filed and paid every month.
- PERSI is paid by check by the City Treasurer at the time of each payroll.
- Health insurance benefits are paid monthly by check by the City Treasurer.

Leases/Services

Leases

- Only the Mayor can sign lease agreements with approval of the City Council.
- Copies of all leases will be maintained at the Administration office.

Consultant/Contract Services

- The City Council will review and approve proposed contracts.
- Regarding contracted services, the council will consider the capabilities of staff to accomplish services before contracting for them.

- Written contracts clearly defining work to be performed are maintained for each consultant and contract services by the Administration Staff.
- The qualifications and reasonable charges for fees are considered in hiring consultants or service professionals and proof of general liability and workers compensation insurance, at minimum, will be required.
- If a contractor does not have workers compensation insurance, the City is required to include their work on the quarterly report to the State Insurance Fund.

Purchases

Supply Purchases

- When purchasing operational supplies such as office, water, sewer, etc. a purchase is made, and receipt turned in to the City Treasurer by department heads for processing.

Procurement Procedures

- All purchases must be conducted in compliance with applicable State Laws governing procurement and City Policies.
- Any purchase of over $25,000 and under $50,000 will follow procedures included in the State Statute #67-2805 and #67-2806.
- Amendments to State Statue #67-2805 and #67-2806 are as follows:
    - Increases project cost threshold for use of licensed public works contractor from $10,000 to $50,000
    - Clarifies that payment and performance bonds are required for public works construction contracts greater than or equal to $50,000 and must be presented to City Council before contract is executed
    - Bidding thresholds for public works construction projects are $50,000 to $200,000
    - Bidding thresholds for services and equipment is $50,000 to $100,000 with an informal bidding method; below $50,000 do not require competitive bidding; over $100,000 requires full competitive bidding
    - Exemptions from competitive purchasing requirements are: used equipment, goods for direct resale, travel and training, repair of heavy equipment, software maintenance, support and licenses for existing systems, used equipment purchased at auction authorized by City Council
    - Additional State Statute #67-2806A states that the City may use a Request For Proposal rather than a competitive bidding process. The RFP would include these:
        - Fixed specifications might preclude the discovery of a cost-effective solution
        - Price is not the sole determining factor for selection
        - Factors that may be considered in the evaluation of vendors in a proposal may include, but are not limited to:
            - An innovative solution that is offered;
            - Unique product features
            - Price
            - Vendor experience in the market

- Financial stability of a vendor
- Differences among vendors in their ability to perform contact requirements in a timely manner
- Ability to meet product specifications
- Product quality
- Product performance records
- Past performance by a vendor
- Future product maintenance or service requirements; and
- Product warranties

Credit Card Purchases

- Credit cards may be issued to employees designated by the Mayor for purchasing goods and services necessary to conduct their daily work activities.
- Credit cards will be primarily utilized for expenditures less than $1,000, however pre-authorization by the City Treasurer will be required for purchase over $500.
- All purchases must be conducted in compliance with applicable State Laws governing procurement and City policies.
- In no case will the City Credit Card be used for cash advances.

Loans

Third Part Loans

- Short-term loans (excluding lease/purchase contract) from outside sources (other agencies, banks, etc.) are authorized through City Council action and initiated by the City Council or other designee.
- Long-term loans from outside sources (other agencies, banks, etc.) must first be authorized by a public bond election to bed conducted by the county through procedures outlined in Idaho Code.
- Upon repayment of funds, the promissory note is returned to the City Clerk

Investments

The City of Idaho City has access to a state investment pool called Local Government Investment Pool (LGIP) in which funds can be placed to invest in future projects. These funds earn interest monthly. The Treasurer is responsible to transfer funds on an as needed basis, if it is a transfer into the LGIP, with approval by Mayor. Transfers for funds withdrawn from the account must be approved by the city council.

Bank Accounts

Bank accounts are established to meet the needs of the City of Idaho City for separation of funds and the specific requirements of funding sources. Separate accounts for specific federal or state programs, which exceed the FDIC limits, must be collateralized by the bank

to ensure the safety of the deposit. All other accounts, where possible, are established to maximize the use and earnings of cash.

- A complete listing of all accounts and the account numbers shall be maintained by the City Treasurer
- Bank reconciliations for each account are completed monthly by the City Treasurer and are witnessed by the Mayor. The bank statements are received by the City Clerk, date stamped, and sent on to the Mayor, unopened to assure that they remain intact.
- Reconciled bank statements are reviewed by the City Council or designee on a monthly basis.
- Outstanding checks more than 90 days old are investigated, replaced, or voided after appropriate documentation has been collected.

OTHER FINANCIAL SAFEGUARDS

Employee Benefits

These procedures are designed to ensure that employees receive the appropriate benefits as specified in the Personnel Manual, Section IV Employee Classifications, Compensation, and Benefits.

Employee Personal Time Off

- Employee balances are maintained by the City Treasurer in the Payroll system and are distributed to the Mayor on a bi-weekly basis. These balances are also included on each employee's paystub.

Property, Inventory and Control

City of Idaho City property inventory procedures provide for management control of City owned property and documentation of property for potential insurance losses and replacement. All property in excess of $500 is included in inventory.

- Property records are maintained to reflect furniture and equipment purchased. The sheet includes the location of the property, description, brand, model and serial numbers, purchase price and vendor information.
- Every month the Administrative Staff will review all paid invoices to determine if any property has been purchased and included on the list.
- All asset inventory is compiled into an asset management data base and monitored annually by the Mayor.
- Equipment to be retired is listed by the department head and approved by the City Council as surplus property with documentation of its disposition noted on the asset addition/deletion sheet and electronically filed in the City Property file.

Fixed Assets

Fixed assets are defined by the City of Idaho City as assets with an initial, individual cost of more than $5,000 and an estimated useful life more than three (3) years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated fixed assets are recorded at estimated fair market value at the date of donation.

The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

Property, plant, and equipment are depreciated using the straight-line method over the following estimated useful lives:

Assets	Years
Buildings	10-40
Improvements other than Buildings	7-50
Equipment	5-30

Audits

City of Idaho City is required to have an audit on an annual basis. Periodically, as determined by the City Council, a Request for Proposal is sent to audit firms qualified to provide the type of municipal audit that meets City of Idaho City and/or funder's needs at least every three years or as needed. The City Council is responsible for soliciting bids, interviewing firms, and making the selection of the firm to be awarded the audit contract.

Acceptance of the audit contract will be evidenced by a signed audit management letter that contains the type of service to be provided the timeframe for providing the service, the cost for the service, including incidental expenses, and the term of the engagement.

The audit is reviewed and accepted in detail by the Mayor and City Council as presented by the auditor.

GRANTS AND CONTRACTS

Contract and grant documents are reviewed and approved by appropriate program staff, as well as Administrative Staff, prior to being approved by the City Council and signed by the Mayor.

- The City Council will carefully review each award to ensure the City of Idaho City will be in compliance with all financial provisions.
- The program manager (designated department head) will carefully review each award to ensure that all programmatic provisions will be met.
- Original copies of signed grants and contracts are filed in a contract file at the administration office.

- The Administrative Staff will maintain individual contract files containing copies of the grant/contract, any amendments, relevant correspondence regarding the grant/contract, and reports of expenditures or billings.

BUDGETS

Budgets provide a standard by which to measure performance, encourage planning, and allocate resources in accordance with funding source requirements. Budgets should use reasonable assumptions of income and expenses. All budget assumptions should be documented to facilitate a thorough analysis and evaluation, not only of the budget, but of the actual revenue and expenditures as they relate to the budget. The City of Idaho City follows these procedures in establishing the budget:

- Prior to September 1, the City Treasurer, with the assistance of the department heads, the Mayor and City Council, prepares a proposed operating budget for the fiscal year commencing the following October 1. The operating budget includes proposed expenditures and the means of financing them.
- Public hearings are conducted at the City Hall to obtain taxpayer comments.
- Prior to October 1, the budget is legally enacted through passage of an ordinance.
- The City Council by following the same budgetary procedures used to adopt the original budget may amend it to a greater amount if additional revenue will accrue to the City as a result of increases in state or federal grants or allocations, as a result of an increase in revenues from any source other than ad valorem tax revenues, or as a result of an increase in enterprise funds to finance the operation and maintenance of government facilities and services which are entirely or predominantly self-supporting by user charges.
- Formal budgetary integration is employed as a management control devise during the year for general, special revenue, debt service, and enterprise funds.
- Budgets for general, special revenue and debt service funds are adopted on a basis consistent with generally accepted account principles (GAAP). Budgets for enterprise funds are adopted on a non-GAAP basis.
- Budgeted amounts are as originally adopted for each fiscal year ended September 30.
- Expenditures may not legally exceed budgeted appropriations at the fund level.

REPORTING

Reports assist the Mayor, City Council, and funders with the managing and controlling of program activities and financial resources.

- Monthly financial statements, including a revenue and expense report to the City Council.
    - Amendment to State Statue #50-208, #50-708, and #57-135 is that the Treasurer will provide at a regular meeting of the Council, will render an accounting showing the condition of the treasury at the date of such accounting. It shall state the balances of accounts maintained in the city's treasury
- The City Treasurer prepares monthly and quarterly reports as required by funding sources and state law.

- Amendment to State Statute #50-208, #50-708, and #57-135 is that monthly reporting will be provided within 60 days of the end of the month. Also, the quarterly reports shall be posted on the City's website rather than by Legal Notice in the Official newspaper

- The Mayor or designee will sign all reports to funding sources
- The City Treasurer will prepare and maintain, on a current basis, a listing of reports and due dates for funding sources.
- It is the responsibility of the City Treasurer to ensure that all financial reports are submitted on a timely basis.

RECORDS RETENTION

City of Idaho City sets guidelines on the retention of records, which will meet the requirements of all federal and state agencies, as well as those of other funding sources, Resolution #15-1.

- Financial records, supporting documents, statistical records, and all other records pertinent to an agreement shall be retained for a period of at least three years with the following qualifications:
  - If any litigation, claim, or audit is started before the expiration of the three-year period, the records shall be retained until all litigations, claims or audit findings involving the records have been resolved.
  - Records for nonexpendable property acquired with federal funds shall be retained for a minimum of three years after its final disposition.
- The retention period starts from the date of the submission of the final expenditure report or, for grants and other agreements that are renewed annually, from the date of submission of the annual financial status report.
- Record retention for Accounting Records will be as follows:
  - Fiscal year-end financial reports are Permanent
  - Records affecting the title to real property are Permanent
  - Executed Contracts are Permanent
  - Claims, canceled checks, warrants, duplicate warrants, purchase orders, vouchers, duplicate receipts, utility and other financial records are Semi-permanent
  - Cash receipts subject to audit are Temporary
- In no event shall financial records be destroyed until completion of the City's financial audit
- Any destruction of records may only be conducted upon passage of a resolution by the City Council, with the advice of the City Attorney. Approval of the Idaho State Historical Society is only required, if the City wants to purge Historical records. At that time the Historical Society may want the documents to be transferred to their office.

RISK MANAGEMENT INSURANCE

The City of Idaho City is exposed to various risks of loss related to torts; theft, damage, and destruction of assets; errors and omissions; and natural disasters for which the City carries commercial insurance.

RESOLUTION NO. 2022-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IDAHO CITY APPROVING A NEW PERSONNEL POLICY MANUAL

WHEREAS, The City has at various dates in the past adopted various policies in regardsto personnel matters; and

WHEREAS, City Council has worked to develop a comprehensive Personnel Policy Manual that incorporates requirements of current federal and state laws and personnel management best practices; and

WHEREAS, City management will provide a copy of this manual to all current and future employees and will conduct training for all city employees regarding each provision of these policies subsequent to their adoption; and

WHEREAS, This resolution will replace all previously adopted personnel policies; and

WHEREAS, the City of Idaho City Personnel Policy document,

attached hereto as Exhibit A, has been reviewed by the City Attorney.

NOW, THEREFORE, BE IT RESOVLVED by the City Council of the City of Idaho City, Idaho that the Personnel Policy, a copy of which is attached hereto and incorporated in full verbatim, is hereby adopted for use by the City of Idaho City. All employees employed by the City of Idaho City shall abide by the terms and conditions 'contained herein.

PASSED BY THE COUNCIL of the City of Idaho City this day of , 2022.

APPROVED BY THE MAYOR of the City of Idaho City this day of , 2022.

_____

Kenneth Everhart, Mayor

ATTEST:

_____

Nancy L. Ptak, City Clerk/Treasurer

PO Box 130

Idaho City, ID 83631

Phone (208) 392-4584

City of Idaho City
Personnel Policy

Approved by the City Council

Date: March 9, 2022

WELCOME

It is our privilege to welcome you to The City of Idaho City. We wish you every success in your new job, and we hope that you quickly feel at home. This Personnel Policy was developed to describe some of the expectations we have for all of our employees and what you can expect from us. We hope that your experience here will be challenging, enjoyable, and rewarding.

Again, welcome!

City Council of the City of Idaho City

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I. THE ORGANIZATION FOR WHICH YOU WORK

The City is a political subdivision of the state of Idaho, though it is not a part of state government. The City Council serves as the governing body of the City, carrying out local legislative duties and fulfilling other obligations as required by law. The City Council is the general policymaker for the City and has primary authority to establish terms and conditions of employment with the City. The Mayor may appoint personnel to help carry out administrative responsibilities. As with all elected public officials, the Mayor and City Council are ultimately responsible to the voters of the City

Each employee should recognize that although he/she may serve as an employee supervised by the Mayor or department head, he/she remains an employee of the City, and not of the official who supervises his/her work. The terms and conditions set forth in this Policy, and in the resolutions and policy statements that support it, cannot be superseded by any other official, without the express written authorization of the City Council. That is particularly true for terms or conditions that would establish a current or future financial obligation for the City. You may, however, work for a department with an operational policy that provides additional direction to employees on expectations and procedures unique to that department.

II. YOUR EMPLOYMENT RELATIONSHIP WITH THE CITY

This Policy is designed to introduce you to the City, familiarize you with various policies, practices and procedures currently in effect at the City, and help answer many of the questions that may arise in connection with your employment.

This Policy is not a contract of employment and does not create a contract of employment. This Policy does not create a contract, express or implied, guaranteeing you any specific term of employment, nor does it obligate you to continue your employment for a specific period of time. Its purpose is simply to provide you with a convenient explanation of present policies and practices of the City.

All employees of the City are at-will and are employed at the discretion of the Mayor and/or the head of the department in which the employee works. Only a signed written contract authorized by the City Council can alter the at-will nature of employment regardless of anything written or spoken by the Mayor or supervisor. Employees have no right to continued employment or employment benefits, except as may be agreed to in writing and expressly approved by the City Council. All provisions of this Policy will be interpreted in a manner consistent with this paragraph. In the event of any irreconcilable inconsistencies, the terms of this paragraph will prevail.

The City reserves the right to modify any of the policies, benefit offerings, and procedures, including those covered in this Policy, at any time, without prior notice to, and consent of, city employees. Changes may be made in the sole discretion of the City Council.

III. EMPLOYEE CODE OF CONDUCT

Employees are expected to conduct themselves in a professional manner that is both civil and cooperative. City employees are public employees and therefore are exposed to additional public scrutiny in both their public and personal conduct. This Code of Conduct has been established to aid employees in understanding both expected and prohibited conduct. Violations of the Code of Conduct will be grounds for disciplinary action up to and including termination of employment. This list is illustrative and not all inclusive. Other behaviors and acts of misconduct not specifically detailed here may be grounds for disciplinary action as well. Nothing contained herein is intended to change the at-will nature of employment or limit the reasons for which an employee may be disciplined.

A. EXPECTED CONDUCT

Each employee is expected to conduct himself/herself in a professional manner. In order to accomplish this, each employee must:

1. Be respectful, courteous and professional. Work cooperatively and constructively with fellow workers and members of the public.

2. Be prompt and regular in attendance at work for defined work schedules or other required employer functions, and follow procedures for exceptions to the normal schedules, including the scheduling and taking of vacation and sick leave.

3. Comply with dress standards established in the department for which the employee works. In the absence of any departmental dress standards, clothing will be appropriate for the functions performed and will present a suitable appearance to the public.

4. Abide by all departmental rules and direction of a supervisor whether written or oral. No employee will be required to follow the directive of a supervisor that violates the laws of the local jurisdiction, state or nation.

5. Maintain the confidential nature of records that are not open to the public in accordance with the direction of the responsible official.

6. Maintain a current appropriate driver's license when work for the City requires the employee to drive a vehicle as part of his/her responsibilities. Each such employee must report any state-imposed driving restrictions to his/her immediate supervisor and notify his/her supervisor if his/her driving abilities are impaired.

7. Follow all workplace safety rules whether established formally by the department or by outside agencies.

8. Report all accidents that occur or are observed on the job, or that involve City property, and cooperate as requested in the reconstruction of any such accident.

9. Avoid conflicts of interests in appointments and working relationships with other employees, contractors and potential contractors in the City and related agencies.

10. Adhere to any code of ethics in the employee's profession.

B. Prohibited Conduct

Employees are expected to refrain from behaviors that reflect adversely upon the City, including:

1. Not initiate or participate, or encourage others, in acts or threats of violence, bullying, malicious gossip, spreading of rumors, or any other behavior designed to create discord and lack of harmony, or that willfully interferes with another employee's ability to do his/her job.

2. Not engage in abusive conduct or language, including profanity and loud, threatening or harassing speech, toward or in the presence of fellow employees or the public.

3. Not engage in conduct at or away from work that may reflect adversely upon the City or its officials or otherwise impair the employee's ability to perform.

4. Not engage in prolonged visiting with co-workers, children, friends or family members that interfere with work in the department in which the employee serves.

5. Not use work time for personal business, including the selling of goods or services to the general public.

6. Not use phones or computers in the workplace in a manner that violates policy or that disrupts workplace productivity, including time spent on social media.

7. Not use work time or public premises to promote religious beliefs to members of the public or fellow employees.

8. Not have non-City employment, or serve on any board or commission, that conflicts with duties performed for the City in any meaningful way. Individual offices/departments may determine permissible examples of outside employment.

9. Not knowingly make any false report or complaint regarding behavior of others or participate in such report or complaint.

10. Not release any public record, including personnel records, without the express authority of the public official responsible for custody of the record

11. Not use any substances, lawful or unlawful, that will impair the employee's ability to competently perform his/her work or threaten the safety and well-being of other workers or the public. If the employee is prescribed a medication that may impair the employee's ability to safely do his/her job, the employee is required to provide a physician's note explaining the possible effects of the medication on the employee's ability to do his/her job and the length of the time that the employee will be required to take the medication. The employee may be required to take leave while taking the medication.

12. Not destroy, alter, falsify or steal the whole or any part of a police report or any record kept as part of the official governmental records of the City (I.C. §§ 18-3201 and 18-3202).

13. Not engage in political activities while on duty. This rule does not apply to Elected Officials.

14. Not provide false or misleading information on employment applications, job performance reports or any other related personnel documents or papers.

15. Not engage in conduct that violates the laws of the state of Idaho, including but not limited to I.C. §18-1356 (accepting gifts that exceed a value of $50), I.C. §74-401 *et seq.* (Ethics in Government Act), I.C. §74-501 *et seq.* (Prohibitions Against Contracts) and I.C. §18-1359 (Using Public Position for Personal Gain).

16. Not accept gifts or gratuities in any personal or professional capacity that, although it may be legal, could create the impression that the giver was seeking favor from the employee or official in violation of I.C. § 18-1356 and I.C. § 18-1357.

17. Not engage in criminal conduct of any kind while on or off duty.

IV. WORKPLACE VIOLENCE

The City seeks to provide a violence-free workplace. Violence in the workplace poses a threat to the safety of employees and the public. The City will not tolerate acts and behaviors that are likely to result in workplace violence, including, but not limited to, abusive language, hitting or shoving, threats of bodily harm, threats or acts of violence, brandishing of an object which may be used as a weapon, sending threatening, harassing or abusive e-mail and faxes, using the workplace to violate protective orders and stalking.

All employees are responsible for minimizing workplace violence. All acts or threats of violence should be promptly reported to a supervisor, department head or the Mayor. Employees should also report situations that they believe could lead to workplace violence, including but not limited to protective orders or other no-contact orders.

Any employee who is determined to be responsible for acts or threats of violence, or other conduct listed in this section, will be subject to prompt disciplinary action up to and including termination of employment.

V. UNLAWFUL WORKPLACE DISCRIMINATION, HARASSMENT AND RETALIATION

The City strives to maintain a supportive and civil workplace—one in which employees treat each other with respect and dignity. In keeping with these values, the City prohibits and does not tolerate unlawful workplace discrimination, harassment or retaliation.

The following defined terms are applicable to this section:

Legally protected class means a personal characteristic that is protected by law. This includes race, color, national origin, religion, sex, age (40 and over), disability, or any other characteristic protected by law.

Participation in the workplace includes all aspects of being an employee at the City, including recruitment, hiring, job performance, performance reviews, training, development, promotion, demotion, transfer, compensation, benefits, educational assistance, layoff and recall, participation in social and recreational programs, termination and/or retirement.

A. Workplace Discrimination

Workplace discrimination is when one or more persons in a **legally protected class** are treated adversely with respect to their **participation in the workplace**. Adverse employment actions usually involve decisions made by supervisors, department heads, or Elected Officials that affect the workplace status and benefits of employees.

Illegal adverse employment actions may include, but are not limited to, not hiring a qualified applicant due to his/her age, not promoting an employee due to his/her religious beliefs, denying an employee a raise due to his/her race, disciplining an employee more harshly than others due to his/her sex, and terminating an employee due to his/her national origin.

B. Workplace Harassment

Workplace harassment is unwelcome conduct that is directed to one or more persons in a **legally protected class** that interferes with their **participation in the workplace**. The offensive conduct must be *severe or recurring* such that it creates a work environment that a reasonable person would consider intimidating, hostile or abusive. Petty slights, annoyance, and isolated incidents (unless extremely serious) will not rise to the level of illegality.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures.

C. Workplace Sexual Harassment

Sexual harassment is a specific type of workplace harassment. Since it is particularly destructive to the work environment it is more thoroughly addressed here.

Sexual harassment occurs when one or more persons are subject to unwelcome sexual advances, request for sexual favors, or other verbal, non-verbal, visual or physical harassment of a sexual nature that is so *severe or recurring* such that it creates a hostile or offensive work environment.

Sexual harassment includes sexually harassing others of the same and/or different gender, gender identity or gender expression.

Sexual harassment is unlawful whether it involves co-workers, supervisors, department heads, Elected Officials, or customers of the City.

Sexual harassment may include, but is not limited to:

1. Leering, making sexual gestures, or displaying derogatory and or sexually suggestive objects, pictures, cartoons, posters or drawings;
2. Sexually degrading language, derogatory comments, epithets, slurs, sexually explicit jokes or comments;
3. Verbal or non-verbal unwanted sexual advances or propositions;
4. Threatening or making reprisals after a negative response to sexual advances;
5. Offering employment benefits such as raises, promotions and job retention in exchange for sexual favors;
6. Unwanted physical conduct such as touching, massaging, pinching, patting, hugging; and
7. Physical interference with normal work or movement including impeding or blocking movement.

D. Hostile Work Environment

A hostile work environment is discrimination or harassment in the workplace in which comments or conduct based on a **legally protected class**, unreasonably interferes with **participation in the workplace**. To a reasonable person, the comments or conduct must be *severe or recurring* such that it creates an intimidating or offensive work environment. Isolated incidents, petty slights, occasional teasing or impolite behavior are generally not sufficient to create a hostile work environment.

Examples of a hostile work environment may include, but are not limited to, being subjected to daily racial slurs, recurring derogatory comments about job performance based on gender, continuous sexual advances or propositions, frequently receiving sexually explicit emails from a coworker, physical harassment like hitting, pushing, groping and other touching.

E. Workplace Retaliation

Workplace retaliation is when an employee is punished or negatively treated because the employee engaged in legally protected activity, including initiating a complaint of discrimination or harassment, providing information or assisting in an investigation or refusing to follow orders that would result in discrimination or harassment. Retaliation can result from employment action taken by a supervisor, department head, Elected Official or from acts of other employees.

Examples of conduct that might be considered retaliation for engaging in protected activity include assigning the employee to less desirable tasks or shifts in the office, denying an employee a promotion or raise, socially isolating an employee, playing practical jokes on the employee, and allowing other employees to be critical of an employee for participating in a workplace investigation into alleged discrimination or harassment.

F. RESPONSIBILITIES

1. Employee Responsibilities

   Employees should report incidents of discrimination, harassment, sexual harassment, hostile work environment or retaliation as soon as possible after the occurrence. Reporting should be made to any of the following:

   - Designated Official
   - Supervisor
   - Department Head
   - Human Resources Officer
   - Legal Counsel for the City

   If the employee's supervisor is the subject of the incident, the employee should instead report the incident to one of the other listed officials. Reporting should be made regardless of whether the offensive act was committed by a supervisor, co-worker, vendor, visitor or customer.

2. Supervisor Responsibilities

   All supervisors are expected to ensure that the work environment is free from unlawful discrimination, harassment, sexual harassment, retaliation or the development of a hostile work environment. They are responsible for the application and communication of this policy within their work areas. Supervisors should:

   - Encourage employees to report any violations of this policy before the harassment becomes *severe or recurring*.
   - Make sure the Human Resources Office is made aware of any inappropriate behavior in the workplace.
   - Create a work environment where sexual and other harassment, discrimination, or retaliation is not permitted.
   - Correct any behaviors they observe that could constitute unlawful discrimination, harassment, sexual harassment or hostile work environment.
   - Report any complaint of unlawful discrimination, harassment, sexual harassment, retaliation or hostile work environment to the Designated Official.

3. The City designates the city clerk, or his/her designee, as the Designated Official who will be responsible for directing the procedures of this policy.

G. PROCEDURE FOR REPORTING AND INVESTIGATING

The following steps must be followed to report and investigate incidents of unlawful discrimination, harassment, sexual harassment, retaliation, or the development of a hostile work environment.

1. A person who believes he/she has been unlawfully discriminated, harassed or retaliated against, or who observes or knows about behavior in the workplace that could be unlawful discrimination, harassment or retaliation, should report it to the Designated Official, his/her supervisor, department head, Elected Official, Human Resources Officer or legal counsel for the City. The individual receiving the report must then forward it to the Designated Official. If the Designated Official is the subject of the complaint, the report must then be forwarded to legal counsel for the City.

2. Once such a complaint has been made, the complaint cannot be withdrawn by the complainant without a determination that is was made erroneously.

3. The Designated Official should promptly review the complaint and consult with legal counsel for the City and the Human Resources Officer.

4. In appropriate circumstances, the person who is alleged to have committed the offense may be placed on paid or unpaid administrative leave pending a resolution of the allegations.

5. The Designated Official, in consultation with legal counsel for the City, should engage an appropriate person to investigate the complaint. The investigator should be a neutral party.

6. The investigator should interview the complainant, the person alleged to have committed the offenses, and any relevant witnesses to determine whether or how the alleged conduct occurred.

7. At the conclusion of the investigation, the investigator will submit a report of the findings to the Designated Official, who will then route it as appropriate.

8. The Designated Official and/or the appropriate supervisors and legal counsel for the City will meet separately with both the complainant and the person alleged to have committed the offenses to notify them in person of the findings of the investigation.

9. The complainant and the person alleged to have committed the offenses may submit written statements to the Designated Officials and/or supervisors challenging the factual basis of the findings. Unless circumstances prevent, the statement must be submitted no later than 5 working days after the meeting in which the findings of the investigation are discussed.

10. After the Designated Official and/or supervisors have met with both parties and reviewed the documentation, and after consultation with legal counsel for the City, a decision will be made as to what action, if any, should be taken by the Mayor or department head.

11. At the conclusion of this complaint procedure, the complainant should be informed that appropriate action, if any, has been taken. Because disciplinary personnel

matters are confidential, details of the specific discipline should not be shared with the complainant.

H. DISCIPLINARY ACTION

1. If it is determined that unlawful discrimination, harassment or retaliation has occurred, an appropriate course of action will be taken by the City. The action will depend on the following factors:

   a. The severity, frequency and pervasiveness of the conduct;

   b. The conduct of the respective employees;

   c. Prior complaints made against the person alleged to have committed the offenses; and

   d. The quality of the evidence (first-hand knowledge, credible corroboration etc.).

2. If problematic conduct is revealed in the investigation, corrective action may be taken even if the investigation is inconclusive or if it is determined that there has been no unlawful discrimination, harassment or retaliation.

I. CONFIDENTIALITY

Confidentiality will be maintained to the fullest extent possible in accordance with applicable federal, state and local law. However, a complete and thorough investigation of the allegations will require the investigator to inform witnesses of certain aspects of the complaint in order to obtain an accurate account of the actions of the parties involved. The City's insurer may also be engaged to assist in all phases of any proceeding or investigation.

VI. GENERAL POLICIES

A. ATTENDANCE AND PUNCTUALITY

It is important for employees to report to work on time and to avoid unnecessary absences. The City recognizes that illness or other circumstances beyond an employee's control may cause him/her to be absent from work from time to time. However, frequent absenteeism or tardiness may result in disciplinary action, up to and including discharge. Excessive absenteeism or frequent tardiness puts an unnecessary strain on co-workers and can have a negative impact on the success of the City.

Employees are expected to report to work when scheduled. Whenever an employee knows in advance that he/she is going to be absent, the employee should notify his/her immediate supervisor or the designated manager. If the absence is unexpected, the employee should attempt to reach his/her immediate supervisor as soon as possible, but in no event later than one hour before the employee is due at work. In the event the immediate supervisor is unavailable, the employee must speak with department head or his/her designated representative. If the employee must leave a voicemail, he/she must provide a phone number where the employee may be reached if need be.

B. SUBSTANCE ABUSE

The City recognizes alcohol and drug abuse as potential health, safety and security problems. The City expects all employees to assist in maintaining a work environment free from the effects of alcohol, drugs or other intoxicating substances. Compliance with this substance abuse policy is made a condition of employment, and violations of the policy may lead to discipline and/or discharge.

All employees are prohibited from engaging in the unlawful manufacture, possession, use, distribution or purchase of illicit drugs, alcohol or other intoxicants, as well as the misuse of prescription drugs on City premises or at any time and any place during working hours. While we cannot control the behavior of employees off the premises on their own time, we certainly encourage employees to behave responsibly and appropriately at all times. All employees are required to report to their jobs in appropriate mental and physical condition, ready to work.

Substance abuse is an illness that can be treated. Employees who have an alcohol or drug abuse problem are encouraged to seek appropriate professional assistance. Employees may inform their immediate supervisor, department head, or the Human Resources Office for assistance in seeking help, including possible coverage under the City's medical insurance plan, to address substance abuse.

When work performance is impaired, admission to or use of a treatment or other program does not preclude appropriate action by the City.

C. RELATIONSHIP POLICY

Any supervisor involved in a romantic relationship with a subordinate must immediately notify his/her superior of the existence of any such relationship. Efforts should be made to eliminate supervisory responsibility for one who is romantically involved with a subordinate. Employees involved in such relationship bear a responsibility to the City to cooperate in any effort to avoid the potential conflicts that can arise from such personal relationships in the workplace. Such relationship may result in a change of employment duties.

D. NO SMOKING POLICY

The City buildings and facilities are non-smoking in accordance with state and federal requirements. Use of tobacco products of any kind or e-cigarettes is not allowed within all indoor spaces of the City's buildings and facilities or in City vehicles. Smoking is only permitted outside of City buildings and facilities at least 50 feet away from entrances.

VII. EMPLOYEE DISCIPLINE

A. PERFORMANCE/DISCIPLINE FRAMEWORK

The following framework provides discipline options that may be taken when an employee violates employment policies or fails to adequately perform his/her duties. Nothing contained herein is intended to change the at-will nature of the employee's employment or limit the reasons for which the employee may be disciplined, including termination of employment. Progressive steps may be implemented in order to encourage improved performance or attitude but are not required. The City may take any of the following disciplinary actions, or any other action, in any order when a supervisor deems an action or performance of the employee to be serious enough to warrant a certain discipline.

B. DISCIPLINARY ACTIONS AVAILABLE

1. The following actions are among the disciplinary actions that may be taken in response to personnel policy violations or performance deficiencies:

   a. Oral warning

   b. Written warning or reprimand

   c. Suspension without pay

   d. Demotion

   e. Dismissal

2. Conditions of maintaining employment that relate to particular performance/behavior issues may be established in conjunction with any of these actions.

C. OPPORTUNITY TO BE HEARD—NAME-CLEARING HEARING

1. All employees are at-will. However, an at-will public employee who is being terminated, or demoted with a reduction in pay, based upon allegations of *dishonesty, immorality or criminal misconduct* is constitutionally entitled to a name-clearing hearing when one is requested.

2. Failure by the employee to pursue this hearing procedure constitutes a waiver of this opportunity.

3. Issues involving dishonesty, immorality or criminal misconduct are the only issues that will be heard in this procedure.

4. The procedure for the hearing is as follows:

a. Within 14 days of his/her termination or demotion, the employee may submit to the City Council a written request for a name-clearing hearing and state the basis for it.

b. A request for hearing will be denied if the employee misses the deadline for submittal of the request or does not state a valid reason. An employee will be notified if a requested hearing is either granted or denied.

c. An employee granted a hearing will meet with the City Council. The hearing will not exceed 1 hour in duration.

d. An audio recording of the hearing will be made and maintained as part of the personnel record.

e. The employee's supervisor may provide a brief written statement at least 24 hours prior to the hearing. The City Council may require the supervisor to participate in the hearing.

f. The employee will be provided an opportunity to present evidence upon which the claims are based.

g. The City Council may ask questions during this process.

h. The Idaho Rules of Evidence do not apply to this hearing.

5. After the hearing, the City Council will consider the information submitted, and other information as might be in the City's records, to arrive at a decision and will issue a written statement setting forth the reasons for the decision.

VIII. HIRING POLICIES

A. EQUAL EMPLOYMENT OPPORTUNITY

1. All selection of employees and all employment decisions, including classification, transfer, discipline and discharge, will be made without regard to race, religion, sex, age, national origin, or non-job-related disability, or any other characteristic protected by law. No job or class of jobs will be closed to any individual except where a mental or physical attribute, sex or age is a bona fide occupational qualification.

2. All objections to hiring or other employment practices will be brought to the attention of the Mayor, department head, supervisor or Human Resources Office, or in the case of objection to actions undertaken by any of them, to legal counsel for the City.

3. Employees can raise concerns and make reports without fear of retaliation. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

4. The City will endeavor to make reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in an undue hardship. An employee should advise either the department head, supervisor or Human Resources

Office if he/she requires an accommodation to enable the employee to perform the essential tasks of the job.

5. The City will also endeavor to make reasonable accommodations for its employees' religious needs and practices, including those related to appearance and observance of holidays. An employee should advise either the department head, supervisor or Human Resources Office if he/she requires accommodation for religious reasons.

B. PREFERENCE FOR HIRING FROM WITHIN

Qualified City employees may be given preference over outside applicants to fill vacancies in the work force without following the notice and selection procedures normally required for hiring new employees. If the internal preference process is used, it should be completed prior to seeking outside applicants for the position.

C. VETERAN'S PREFERENCE AND RIGHTS

1. The City will grant a preference to U.S. Armed Services veterans, or certain of his/her family members, in accordance with provisions of Idaho Code, Title 65, Chapter 5. In the event of equal qualifications for an available position, a veteran or family member who qualifies for the preference will be employed.

2. Employees who are qualified veterans returning to employment with the City following qualified military leave shall have the rights and responsibilities provided by Idaho Code §65-508 and the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. §4301, et seq. The returning veteran will be restored to his/her position with the same seniority, status and pay that he/she would have had if there had been no military leave. In addition, in accordance with the provisions of these laws, the veteran will not be discharged from his/her position without cause for a period of 1 year after the restoration of his/her employment with the City.

D. NEPOTISM/HIRING OF RELATIVE

1. No person will be employed by the City when the employment would result in a violation of provisions found in Idaho Code, including but not limited to I.C. Title 74, Chapter 4, I.C. §18-1359 and their successors. Any employment made in violation of these sections may be void. The appointment or employment of the following persons is expressly prohibited:

   a. No person related to the Mayor or a City Council member by blood or marriage within the second degree will be appointed to any compensated office, position, employment or duty; and

   b. No public servant, including Elected Officials and employees, will appoint or vote for the appointment of any person related to him/her by blood or marriage within the second degree to any compensated office, position, employment or duty. This means no one related within the second degree to anyone involved in any way in the hiring process can be hired and/or that no one related to an applicant within the second degree can take part in the hiring process.

2. An employee whose relative is subsequently elected may be eligible to retain his/her position and pay increases as allowed by relevant provisions of Idaho law, including Idaho Code § 18-1359(5).

IX. EMPLOYEE PERSONNEL FILES

A. Personnel Records

1. The official employee records for the City will be kept in the Human Resource Department or by the City Clerk.

2. The personnel files should contain records related to employee performance, employee status, and other relevant materials related to the employee's service with the City.

3. The employee's supervisor, Elected Officials and the employee himself/herself may contribute materials to the personnel files deemed relevant to the employee's performance.

B. Access to Personnel Files

1. Only the employee's supervisors, the Mayor, the City Council when acting as a board in the course of its official business, attorneys for the City, and the employee are authorized to view materials in a personnel file. Access of others to such files will be allowed only when authorized after consultation with legal counsel for the City.

2. Information regarding personnel matters will only be provided to outside parties with a release from the employee, when deemed necessary by legal counsel for the City, or pursuant to a Court order or a proper subpoena.

3. The City reserves the right to disclose the contents of personnel files to outside state or federal agencies, its insurance carrier or its carrier's agents for risk management purposes, or when necessary to defend itself against allegations of unlawful conduct.

4. Copies of materials in an employee's personnel file are available to that employee without charge, subject to exceptions provided by statutes.

C. Management of Information in Personnel Files

Each employee will be provided an opportunity to contest the contents of his/her personnel file at any time, by filing a written objection and explanation that will be included in the file along with the objectionable material. In the sole judgment of the Mayor, after consultation with legal counsel for the City, any offending material may be removed upon a finding by the City that it is false or unfairly misleading. In general, there is a presumption that materials are to remain in personnel files accompanied by the employee's written objection and explanation to provide a complete employment history. Any such approved removal of information will be documented in writing and maintained in the employee's personnel file.

X. EMPLOYEE CLASSIFICATION

For various reasons, employee status must be organized by classes in order to administer employee policies, benefits or otherwise address employment issues. It is generally the responsibility of the employee to assure that he/she is properly categorized for purposes of each issue or benefit type. The City will endeavor to assist with such matters, but the employee is ultimately responsible to assure that his/her service is properly addressed.

A. Employee Classification for Employment Status

1. All employees of the City, including part-time and temporary employees, are **at-will employees**, except as otherwise required by law or pursuant to a written contract approved by the City Council.

2. Employed Attorneys.

   Because the Idaho Rules of Professional Conduct govern the relationship between an attorney and his/her client, attorneys employed by the City are at-will employees. They serve at the pleasure of the Mayor and City Council and can be appointed or removed at their pleasure.

3. Appointed Officials.

   The city clerk, treasurer, and any other officials appointed pursuant to Idaho Code § 50-204 may only be removed pursuant to Idaho Code § 50-206.

B. Employee Classification for Benefit Purposes

The classification of the position an employee holds with the City may affect the status of obligations or benefits associated with his/her employment. The primary classes of employees are:

1. Elected Officials

   Elected Officials are not considered regular employees. Elected Officials receive employment benefits as identified in a resolution adopted by the City Council.

2. Full-Time Regular Employees

   Employees whose employment is sustained and continuing and whose typical work week consists of at least 30 hours are considered full-time regular employees. Full-time regular employees are eligible for employee benefits provided by the City.

3. Part-Time Regular Employees

   Employees whose employment is sustained and continuing and whose typical work week consists of less than 30 hours on a regular basis are considered part-time regular employees. Part-time regular employees may receive reduced employee benefits as authorized by the City Council and as required by federal and state law. The scope of benefits received may vary proportionately with the number of hours typically worked for a part-time regular employee. The number of hours worked may

also affect the employee's obligation to participate in certain mandatory state benefit programs. Certain benefits may not be available because qualifying thresholds have not been reached.

4. Temporary Employees

   Employees who work on an irregular, seasonal or temporary basis are temporary employees. Temporary employees receive no benefits provided to regular employees, except those required by law or authorized by the City Council.

XI. COMPENSATION POLICIES

A. Establishment of Employee Compensation

Employees are compensated in accordance with, and subject to, decisions of the City Council as annual budgets are set and are subject to increase, reduction, or *status quo* maintenance for any time period. The Mayor or department head may make suggestions about salary compensation and other pay system concerns, but the final decision regarding compensation policy rests with the City Council.

B. Compliance with State and Federal Pay Acts

The City will comply with all state and federal pay acts governing compensation of its employees.

C. Right to Change Compensation and Benefits

The City may change general compensation for any reason deemed appropriate by the City Council. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent city budget. Hours worked may be reduced or employees may be laid off as necessary to meet budgetary constraints or as work needs change.

D. Overtime/Compensatory Time Policy

1. In addition to the employee classifications set forth elsewhere in this policy, all employees are classified as exempt (salaried) or non-exempt (hourly) for purposes of complying with the federal Fair Labor Standards Act (FLSA). Exempt employees perform work that qualifies for the professional, executive or administrative exemption and do not qualify for overtime compensation. Employees should contact their department head or the Human Resources Office for further clarification of the employee's FLSA status.

2. Overtime for non-exempt, hourly employees will be allowed only when authorized by the appropriate supervisor or when absolutely necessary in an emergency. Employees may not work any hours outside of their scheduled work day unless the supervisor has given advanced authorization for the unscheduled work. Employees

may not start work early, finish work late, work during meal breaks or perform any other extra or overtime work unless they are authorized to do so, and it is reported on the employee's timesheet. Any employee who fails to report, or inaccurately reports, any hours worked will be subject to disciplinary action, up to and including termination.

3. Non-exempt employees entitled to overtime compensation will either accrue compensatory time or overtime pay, as established by policy adopted by the City Council. Compensatory time or overtime pay for work in excess of 40 hours per week, or in excess of the work period interval established for law enforcement officers or firefighters, will be computed at 1½ hours for each additional hour worked. The City Council has set a maximum accumulation of 40 hours of compensatory time. Any compensatory time over that amount will be paid in the next pay period unless otherwise approved by the Mayor.

4. Compensatory time may be used whenever required by a supervisor or when requested by an employee with the concurrence of a supervisor. Use of requested compensatory time will depend upon the ability of the department to tolerate a requested absence. If repeated requests to use compensatory time are denied by a supervisor, or reasonable opportunities to use such time are unavailing, an employee must be paid for such accrued time.

E. Reporting and Verifying Time Records

1. Each hourly employee is responsible to timely and accurately record time that he/she has worked in accordance with the procedures authorized by the City Council and the payroll office. Each report of non-exempt employees must be signed manually or electronically by both the supervisor and the employee and must contain a certification that it is a true and correct record of the employee's actual time worked and benefits used for the time period covered. Any changes to the time record made by a supervisor or the payroll office to correct mistakes must be acknowledged by the employee. Exempt employees may be required to document time worked or benefits used for accountability purposes.

2. Any employee concerned about his/her compensation, rate of pay, payroll status, deductions, *etc.*, must communicate such concerns to the payroll office or his supervisor as soon as any such concern becomes evident. Documentation of any such issue should be maintained in the employee's personnel file.

3. Employees may not falsify their own timesheet or alter another employee's timesheet in any way. Employees must not under- or over-report hours worked by themselves or other employees, or conceal any falsification of time records, even if instructed to do so by a supervisor, department head, an Elected Official or other person. If instructed to do so, the employee must immediately report it to legal counsel for the City.

F. Work Periods

1. The workweek for all non-law enforcement, non-exempt employees who are subject to the FLSA begins at 12:00 a.m. on Monday of each week and concludes at 11:59 p.m. of the succeeding Sunday.

2. The work period for sworn law enforcement officers and firefighters may be up to the 28-day work period allowed by the FLSA, 29 U.S.C. § 207(k), as adopted by the City Council.

G. Payroll Procedures and Paydays

1. Employees are paid bi-weekly throughout the year. Paychecks or direct deposit receipts are issued on every other Thursday. Paychecks compensate employees for work performed in the pay period preceding the week in which the check is issued.

2. Every effort will be made to ensure that employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. Each employee must monitor the accuracy of compensation received and review his/her paper or electronic paycheck stub when received to make sure it is correct. Information shown on the employee's paycheck stub is provided for information only. Actual practices regarding the issuance of paychecks and allocation of employee benefits must be consistent with official policy of the City. In the event of disagreement between the computer-generated paycheck stub and official policy, as interpreted by the City Council, the policy will prevail. Employees are obligated to call to the City's attention any such errors, whether to the advantage or disadvantage of the employee. When mistakes are made and are called to the City's attention, the City will correct the mistake as soon as possible.

H. Compensation while Serving on Jury Duty or as a Witness in a Court Proceeding

1. The City encourages employees to fulfill their civic responsibilities by serving on jury duty when required. Leave will be granted, and full pay provided, to employees called to serve as a court witness in matters specifically related to City operations, or called to serve on jury duty.

2. Employees must show the jury duty summons or notice to their supervisor as soon as possible so that the supervisor can make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

I. Military Leave

An unpaid leave of absence will be granted to an employee to participate in ordered and authorized field training in accordance with Idaho Code §§ 46-407 and 46-409, and the Uniformed Services Employment and Reemployment Rights Act (USERRA).

J. Payroll Deductions

No payroll deductions will be made from an employee's paycheck unless authorized in writing by the employee, or as required by law (Idaho Code § 45-609).

K. Travel Expense Reimbursement

An employee on approved City business will be reimbursed for expenses incurred in completing his/her assignment in accordance with the policies established by the City Council. Each employee is responsible for providing verified receipts for any expenses for which reimbursement is requested.

L. On-the-Job Injuries

1. Employees are covered by worker's compensation insurance for on-the-job injuries. All on-the-job injuries must be reported to the employee's supervisor as soon as practicable so that a worker's compensation claim can be filed. Return to employment will be authorized on a case-by-case basis in consultation with the supervising official and the State Insurance Fund, and may require a fitness for duty medical review. Concerns associated with injured worker status may be brought before the Mayor or Human Resources Office for review.

2. The City will handle worker's compensation claims for sworn law enforcement officers pursuant to Idaho Code, Title 72, Chapter 11.

XII. EMPLOYEE BENEFITS

The City offers a number of employee benefits for full-time and part-time regular employees. These benefit offerings are subject to change or termination in the sole discretion of the City Council. Each benefit offering is subject to the specific terms of its respective insurance policy and/or official resolution of the City Council.

A. Vacation Leave

1. Vacation leave is available to full-time and part-time regular employees who have completed the equivalent of 12 months of full-time employment. Vacation leave accrues at the following rate for length of service for employees who typically work at least 30 hours per week:

Length of Service	Vacation Accrual
1 to 2 years	40 hours/year
3 to 5 years	80 hours/year
6+ years	120 hours/year

Employees who typically work less than 30 hours per week, accrue leave in proportion to the number of hours worked.

2. Vacation leave can only be accrued up to the maximum of 120 hours. Once an employee reaches accruals of that amount, no additional vacation leave will accrue until the employee's accrued hours are reduced below the maximum.

3. Vacation leave is to be scheduled with consent of the responsible department supervisor. Efforts will be made to accommodate the preference of the employee in vacation scheduling, but first-priority will be the orderly functioning of affected departments. Upon separation from employment, unused vacation leave up to the maximum allowed accrual will be compensated by lump-sum payment at the then-current hourly or daily rate.

B. Sick Leave

1. Sick leave benefits are provided to regular full-time employees at the rate of 8 hours per month. Part-time regular employees accrue sick leave per month at the rate of 1/5 of the hours worked in a typical week. Sick leave is a benefit to provide relief to the employee when an illness or injury prevents the employee from working productively or safely, or when an immediate family member's (spouse, child, parent) illness presents no practical alternative for necessary care. Sick leave must be requested at least within two hours of the time the scheduled work period is to begin, unless circumstances outside the control of the employee prevent such notice. The City may require the employee to provide a doctor's note, or require, at the City's expense, an independent review of reported illness by a competent medical authority.

2. Sick leave can only be accrued up to the maximum of 320 hours. Once an employee reaches the maximum accrual, no additional sick leave will accrue until the employee's accrued hours are reduced below the maximum.

3. Sick leave benefit recipients will receive their normal compensation when using sick leave. All unused sick leave will be forfeited without compensation upon separation from employment.

C. Holidays

Eleven official holidays are provided for full-time regular employees. Full-time regular employees receive compensation for that day even though they do not work. Holidays which fall on Saturday will be observed on the preceding Friday. Those which fall on

Sunday will be observed on the succeeding Monday. The holiday schedule may be changed at any time by the City Council.

Full-time regular employees who work on holidays will be scheduled to receive a substitute holiday with pay within 60 days of the date of the holiday they worked. Unscheduled emergency work on holidays will be compensated at a rate of 1½ times the employee's regular rate of pay.

Recognized Holidays:

Juneteenth	
New Year's Day	Labor Day
Martin Luther King, Jr./Human Rights Day	Columbus Day
Presidents' Day	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

D. Bereavement Leave

Up to one week of pay in proportion to the number of hours worked will be provided for a death in the immediate family (spouse, parents, grandparents, children, grandchildren, brothers and sisters, including in-laws). Employees have the right to use accrued vacation leave beyond the leave of absence allowed by this section.

E. Leaves of Absence

Up to 30 days of unpaid leave of absence can be granted by the Mayor for any justifiable purpose. Paid leave in any amount or unpaid leave in excess of 30 days will require written approval of the City Council.

F. Benefits for Temporary Employees

All temporary employees will receive benefits as required by law, including worker's compensation insurance. All other benefits are to be determined in the discretion of the City Council.

G. Insurance Coverage Available to Employees

Various insurance benefits are available to employees and family members in accordance with the terms and conditions of the City's contract for such services. The Human Resource Office should be contacted to learn of sign-up and claims procedures. Other insurance offerings may be available at employee or shared expense.

H. Retirement Program Offering

The City participates in the retirement program of the Public Employees Retirement System of Idaho (PERSI) and with Social Security (FICA). PERSI requires the City to withhold a percentage of an employee's gross salary for pension purposes, and to contribute an additional larger amount on behalf of the employee. Contact the Human Resource Office for further information.

I. Transfer of Benefits with Employee Transfer

Accrued benefits continue when the employee transfers from one department to another within the City. However, upon such transfer, the employee is only eligible for those benefits authorized for the particular position and employment status.

J. Miscellaneous Benefits

In addition to the benefits listed on the previous pages, the following are examples of miscellaneous benefits, subject to change in the sole discretion of the City Council, that may be available to employees for participation in accordance with the terms of their respective policy or agreement:

1. Deferred compensation plans handled by payroll deduction.
2. Credit union participation.
3. Employee-requested deduction programs.
4. Allowance for uniforms, tools, equipment, etc.
5. Parking privileges.
6. Training and higher education reimbursement or tuition refund.

XIII. Family Medical Leave Act (FMLA)

A. Eligibility Requirements

To be eligible for FMLA benefits, prior to any leave request, the employee:

1. must have worked for the City for at least 12 months;
2. must have worked at least 1,250 hours for the City during the previous 12 months; and
3. the City must employ at least 50 employees within 75 miles of the employee's workplace.

B. Employees Not Eligible

Since the City does not employ at least 50 employees, FMLA DOES NOT apply to City employees, and they are not entitled to 12 weeks of job-protected FMLA leave.

XIV. AMERICANS WITH DISABILITIES ACT

A. Eligibility

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) prohibit employers with 15 or more employees from discriminating against individuals with disabilities.

B. Reasonable Accommodation

The City will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job, unless:

1. doing so causes a direct threat to these individuals or others in the workplace, and the threat cannot be eliminated by reasonable accommodation; or
2. the accommodation creates an undue hardship to the City.

Employees should contact their supervisor or the Human Resources Office with any questions or requests for accommodation.

XV. FITNESS FOR DUTY EXAMS

A. Safe Work Environment

The City is committed to maintaining a safe and productive workplace. Every employee is required to report to work fit to perform his/her job in a safe, appropriate and effective manner.

B. Conditions for Exam

The City may require a fitness for duty evaluation as part of a physical exam of the employee to determine the employee's physical, mental and emotional readiness to perform the essential functions of his/her job with efficiency and safety for himself/herself and others. Fitness for duty evaluations may be done in the following circumstances:

1. following a conditional offer of employment;
2. prior to return to work following a leave related to injury or illness;

3. when an employee expresses concern about his/her ability to perform the functions of his/her job; or

4. when there is reasonable belief that the employee cannot safely perform the functions of his/her job.

XII. IDAHO WHISTLEBLOWER PROTECTION

A. Scope

Idaho Code, Title 6, Chapter 21, provides protections to public employees who experience adverse employment actions as a result of the good faith reporting of the existence of any waste of public funds, property or manpower, or of a violation, or suspected violation, of law, rule or regulation of the City, state of Idaho or the United States of America.

B. Reporting

Any such report must be made at a time, and in a manner, which gives the City a reasonable opportunity to correct the waste or violation.

C. Protection

The City may not take adverse action against an employee because the employee in good faith reports the suspected waste or violation, or participates or gives information in an investigation, hearing, court proceeding or any other form of administrative review of the report.

D. Enforcement of Rights

If the employee believes that he/she has experienced an adverse employment action protected by the Whistleblower Act, he/she may bring a civil action in District Court within 180 days of the occurrence of the violation of the Act.

XIII. CANDIDACY FOR ELECTIVE OFFICE

A. First Amendment

While the City recognizes that the First Amendment provides Constitutional protections for the political activity of its employees, it also recognizes that this right is not absolute when balancing the right of the individual to become a candidate for office and the City's interest in promoting the efficiency of the public services it performs through its employees.

B. Reasonable Prediction of Disruption

1. If an employee initiates candidacy against an Elected Official and there is a reasonable prediction of disruption, the employee must resign or face possible

employment action, including being placed on an unpaid leave of absence or termination.

2. A reasonable prediction of disruption is based upon any of the following factors:

   a. The size of the department in which the employee works—the smaller the department, the greater the likelihood of disruption;

   b. Whether the employee candidate holds a position of trust and confidence to the incumbent—the closer the ties, the greater the likelihood of disruption;

   c. Whether the employee candidate is running for a position in which he/she would replace or become superior to his/her current supervisor—in such circumstances the likelihood of disruption would be greater; or

   d. The nature of the relationship between the employee candidate and the incumbent and the degree of contact they have with one another—the greater the amount of contact and interaction, the greater the likelihood of disruption.

   e. Not all of the above factors must be met to find a reasonable prediction of disruption.

C. Evaluation and Action

1. The Elected Official should consult with legal counsel for the City in determining whether there exists a reasonable prediction of disruption and the appropriate employment action to take.

2. The Elected Official should set out in writing the factual basis for finding that there exists a reasonable prediction of disruption using the above factors and his reasoning for taking the specific action. The written findings should be provided to the employee and placed in the employee's personnel file.

3. All other applicable procedures that allow an opportunity to be heard, as set out in this policy, will apply.

XIV. SEPARATION FROM EMPLOYMENT

A. REDUCTIONS IN FORCE (RIF)

When financial circumstances or changes of workload require, the City may reduce forces in such manner as it deems necessary to maintain the effective functioning of the City services. Employee assignments may be affected by reductions in force made due to economic conditions or to changes in staffing and work needs. The Mayor, in conjunction with the City Council, may make any changes in the work force or assignment of resources deemed to be in the City's best interests.

B. COBRA BENEFITS

Employees who currently receive medical benefits and who resign or are terminated from their employment may be eligible to continue those medical benefits for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Employees with questions regarding the right to continue health coverage after termination of their employment should contact the Human Resources Office.

C. EXIT INTERVIEW

Each employee who terminates from employment is encouraged to participate in an exit interview with the designated representative of the City. In such interview, the City should notify the employee when certain benefits will terminate, when final pay will be issued and review the process to receive COBRA benefits. The employee should be invited to inform the interviewer about his/her impressions of employment. An employee exit form may be completed and will be retained in the employee's personnel file.

D. RESIGNATION POLICY

1. Written and oral resignations are effective upon receipt by a supervisor or Elected Official. Oral resignations should be documented by the supervisor after consultation with the Mayor or department head. Evidence of the written or oral resignation should be provided to the employee and placed in the employee's personnel file.

2. Employees who have an unexcused or unauthorized absence of 3 or more working days in a row may be considered to have resigned through abandonment of his/her position. If an employee's words or actions indicate an intent to resign, including having an unexcused or unauthorized absence of 3 or more working days in a row, the City will consider the employee as having resigned and immediately notify him/her of such.

ADOPTED by the City Council on the ____ day of _____, 20____.

_____ _____

Mayor Date

Attest: _____

Clerk

APPENDIX "A"

ACKNOWLEDGMENT OF RECEIPT OF the City of Idaho City City PERSONNEL POLICY

I, _____ acknowledge receipt of the _____ Personnel Policy, adopted on _____.

- ☐ I understand that it is my responsibility to read and review this Policy.
- ☐ I understand that I am an at-will employee of the City, that this Policy is not an employment contract, that none of the provisions of this Policy can create a contract and that the Policy is not a guarantee of any particular length or term of employment.
- ☐ I understand that I am obligated to perform my duties of employment in conformance with the provisions of this Personnel Policy I and any additional rules, regulations, policies or procedures imposed by the department in which I work whether or not I choose to read the new Policy.
- ☐ I understand that this Policy may be modified without prior notice to me.
- ☐ I understand that should this Policy be modified that I will be provided with a copy of the modifications.
- ☐ I understand that this Policy may be provided to me in either paper format or by electronic access.

DATED this _____ day of _____, 20____.

_____

(Employee)

I, _____, provided a copy (either electronically or by paper) of the [Snake River] City Personnel Policy, as adopted by the City Council on _____ to _____, on this _____day of

_____, 20____.

_____

(Name - Title - Department

ICRMP

Idaho Counties Risk Management Program, Underwriters

3100 Vista Avenue, Suite 300

P.O. Box 15249 Boise, ID 83715

(208) 336-3100 · 1-800-336-1985 · Fax (208) 336-2100

Gmail

Nancy L Ptak <idahocityclerk@gmail.com>

customer service

Idaho City Mayor 1 <idahocitymayor1@gmail.com> Tue, Mar 8, 2022 at 10:05 PM
To: Nancy L Ptak <idahocityclerk@gmail.com>

I think it looks good, just a couple of places that the wording isn't really clear.
Section 1.5 first sentence
Section 2.2 first sentence of second paragraph.

Kenny

Sent from my iPad

On Mar 8, 2022, at 4:04 PM, Nancy L Ptak <idahocityclerk@gmail.com> wrote:

[Quoted text hidden]
<Customer Service Policy.docx>

RESOLUTION NO. 2022-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IDAHO CITY APPROVING A COMMUNICABLE DISEASE POLICY

WHEREAS, City Council has worked to develop a comprehensive Communicable Disease Policy that incorporates requirements of current federal and state laws and personnel management best practices; and

WHEREAS, City management will provide a copy of this policy to all current and future employees and will conduct training for all city employees regarding each provision of these policies subsequent to their adoption; and

WHEREAS, the City of Idaho City Communicable Disease Policy document,

attached hereto as Exhibit A, has been reviewed by the City Attorney.

NOW, THEREFORE, BE IT RESOVLVED by the City Council of the City of Idaho City, Idaho that the Communicable Disease Policy, a copy of which is attached hereto and incorporated in full verbatim, is hereby adopted for use by the City of Idaho City. All employees employed by the City of Idaho City shall abide by the terms and conditions 'contained herein.

PASSED BY THE COUNCIL of the City of Idaho City this day of , 2022.

APPROVED BY THE MAYOR of the City of Idaho City this day of , 2022.

_____

Kenneth Everhart, Mayor

ATTEST:

_____

Nancy L. Ptak, City Clerk/Treasurer

City of Idaho City Communicable Disease Policy

add approved line _____
date

PO Box 130
Idaho City, ID 83631
Phone (208) 392-4584
EMAIL: idahocityclerk@gmail.com

Published by:

ICRMP

Idaho Counties Risk Management Program, Underwriters
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www.icrmp.org

Version: March 2021

Contents

1. **Definitions**:

   a. ***Confirmation of Having or Not Having the Disease*** means an ***employee*** receives confirmation that he/she does or does not have the disease by undergoing qualified testing as recommended and/or directed by public health authorities.

   b. ***Communicable Disease (also referred to herein as "the disease")*** means an illness caused by an infectious agent or its toxins that occurs through the direct or indirect transmission of the infectious agent or its products from an infected individual or via an animal, vector or the inanimate environment to a susceptible human host.

   c. ***Employee*** means any person employed full-time or part-time by (city/county/other).

   d. ***Employer***: means city/county/other.

   e. ***Public health authorities*** mean a governmental or quasi-governmental public health-oriented agency or body responsible for providing guidance and instruction on ***communicable diseases***. Examples of these public health authorities are the Centers for Disease Control (CDC) and local Public Health Districts.

   f. ***Quarantine*** means a state of isolation in which people who have been exposed or potentially exposed to the disease are secluded to avoid exposing others to the disease.

   g. ***Workplace*** means a location where the ***employee*** normally performs the functions of his or her job.

2. **Declaration of Communicable Disease Emergency**

   Employer may declare a ***communicable disease*** emergency at any time based on the presence or threatened presence of a ***communicable disease*** within ***employer's*** borders, boundaries, or areas of operation. ***Employer's*** decision to declare a ***communicable disease*** emergency may be based on the direction and recommendations of ***public health authorities*** but shall not be bound by the same. ***Employer*** may declare a ***communicable disease*** emergency whenever a ***communicable disease*** affects or threatens to affect the health and safety of ***employees*** and/or members of the public within ***employer's*** borders, boundaries, or areas of operation.

3. **Screening of Employees**

   Employer may conduct screening of ***employees*** entering the ***workplace*** to protect against the spread of the disease in the ***workplace***. Such screening may include ***employees*** being asked whether they have the disease, whether they have symptoms of the disease, and whether they have been tested for the disease. ***Employees*** may also be asked whether they have come into contact with anyone who has been diagnosed with the disease or who may have symptoms of the disease. Such screening may also include ***employees*** having their temperatures taken and other similar steps. ***Employer*** may also administer testing for the disease to determine whether ***employees*** entering the ***workplace*** have the disease.

An ***employee*** who refuses any screening measures, including answering the questions set forth above, may be excluded from the ***workplace***. ***Employees*** who refuse screening measures will be required to use paid time off and will not be eligible for emergency paid sick benefits if available. ***Employer*** may require an ***employee*** to leave the premises if the screening process indicates the person has or may have the disease.

If an ***employee*** calls in sick the ***employer*** may ask the ***employee*** the screening questions above. Additionally, if an ***employee*** has missed work, the ***employer*** may ask the ***employee*** why he/she has missed work.

In addition to the requirements above, ***employees*** are required to self-report any positive test or diagnosis of the disease to ***employer***, as well as any known or suspected exposure to someone with the disease, and any symptoms of the disease.

If ***public health authorities*** have recommended ***quarantine*** for people who travel to specific locations, ***employees*** must notify ***employer*** if they have traveled to any such location during applicable ***quarantine*** periods for those locations. If the ***employee*** has traveled to one of these locations, ***employer*** may direct the ***employee*** to stay away from work premises for the prescribed ***quarantine*** period. Such requirements will only apply to personal travel during the ***communicable disease*** emergency.

All such screening will be confined to those measures prescribed by ***public health authorities*** and consistent with legal limitations. All information obtained from screening will be kept confidential.

4. Attendance and Time Off

Unless otherwise directed by ***employer***, ***employees*** are expected to perform the duties of their positions as they normally would despite the presence or potential presence of the disease. However, ***employer*** understands that ***employees*** may be impacted by the disease in ways that necessitate their being away from work at times. The utilization of vacation and/or sick days due to the disease applies to ***employees*** who become sick with the disease as well as those who undergo ***quarantine*** because of exposure or potential exposure to the disease. Accordingly, ***employees*** may utilize ***employer's*** vacation and sick leave benefits for time off due to the disease as set forth below.

a. Infection: Time off for ***employees*** who are confirmed as having the disease shall be given as follows: ***Employees*** who are confirmed as having the disease may immediately begin taking sick leave. This leave will continue until ***employee*** provides written clearance from a health care professional stating that ***employee*** is fit to return to his/her job. ***Employer*** may also allow an ***employee*** to return to work under guidelines provided by ***public health authorities***.

b. Quarantine: Time off for ***quarantine*** shall be limited to the number of days prescribed by ***employer*** based on recommendations by ***public health authorities*** at the time of the ***quarantine***. At the end of the ***quarantine*** period ***employee*** must return to work unless the ***employee*** has been confirmed as having the disease and further time off is recommended by a health care provider.

c. Leave to Avoid Exposure: ***Employees*** who have not been exposed or potentially exposed to the disease may not utilize sick leave days to avoid exposure to the disease. ***Employees*** may utilize vacation days for the purpose of avoiding exposure only with approval from the ***employer***. The decision to grant vacation days for this purpose will be made by ***employer*** based on the needs of the ***employee***'s department and that department's ability to function efficiently and properly in the ***employee***'s absence.

d. Leave to Care for Family Members:

(IF EMPLOYEE IS FLMA-ELIGIBLE) ***Employees*** may use ***employer's*** vacation or sick leave benefits to care for immediate family members affected by the disease if eligible to do so under the Family and Medical Leave Act (FMLA). To do so, ***employees*** should make a request for FMLA leave with ***employer's*** human resources department as directed by ***employer's*** normal FMLA policy.

(IF EMPLOYEE IS NOT FMLA-ELIGIBLE) Unless otherwise provided by law, ***employees*** should refer to ***employer's*** emergency leave policy regarding taking leave to care for family members.

e. Employer Required Time Off

Employer may require an ***employee*** to take time off under this policy in the event an ***employee*** is confirmed as having the disease, has been exposed to the disease, or has potentially been exposed to the disease. In this event the ***employee*** shall be charged for sick or vacation leave unless ***employer*** directs otherwise.

f. Returning from Time Off

Employees who have taken time off due to the disease must return to work when their leave expires except as directed otherwise in this policy or by ***employer***. ***Employees*** whose leave has expired who refuse to return to work may be considered as having abandoned their position.

g. Discretionary Leave and Unpaid Time Off

In the event an ***employee*** has no remaining vacation or sick days and needs to take time off related to the disease, the ***employer*** may allow the ***employee*** to take discretionary leave in which the ***employee*** does not report to work but continues to be paid. The ***employer's*** decision to grant discretionary leave will be made on a case-by-case basis and will be based primarily upon the financial ability of ***employer*** to grant such leave as a general practice. In the event ***employer*** does not grant discretionary leave, ***employer*** may, but is not required to, allow the ***employee*** to take unpaid leave. Such unpaid leave will be considered by the ***employer*** on a case-by-case basis.

h. State and Federal Laws

Employer will adhere to all state and federal laws governing ***employee*** leave and pay during times of emergency, including any laws enacted specifically for the disease.

i. Accommodations

Employer may provide accommodations to ***employees*** that vary from the terms above. Any ***employee*** who believes they need an accommodation should contact human resources to make a request.

5. Stay-At-Home Orders

In the event ***employer*** is prohibited from having its ***employees*** enter the ***workplace*** by order of the State, ***employer*** will comply with this order and all ***employees*** (except those exempted) should remain at home until such time as they are directed to return to work. In this event, ***employer*** will make separate provisions and issue directives to its ***employees*** regarding this event and what ***employees*** should do.

Once a stay-at-home order has been rescinded, ***employees*** must return to the ***workplace*** unless otherwise authorized by ***employer***.

6. Working Remotely

As a way of preventing the spread of the disease in the ***workplace***, and/or to enable an ***employee*** who is unable to be in the ***workplace*** to continue working, ***employer*** may allow an ***employee*** to perform his or her job duties remotely. However, the decision by ***employer*** to allow an ***employee*** to work remotely shall be made on a case-by-case basis, and shall be based on the needs of the ***employee***'s department, the feasibility of allowing the ***employee*** to work remotely (including technical and logistical considerations), the security of the ***employee***'s remote location in light of the ***employee***'s job duties and the sensitivity of those duties, and other considerations.

Employees must obtain authorization to work in a remote location other than the original location approved.

Employees who are allowed to work remotely may be required by ***employer*** to come into the ***workplace*** when ***employer*** deems it necessary. ***Employer*** may require the ***employee*** to return to working in the ***workplace*** at any time.

7. High Risk Employees

Employees who are deemed by ***public health authorities*** to be at an increased risk of becoming infected with the disease are urged to consult with their physicians regarding steps they should take to protect their health. Such ***employees*** may request accommodations due to their status with human resources. However, all accommodations will be considered on a case-by-case basis and considering legal requirements and ***employer's*** ability to grant such accommodations without undue hardship.

8. Confidentiality of Employee Health Information

If an ***employee*** tests positive for the disease, ***employer*** may inform fellow ***employees*** of their possible exposure to the disease if applicable. However, ***employer*** will maintain confidentiality with respect to ***employee***'s health condition as required by applicable laws.

9. Masks and other preventative measures in workplace

The ***employer*** may issue directives for the wearing of masks and/or other personal protective equipment (PPE) in the ***workplace*** to stop the transmission of the disease. Such a directive will be made based on the guidance of ***public health authorities*** and may be amended from time to time as determined by ***employer***. A directive from ***employer*** regarding masks and other PPE will apply to all ***employees*** of ***employer*** except those specifically exempted.

Once a mask directive has been issued, ***employees*** who are unable to wear a mask for any reason should consult with human resources as soon as possible. ***Employees*** may be asked to provide documentation from a health care provider regarding their inability to wear masks or other PPE. ***Employees*** who are unable to wear masks in the ***workplace*** may be required to perform their duties in alternative workspaces, work remotely, or to take leave with or without pay depending on individual circumstances.

Employer may also take additional steps to prevent the spread of the disease in the ***workplace*** such as requiring social distancing, installation of protective barriers, and other measures. ***Employees*** are expected to adhere to all such requirements put in place unless excepted from doing so by ***employer***.

Because the wearing of masks and/or other PPE is meant to prevent the spread of the disease and represents an important part of protecting ***employees*** and members of the public in the ***workplace***, ***employees*** who have not been exempted from wearing masks or other PPE by ***employer*** and who refuse to follow the ***employer's*** directives regarding the same may be subject to discipline. The same applies to ***employees*** who refuse to observe or follow other requirements put in place to prevent the spread of disease in the ***workplace***.

10. ADA/Accommodations

Employer will adhere to all requirements for accommodations as set forth in the Americans with Disabilities Act (ADA). ***Employees*** who wish to request accommodations that will enable them to fulfill the essential functions of their jobs should make such requests through their human resources office.

11. Vaccinations

Employer may implement a separate policy governing ***employee*** vaccination for the disease.

12. Employee Travel

Employer may restrict ***employee*** travel for official purposes during the ***communicable disease*** emergency period. Such restrictions will be communicated by ***employer*** to all affected ***employees***.

13. Workplace Hygiene and Cleaning Practices

Employer may institute policies and procedures regarding ***employee*** hygiene and the cleaning of workspaces based on the recommendation of ***public health authorities***. ***Employer*** may require ***employees*** to take certain steps with respect to personal hygiene and

environmental cleanliness to maintain a clean and safe ***workplace*** to help prevent the spread of the disease.

14. <u>Exceptions to Policy</u>

This policy shall not apply to any ***employee*** or class of ***employees*** specifically designated by ***employer***. ***Employer*** may add or remove any ***employee*** or class of ***employees*** to or from this designation at any time.

15. <u>Violations of Policy</u>

Because the steps set forth in this policy are necessary for ***employer*** to prevent the spread of the disease and to protect ***employees*** and members of the public in the ***workplace***, an ***employee*** who intentionally fails to follow the provisions in this policy may face discipline up to and including termination. Additionally, ***employees*** who knowingly provide false information to ***employer*** regarding the directives in this policy, including for the purpose of obtaining benefits, may face the same discipline.

ACKNOWLEDGEMENT OF COMMUNICABLE DISEASE POLICY

I, _____, acknowledge that I have read ***employer's*** Communicable Disease Policy and that I understand it and agree to comply with it. I further acknowledge and understand that it is my responsibility to be familiar with the terms of this policy and to abide by them. I understand that I may be subject to disciplinary action for failing to adhere to these terms.

Signature: _____

Printed Name: _____

Date: _____

RESOLUTION NO. 2022-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IDAHO CITY APPROVING A SOCIAL MEDIA POLICY

WHEREAS, City Council has worked to develop a comprehensive Social Media Policy that incorporates requirements of current federal and state laws and personnel management best practices; and

WHEREAS, City management will provide a copy of this policy to all current and future employees and will conduct training for all city employees regarding each provision of these policies subsequent to their adoption; and

WHEREAS, the City of Idaho City Social Media Policy document,

attached hereto as Exhibit A, has been reviewed by the City Attorney.

NOW, THEREFORE, BE IT RESOVLVED by the City Council of the City of Idaho City, Idaho that the Social Media Policy, a copy of which is attached hereto and incorporated in full verbatim, is hereby adopted for use by the City of Idaho City. All employees employed by the City of Idaho City shall abide by the terms and conditions 'contained herein.

PASSED BY THE COUNCIL of the City of Idaho City this day of , 2022.

APPROVED BY THE MAYOR of the City of Idaho City this day of , 2022.

_____

Kenneth Everhart, Mayor

ATTEST:

_____

Nancy L. Ptak, City Clerk/Treasurer

City of Idaho City

Social Media Policy

Approved by the City Council

Date: _____

I. INTRODUCTION

A. This policy provides guidelines for the use, management, administration, and oversight of City of Idaho City-owned social media for official use. It also provides guidelines for employees' personal use of social media both at work off-duty.

B. Social media come in many forms and include any method that facilitates electronic communications, including internet forums, blogs, online profiles, wikis, podcasts, pictures, video, email, instant messaging, music sharing, voice over IP, as well as social websites or online communities for business and personal use, such as Facebook, LinkedIn, Yelp, YouTube, Google+, Flickr, Pinterest, Path, Picasa, Twitter, message Boards and chat rooms, among others.

II. City of Idaho City MEDIA ACCOUNT ACCESS

A. Creation and use of social media forums on behalf of the City of Idaho City are allowed when there is a clear public entity purpose.

B. All City of Idaho City-authorized social media must only be created with a City of Idaho City email account and shall be authorized by the mayor and belong to the City of Idaho City. They are overseen and managed at the department level by authorized supervisors.

C. Specific employees shall be authorized in writing to use the particular social media account on behalf of the City of Idaho City and department, and are the only individuals permitted to access, manage, publish, comment and/or post on behalf of the City of Idaho City on the media. These employees must conduct themselves at all times in accordance with all applicable City of Idaho City policies.

D. All posts on City of Idaho City social media must be in accordance with this policy and must be monitored by the department. Departments must be able to edit or remove content in violation of this policy.

E. Authorized employees must not share personal information about him/herself, other City of Idaho City employees or citizens on the social media.

F. Whenever possible, City of Idaho City social media should link back to the official City of Idaho City website for forms, documents, online services and other information for conducting business with the City of Idaho City.

G. Content on social media forums must abide by all applicable federal, state, and local laws, regulations and policies, including copyright, trademark and printed material laws.

III. SOCIAL MEDIA CONTENT

A. Users of City of Idaho City social media forums must be notified on the forum site that:

1. The intended purpose of the forum is to serve as a medium for communication between the City of Idaho City and members of the public.

2. Submission of comments by members of the public constitutes participation in a limited public forum.

3. A comment posted by a member of the public is the opinion of the poster only;

4. Publication of the comment does not imply endorsement of, or agreement by, the City of Idaho City; and

5. Comments do not necessarily reflect the opinions or policies of the City of Idaho City unless expressly stated by an authorized user.

B. Comments on the City of Idaho City's social media forums shall only be allowed when comments are consistent with the provisions of this policy.

C. Posts and comments containing any of the following inappropriate forms of content are not allowed:

1. Comments not topically related to the particular post, thread, topic or article being commented upon;

2. Profane, obscene, sexual or violent language or content, or links to such;

3. Defamatory or personal attacks;

4. Threats of harm to any person or organization;

5. Content that promotes, fosters or perpetuates harassment or discrimination on the basis of race, color, religion, sex, age, national origin, citizenship, physical or mental disability, genetic information, veteran status, sexual orientation, gender identity/expression or any other characteristic protected by law;

6. Solicitation of commerce, including but not limited to advertising for any business or product for sale;

7. Comments in support of or opposition to political campaigns, candidates or ballot measures of any kind;

8. Encouragement of illegal activity;

9. Conduct that violates any federal, state, or local law;

10. Information that may compromise the safety or security of the public or public systems;

11. Content that violates a legal ownership interest of any person or entity, such as trademark, patent or copyright; or

12. Confidential or proprietary information.

13. If activity listed in 4, 8, 9 or 10 occurs, employees must secure the information and notify the City of Idaho City police department.

D. Comments complying with these rules must be allowed to remain, regardless of whether they are favorable or unfavorable to the City of Idaho City.

E. The City of Idaho City may edit, restrict, or remove, in whole or in part, any content that violates this policy or applicable law. Content that is edited or removed must be retained in accordance with the relevant records retention schedule. This content must be accompanied by a description of the reason it was edited or removed, the date and time of edit or removal, and the identity of the person posting the content, if available.

F. The City of Idaho City may deny access to City of Idaho City social media at any time and without prior notice to any person who violates these content guidelines.

G. These content guidelines must be displayed on the social media site or made available by a link to the City of Idaho City's official website.

IV. PERSONAL USE OF SOCIAL MEDIA BY EMPLOYEES

A. Employees may access social media while at work within the parameters of the City of Idaho City's policies. They must limit use to personal time, such as breaks, lunch periods and when off-duty. It must not interfere with, or be disruptive to, City of Idaho City business or the employee's job duties.

B. If an employee speaks about job-related content on personal social media, or refers to the City of Idaho City, people may perceive that the employee is acting on behalf of the City of Idaho City. When making such statements, the employee must clearly state that the statements are the employee's personal views and are not the views of the City of Idaho City. An example

of such disclaimer is "The views, opinions, ideas and information expressed are my own and do not reflect the views of my employer and are not in any way attributable to City of Idaho City."

C. Participation in social media, whether through City of Idaho City or non-City of Idaho City internet resources, and whether made while on or off duty, must not violate the privacy rights of other City of Idaho City employees, customers, citizens, or business partners.

D. When participating in social media, employees must not violate any City of Idaho City policy.

E. Employees may be disciplined, up to and including termination, for engaging in inappropriate social media activity while either at work or away from work that impacts the work of the City of Idaho City, the employee or any other City of Idaho City employee. Examples of inappropriate social media activity includes, but is not limited to, any of the following:

    1. Promoting or taking part in activities which violate federal, state or local law;

    2. Making false or misleading statements about any City of Idaho City employee, customer, business partner, vendor, or supplier.

    3. Making disparaging remarks toward or about any City of Idaho City employee, customer, business partner, vendor or supplier that are based on race, color, religion, sex, age, national origin, citizenship, physical or mental disability, genetic information, veteran status, sexual orientation, gender identity/expression or any other characteristic protected by law.

    4. Using social media to bully, threaten harm, harass, discriminate, or retaliate against any City of Idaho City employee, customer, business partner, vendor, or supplier.

    5. Posting content or making comments that purport to express the opinions of the City of Idaho City.

F. Nothing in this policy grants an individual right to, or may be construed to provide, an expectation of privacy, including while engaged in personal social media:

1. Persons who use social media should be mindful that once content is placed online, it is no longer under their control and content shared through private social media does not always stay private.

2. Employees have no expectation of privacy while using City of Idaho City digital equipment or facilities for any purpose, including the use of email or other electronic communications of any kind, to download, transmit, post, comment or store information.

3. Regardless of password use and privacy settings, and without notice to the employee, the City of Idaho City may retrieve, review, monitor or log internet usage and content found on City of Idaho City systems and digital equipment.

G. Employees are free to express themselves as private citizens on social media sites about matters of public concern as long as their speech does not impair working relationships within the City of Idaho City, impede the performance of duties, impair harmony among co-employees or negatively affect the public perception of the City of Idaho City.

H. Employees are cautioned that speech on- or off-duty, made pursuant to their official duties, is not protected speech under the First Amendment and may form the basis for discipline if deemed harmful to the City of Idaho City.

ACKNOWLEDGMENT OF RECEIPT OF ***City of Idaho City*** SOCIAL MEDIA POLICY.

I, _____ acknowledge receipt of the CITY OF IDAHO CITY Social Media Policy, adopted on _____.

Please initial each statement below if it is true.

____ I understand that it is my responsibility to read and understand the contents of this Policy.

____ I understand that I am obligated to perform my duties of employment in conformance with the provisions of this Policy and any additional rules, regulations, policies or procedures imposed by the department in which I work whether or not I choose to read the Policy.

____ I understand that this Policy may be modified without prior notice to me.

____ I understand that should this Policy be modified that I will be provided with a copy of the modification.

DATED this _____ day of _____, 20____.

_____
(Employee)

I, _____, provided a copy (either electronically or by paper) of the ***City of Idaho City*** Social Media Policy, as adopted by the city council on _____ to _____, on this _____day of

_____, 20____.

_____
(Name - Title - Department)