

**THE BOARD OF COUNTY COMMISSIONERS**  
**OF**  
**FRANKLIN COUNTY, KANSAS**

RESOLUTION 09 - 25

A RESOLUTION ADOPTING THE FRANKLIN COUNTY CELL PHONE POLICY

WHEREAS, K.S.A. 19-101, provides that a county may exercise the powers of home rule to determine its local affairs and government authorization under the provisions of K.S.A. 19-101a; and

WHEREAS, the supervision of county employees with regards to personnel rules, regulations, and related administrative procedures and policies is a permissible exercise of home rule power, pursuant to K.S.A. 19-101a; and,

WHEREAS, the Board of County Commissioners desires to adopt an official cell phone policy establishing a policy and procedure for the assignment of cellular devices and a rate of reimbursement for employees for the use of cellular devices for county business; and

WHEREAS, the Board of County Commissioners believes that adopting the Cell Phone Policy is in the best interests of County Employees and the County itself;

THEREFORE, BE IT RESOLVED

BY

THE BOARD OF FRANKLIN COUNTY COMMISSIONERS

THEREFORE, the following policy shall be adopted:

**CELLULAR TELEPHONE POLICY**

1) allowance plan

**\$40 Pay Period Basic Allowance Plan**

**\$60 Pay Period High Allowance Plan**

• Department head determines the employees required to carry a cell phone and phones are assigned to employees whose need for telephone service is of an essential nature for the conduct of county business. This determination is subject to review by the County Administrator as deemed necessary.

Employee has the choice of allowance plan or county phone.

Department head will determine which allowance plan employee will be on based on the time employee spends outside of the office, the need for employee to be accessible outside of regular business hours and the expectation by the county that the employee will be available by phone outside of regular office hours. This determination is subject to review by the County Administrator as deemed necessary.

If employee chooses allowance plan, employee will be given 30 days to change current cell phone under county's name to employee's name.

Employee will be allowed to keep current county phone number.

If allowance plan is chosen and current county plan is under contract, a cancellation penalty will not be charged to change the contract name from the county to the employee if employee stays with T-Mobile. In the alternative, an employee may opt to use an already existing personal account under the allowance plan. In that alternative the county phone should be turned into the department head and the new number provided to the department head.

To receive allowance, employee must provide cell phone number to department and phone must be on during business hours or while on call.

Allowance will be included in employee paycheck and subject to all appropriate taxes and deductions.

Employee will not be required to submit monthly bills for allowance.

Employee should keep past bills for his/her own records.

Phones currently supplied by county that are in hands of employee who chose the allowance plan become the property of the employee. Any new phones, accessories and special features employee wishes to acquire shall be at expense of employee.

All repairs, maintenance, and loss of cell phones and accessories will be responsibility of employee.

Additional reimbursement may be available for employees who have extraordinary usage due to emergency county use, contingent on Department Head's approval. Employee must furnish past bills to demonstrate spike in usage was for county business.

Employee who change jobs or whose duties no longer require a phone, will be eligible for reimbursement of any cancellation penalty. Billing from cell phone provider showing penalty charge shall be provided to Department Head in order to receive reimbursement.

If employee chooses to remain on the county plan, no personal calls will be allowed.

Once the initial choice has been made between the Allowance Plan and the County Plan, employees cannot change their option until any contract dates have expired.

## **2) COUNTY OWNED CELL PHONE PLAN**

- County Cellular phones are assigned to employees whose need for telephone service is of an essential nature and only for the conduct of county business.

- Department Heads will determine employees required to carry a cell phone.

- County Cell phones are to be used where regular telephone service is not accessible, when an employee is away from the work site and is on county business, and during emergencies.

- Authorized users are responsible for reimbursing the county for the replacement cost of a lost or stolen cellular phone, if its loss, damage or theft was due to gross negligence as determined by the Department Head.

- Employees are responsible for reimbursing the county for unauthorized use or charges at the rate of .25 per minute (including use by any other individuals).

- Each Department must:

- Audit cell phone billings on a quarterly basis with assistance from the employees.

- Verify the accuracy of the billing.

- Identify calls that were not official business, whereupon employee must reimburse the county for the total of personal calls, if any, and prorated share of monthly phone service.

- The supervisory person assigned to audit such bill must initial and date the audit, denoting any areas of concern and how those areas were resolved and keep a record of such audits.

- Authorized users are responsible for returning the telephone to their supervisor upon termination or when it is no longer necessary for the user in order to carry out his/her assignments. They must reimburse the county for

the purchase price if they do not return the telephone.

- Any violation of these procedures may be subject to disciplinary action.

Adopted in regular session this 29th day of April 2009.

/s/ John E Taylor

John E. Taylor, Chairperson

Attested and Recorded, this 29th day of April 2009.

/s/ Shari Perry

Shari Perry

**County Clerk**