

RESOLUTION # 2021-007
KITTITAS DISTRICT CONSERVATION DISTRICT BOARD of SUPERVISORS
Operating Policies and Procedures Handbook

WHEREAS, the Board of Supervisors desires to modify the Operating Policies and Procedures Handbook;
and

WHEREAS, the Board of Supervisors desires this Handbook to supersede all previous related policies and resolutions.

NOW, THEREFORE, BE IT RESOLVED:

The Kittitas County Conservation District Operating Policies and Procedures Handbook reads as attached.

PASSED this _____ day of July, 2021.

BOARD OF SUPERVISORS
KITTITAS COUNTY CONSERVATION DISTRICT
Kittitas County, Washington

Mark Moore, Chair

Lynn Brown, Vice Chair

Jeff Brunson, Auditor

Bill Boyum, Member

Matt Eslinger, Member

ATTEST:

Miranda Nash, Financial Manager

ATTEST:

Anna Lael, District Manager

- () APPROVED
- () EMERGENCY
- () VETOED

This page is intentionally blank

Kittitas County Conservation District



Operating Policies and Procedures Handbook

Table of Contents

Table of Contents.....	2
Overview.....	6
Section 1 General District Operations.....	7
1.01 Roles and Responsibilities	7
1.011 Board of Supervisors	7
1.012 Associate Supervisors	7
1.013 District Staff	7
1.02 Meetings.....	7
1.021 Regular Monthly Board Meetings	7
1.022 Special Board Meetings	8
1.023 Annual Meetings	8
1.03 Annual and Long-Range Planning	8
1.04 Elections and Appointments.....	8
1.041 Supervisor Candidate Optional Information Policy	8
1.05 Reasonable Accommodation	9
1.06 Political Activities.....	9
2.01 Basis of Accounting.....	11
2.02 Banking	11
2.03 Expenditures and Disbursements	11
2.031 Usual and Customary Expenditures.....	11
2.032 Petty Cash Disbursements.....	12
2.033 In-Store Accounts	13
2.034 District Credit Cards.....	13
2.035 Personal Credit Cards	14
2.04 Reserve Fund Policy.....	14
2.041 General Policy.....	14
2.042 General Operating Reserves.....	14
Section 3 Insurance.....	16
3.01 Pool Membership and Self-Insurance.....	16
4.01 Fixed Asset Policy	17
4.02 Small and Attractive Asset Policy.....	17
4.03 Asset Identification	17
4.04 Asset Procedures	17
4.041 Addition of Assets.....	17
4.042 Deletions	17
4.043 Modifications	17
4.05 Asset Inventory.....	18
4.06 Lost or Stolen Assets.....	18
4.07 Surplus Assets.....	18
Section 5.01 Retention and Destruction of Public Records	19
Section 5.02 Records Available for Public Inspection	19
Section 5.021 Public Records Officer.....	19
Section 5.022 Hours for Inspection of Records	19
Section 5.023 Organization of Records	19
Section 5.024 Requests for Public Records	20
Section 5.025 Costs of Providing Copies of Public Records	20
Section 5.026 Responsibilities of the District in Processing Requests	20
Section 5.027 Third Party Notice.....	22
Section 5.028 Exempt Public Records	22
Section 5.029 Denial of Access to Public Records	23
Section 6 District Meals and Travel Policy	24
Section 6.01 Supervisor Travel	24
Section 6.02 District Meals	24
Section 7 District Funding	25
Section 7.01 Local Funding	25
Section 7.02 Grant Funding	25

Section 7.03 Lease of Real Property	25
Section 8 Real Property Management Policy	26
8.01 Real Property Management.....	26
Section 9 (Reserved)	27
Section 10 Personnel Policies	28
10.01 Receipt of Personnel Policies.....	28
10.02 Establishing Kittitas County Conservation District Personnel Policies and Procedures	30
10.03 Contact Supervisor	30
10.04 Employee Categories	30
10.041 Regular Employees	30
10.042 Project Employees.....	30
10.043 Volunteers and Interns.....	30
10.05 Employee status	30
10.06 Employee Compensation.....	31
10.07 Employee Benefits.....	31
10.071 Retirement	31
10.072 Health Care Benefits.....	32
10.073 Benefits During Leave.....	32
10.08 Office Hours and Work Schedules	32
10.081 Flextime Schedule	32
10.082 Alternative Work Period.....	33
10.083 Exempt Employee Schedules.....	33
10.09 Payroll Information and Timekeeping Procedures	33
10.10 Employee Performance Evaluations	34
10.11 Employee Training	34
10.12 Leave Categories.....	34
10.121 Annual Leave	34
10.121 Compensatory Time	35
10.122 Informal Leave for Exempt Positions.....	35
10.123 Sick Leave	36
10.124 Donated Sick Leave	37
10.125 Family and Medical Leave	37
10.126 Leave of Absence Without Pay.....	38
10.127 Jury duty.....	38
10.128 Bereavement Leave.....	38
10.129 Military Leave	39
10.130 Domestic Violence Leave.....	39
10.131 Administrative Leave	40
10.132 Inclement Weather and Natural Disasters	40
10.13 Holidays	40
10.131 Paid Holidays	40
10.131 Unpaid Holidays	41
10.14 Travel Status	41
10.15 Employment Procedures and Equal Employment Opportunity.....	42
10.151 Employment Procedures.....	42
10.151 Equal Employment Opportunity.....	42
10.16 Productive Work Environment (Complaints of Unlawful Discrimination, Harassment, or Retaliation).....	42
10.161 Discrimination	43
10.162 Harassment	43
10.163 Retaliation	43
10.164 Complaint Procedures	44
10.17 Employee Disclosure Act (Whistle Blower).....	44
10.171 Definitions	45
10.172 Procedure	45
10.173 Protection Against Retaliatory Actions.....	46
10.18 Drug – Free Workplace	46
10.19 Safety.....	47
10.191 General Safety	47

10.192 Work Area Safety	48
10.193 Equipment Safety	48
10.20 Accidents	48
10.21 Policy Against Workplace Violence.....	49
10.211 Definitions	49
10.212 Possession and Use of Dangerous Weapons by Employees	49
10.213 Exceptions to Dangerous Weapons Prohibitions-	49
10.214 Responsibilities.....	49
10.215 Procedures for Dealing With Acts of Violence in the Workplace	50
10.24 Standard of Conduct and Ethics.....	50
10.241 Attendance.....	50
10.242 Diligence during work period	50
10.243 Criminal Conduct.....	51
10.244 Dress.....	51
10.245 Personal Vehicles for Work	51
10.246 Conflicts of interest & Self-interest	51
10.247 Financial Interest	52
10.25 Technology Use Policy	52
10.251 E-Mail (Electronic Mail)	53
10.252 Internet	53
10.253 Personal Computers and Laptops Owned by the District.....	53
10.254 File Storage.....	54
10.255 Telephones.....	54
10.256 Copy Machines, Fax Machines and Printers	54
10.257 Cellular Phones.....	54
10.26 Vehicle Use	55
10.27 Administration of Discipline & Termination	55
10.271 Termination.....	56
10.28 Grievance Procedure	56
10.29 Personnel Records	56
10.30 Authorization Structure	58
Section 11 Purchasing and Contracting Policies	59
11.01 Purpose.....	59
11.011 Objectives.....	59
11.012 Scope	59
11.013 Controlling Laws	60
11.0131 Federal Awards Standards.....	60
11.014 Definitions	61
11.02 Approval Authorities.....	62
11.03 Purchasing and Contracting Limitations	62
11.031 Exceptions to Purchasing Limitations.....	64
11.04 Soliciting for Personal Services	64
11.05 Soliciting for Professional Services	65
11.06 Soliciting for Purchases of Equipment, Materials and Supplies, and/or Purchased Services	68
11.07 Soliciting for Public Works	69
11.071 Bid Deposit and Non Collusion Affidavit.....	70
11.072 Consideration of Bids	70
11.073 Bidder Responsibility Criteria and Appeals.....	70
11.074 Payment and Performance Bonds.....	73
11.075 Multiple Bidder Awards.....	73
11.076 Small Public Works Construction Projects.....	73
11.077 Prevailing Wage.....	74
11.08 Emergency Procurements.	74
11.09 Amendments and Change Orders.....	74
11.10 Joint Purchasing.....	75
11.11 Temporary Construction Easements	75
11.12 Amendments To Policy.....	75
11.13 Severability	76

11.14 Standard of Conduct for Purchases or Contracts.....	76
Section 12 Cost Share Policy	77
12.01 Getting Started	77
12.02 Eligibility Requirements	77
12.021 Cost Share Participation by Board Members, Associate Members and Staff	77
12.03 Searching for a Funding Source	78
12.04 Cost Share Rates	78
12.05 Cooperator Responsibilities.....	79
12.06 Project Permitting.....	79
12.07 Contract for Cost Share Funds.....	80
12.08 Termination	81
12.09 Operations & Maintenance	81
12.10 Payment Procedures.....	81
Section 13 Drone Policy	83
13.01 Scope	83
13.02 Delegation of Authority	83
13.03 Controlling Laws	83
13.04 Authorized Equipment and Use.....	83
13.05 Private Land Access	84
13.06 Public Land Access	84
13.07 Record Retention.....	84
13.08 Insurance/Liability	84

Overview

The Kittitas County Conservation District (District), a political sub-division of the State of Washington, is governed by a five-member Board of Supervisors. The Board strives to ensure good governance and works to guarantee that natural resources are protected via fair policies and legally sound financial procedures. The District works with local landowners and land managers (public and private) to conserve natural resources that are vital to our economy and our quality of life. At the heart of our work are collaborative efforts to partner with landowners, public agencies, tribes and the general public to create and maintain resilient working landscapes through voluntary incentive based measures.

It is the expressed policy of the Board of Supervisors to implement the District's mission of providing leadership, technical, educational and financial assistance to landowners and land users in their utilization and management of natural resources. It is the Board of Supervisor's policy to affirmatively provide services and programs in a fair and impartial manner without regard to race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, gender identity and veteran, marital or family status.

Like all conservation districts, the District is assisted and supported by the Washington State Conservation Commission (WSCC). The following statements are a consolidation of legal requirements for operation of political sub-divisions, guidance provided by WSCC, and specific preferences for operations and activities of the District. Included in this handbook are the General District Operating Policies, Personnel Policies, Contracting and Purchasing Policies and Cost Share Policies of the District.

This handbook is not intended to be a complete or final statement of all District operational activities or responsibilities. The handbook will serve as a guide and may require periodic review or revision. It is understood that the District Board of Supervisors will meet as needed for that purpose. The Board of Supervisors reserves the right to depart from this handbook at their discretion.

It is the District's intent these policies be interpreted as providing a reasonable approach to specific problems and situations; they should be considered as a total set of working procedures rather than interpreting each section, subsection, sentence or phrase separately and out of context.

Section 1 General District Operations

1.01 Roles and Responsibilities

1.011 Board of Supervisors

Supervisors are responsible for their conservation District's overall compliance with state and federal laws, as well as WSCC policies. Their specific powers and duties are spelled out in RCW 89.08.210 through 89.08.220.

The Board of Supervisors elects three officers. The officers include Chair, Vice Chair, and Auditor. The Chair is the head of the Board. The Chair sets the meeting agenda, presides at meetings, appoints committees, assigns their responsibilities and asks for their reports, and orients new supervisors. The Vice Chair acts in place of Chair when needed and advises the Chair on program and policy. The Auditor oversees the District's finances.

In addition to electing officers, the Board also appoints a secretary, treasurer, claims agent, public disclosure officer and other positions as needed. The Board of Supervisors designates the Financial Manager as the Secretary and Treasurer and the District Manager as the Claims Agent and Public Disclosure Officer.

The Board may also establish committees to work on specific activities or issues. For example, a committee is established annually to complete the internal audit. Committees are also established to interview potential employees, review personal services proposals, and other applications or submissions.

1.012 Associate Supervisors

In addition to the five Supervisors, the Board may also include a number of Associate Supervisors. Associate Supervisors may not vote or constitute any part of a quorum at a meeting of the Board. They may however assist the Board by providing valuable input regarding natural resource issues. They may also participate in any of the subcommittees established by the Board. Associate Supervisors are eligible for reimbursement of travel expenses to attend meetings and conferences.

1.013 District Staff

The Board of Supervisors may employ as many staff members as is necessary to implement the programs of the District. The District currently retains a District Manager and eight full-time staff members. The District Manager is directly responsible to the Board of Supervisors and has some delegated authorities that are described in this document and other District policies.

1.02 Meetings

Meetings are fundamental to conducting District business. Board meetings have two basic purposes: to decide on District policy and to monitor their implementation. Board meetings also serve social, educational, inspirational, and communication purposes. Board meetings must be open to the public, except for special circumstances (e.g. executive sessions).

1.021 Regular Monthly Board Meetings

The Board meets the second Thursday of each month to conduct regular District business. The meeting times vary through the year, with 1:00PM meetings in winter months (November to March), 7:00AM meetings in the remaining months.

Meeting notices are sent by electronic mail to Board members and interested parties, generally at least two days before the meetings by the Secretary. The notices usually include a draft agenda, staff reports, minutes from meetings in the previous month and the accountant's report from the previous month. The meetings include review of minutes and accountants report, old business, new business, and plans for the next meeting. The meetings are conducted using parliamentary procedures.

The Secretary or designee takes minutes at each meeting. The minutes include attendance, brief descriptions of discussions, and all motions (including who proposed the motion, who seconded it, whether it passed and any abstentions).

1.022 Special Board Meetings

Special Board meetings may be called by the Chair or Vice Chair as necessary to address items that need Board input or action before the next regularly scheduled meeting.

1.023 Annual Meetings

The District hosts an Annual Meeting each February that includes a dinner and presentation of accomplishments of the past year. The District also recognizes local landowners, growers, volunteers and officials with "Conservation Awards". These awards are an opportunity to honor those who've either made extraordinary efforts to give of their time and talents for the benefit of private landowners and resources in Kittitas County or have made extraordinary efforts to implement conservation activities on their property.

1.03 Annual and Long-Range Planning

Planning is the basic tool for developing District programs. There are several different levels of District plans. A Long Range Plan (or "long range program") is developed for 5-10 year time periods, to serve as a broad outline of the District's response to long term shifts in land use, population patterns and improvements in technology. An Annual Plan (or "annual plan of work") outlines specific objectives and activities to achieve long range plans. The annual plan should be completed two to three months before the year being planned.

The long-range plan is updated through one or more public meetings scheduled specifically for this purpose. Public input is requested and incorporated for consideration by the Board of Supervisors. The Annual Plan is updated by the staff and presented at regular monthly board meeting, which is open to the public.

1.04 Elections and Appointments

Kittitas County Conservation District election and appointments for Board of Supervisor positions are conducted in accordance with RCW 89.08, Washington Administrative Code (WAC), Chapter 135-110, and Washington State Conservation Commission Election and Appointment Guide. These procedures exist to assist conservation districts and conservation district supervisors in the election, appointment, and replacement of supervisors in the State of Washington, and to assure fair treatment of all parties involved in such proceedings, and to provide guidance for compliance with the Washington Administrative Code (WAC), Chapter 135-110..

1.041 Supervisor Candidate Optional Information Policy

Candidate statements may be submitted to the Kittitas County Conservation District to be used in the District elections. Candidate statements are encouraged, to help inform voters during the election process.

If all candidates participate by the filing deadline, and all candidate optional information complies with the District's policy, the District will publish the candidate optional information as soon as practicable on the Districts' web page. In the event that one candidate provided optional information does not comply with this policy, no candidate optional information will be published by the District.54WAC 145-110-430

Candidate statements should be no more than 200 words. Statements must be typed and submitted electronically. A candidate photograph may be submitted with the statement. Photos must be digital (JPEG or TIFF format), current (within 5 years), head and shoulders only portrait, light colored on plain background. Photos with scenery, flags, or other background settings will not be accepted. Color photos are preferred, black and white is acceptable. Judicial robes, law enforcement or military type uniforms are prohibited. No photo may reveal clothing or insignia suggesting that the candidate holds a public office. Submitted photos become the property of the District.

The statement must be limited to information only about the candidate. The District retains the right to eliminate information for space availability or content appropriateness, at the sole discretion of the District. Once submitted, the District has sole discretion to publish that information as it sees fit, provided that each candidate's statement is treated equally. Inaccurate, erroneous, or offensive statements or language in the candidate statement, as determined by the District's delegated Election Supervisor, will result in the non-publication of the candidate statement.

Candidate statements must be returned in the proper format, as outlined above, no later than the candidate filing deadline of established annually by resolution, to the District office. As determined by the District, the failure to properly submit the statement will result in the non-publication of the statement. Any issue a candidate has surrounding a candidate's submitted statement must be made in writing [electronic or paper] to the District's Election Supervisor. As the delegated agent of the District, the District's Election Supervisor will resolve the issue as soon as practicable and inform the candidate of the decision in writing [electronic or paper].

1.05 Reasonable Accommodation

The District is committed to providing accommodation individuals with disabilities in employment and in its transactions with employees, clients, applicants, and the general public, including public hearings, meetings, or conferences, unless an undue hardship would result. The District will adhere to all applicable laws, regulations and guidelines to provide reasonable accommodation to individuals with disabilities.

The disabled individual has an obligation first to inform the District of their need for such reasonable accommodation.

1.06 Political Activities

Pursuant to Washington State law (RCW 42.17.30), no District official may use, directly or indirectly, the facilities of the District for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. This includes the wearing or displaying of political paraphernalia while conducting District business. This policy does not purport to regulate District employees or elective officials while they are not conducting District business.

District officials may not express opinions on political subjects and candidates, take an active part in political campaigns, and wear political campaign badges and buttons when serving in an official capacity or meeting the public. In addition, District Employees may not:

1. Use their official authority or influence to interfere with or affect the results of an election or nomination for office.
2. Coerce, command, or advise another District employee to pay, lend, or contribute anything of value to a party, committee, organization, agency or person for political purposes.
3. Use District equipment, time, supplies, staff or facilities for any political purposes or when assisting or opposing any candidate for partisan or nonpartisan offices or on any ballot proposition.

Section 2 Financial Policies & Procedures

The Kittitas County Conservation District is a special purpose government and provides technical and financial assistance to the general public and is supported primarily through grants from various state, local and federal agencies.

2.01 Basis of Accounting

The accounting records of the District reports financial activity in accordance with the *Cash Basis Budgeting, Accounting and Reporting System* (BARS) Manual prescribed by the State Auditor's Office under the authority of Washington State law, Chapter 43.09 RCW.

The accounts of the District are maintained on the basis of funds. For reporting purposes, the activities of the District's funds are combined.

The District uses the cash basis of accounting where revenues are recognized only when received and expenditures are recognized when paid.

2.02 Banking

The District maintains four financial accounts at two approved financial institutions.

Authorized signatures on the accounts include the District Manager and the Board of Supervisor's Chair and Auditor.

Checks written by the District on any of the checking accounts that do not clear the accounts within 90 days of being issued shall be investigated by the District Manager and Financial Manager. Recipients of the checks will be contacted to confirm whether they did or did not receive the check. If they did not receive the check, the District will request from the recipient a written statement verifying that the check was not received and that the payment is still owed. The new check will then be issued. If the check exceeded \$100, a stop payment will be initiated before the payment is reissued.

2.03 Expenditures and Disbursements

To indicate Board of Supervisor's approval for payment of those vouchers audited and certified by the treasurer, the following statement is entered in the minutes of the board meeting:

"The following checks are approved for payment:

Check numbers: _____ through _____ and totaling \$ _____

Payroll check numbers: _____ through _____ and totaling \$ _____."

In addition, the Board of Supervisors may approve checks for payment contingent upon receipt of grant reimbursements for the specific costs. The following statement may be entered into the minutes for these checks:

"The following checks are approved for payment pending receipt of the associated grant reimbursement requests:

Check numbers: _____ through _____ and totaling \$ _____"

2.031 Usual and Customary Expenditures

The District incurs certain recurring operating expenses in the course of implementing projects and programs. Operational efficiency is enhanced by authorizing payment of such expenses prior to approval by the Board of Supervisors.

The Financial Manager maintains a list of vendors/suppliers who may be paid prior to Board approval. The expenses shall generally include rent, utilities, office supplies, field supplies, and fuel, as well as recurring maintenance and custodial activities related to the District office building at 2211 W Dolarway Road.

Payment of the following kinds of expenses related to the continuing employment of District staff is also authorized prior to Board approval: health/dental/life insurance, supplemental insurance, payroll taxes (income tax, social security, medicare), workers compensation, employment security, and wages. The Financial Manager maintains a list of payees for these expenses.

Electronic Funds Transfer (EFT) is authorized only from the checking account and only for the payment of the payroll taxes to the Internal Revenue Service and other related payroll expenses. Each month, the EFT may be completed by the District Manager and/or the Financial Manager.

All payments shall not exceed the usual and customary amounts for these expenses. The usual and customary amount shall be the average of the preceding six months for that vendor or expense, plus twenty percent.

The District Manager is also delegated authority to make purchases and incur costs as described in Section 11 of this handbook.

Reimbursements or advances related to employee or Supervisor travel, consistent with Section 6 and Section 10.14 of this handbook.

No other payments shall be made without prior approval by the Kittitas County Conservation District Board of Supervisors.

The Board of Supervisors shall review all supporting documentation for claims paid and for its approval of all checks issued in payment of claims at its next regularly scheduled public meeting.

If, upon review, any claims are disapproved by the Board, the District Auditor and the Chair of the Board of Supervisors designated to sign the checks shall jointly cause the disapproved claims to be recognized as receivables of the District and shall pursue collection diligently until the amounts disapproved are collected or until the District is satisfied and approves the claim.

2.032 Petty Cash Disbursements

A petty cash fund is established to permit the purchase of low-value supplies and services by District staff. The petty cash fund shall not exceed \$50. The Financial Manager is designated as the custodian of the fund and is directly responsible for the safekeeping and disbursement of the cash. The original check written to replenish the fund is made payable to "Petty Cash" and is presented to the District's bank by the Financial Manager.

Expenses paid from a petty cash fund can only be made for the purpose(s) for which the fund was authorized and must be supported by receipts, which should contain the following information:

- Date of purchase or payment;
- Name of vendor or other payee;

- Positive evidence that a payment was made, i.e., a cash register receipt or a handwritten receipt on which the word "Paid" appears;
- Amount paid;
- Description of the goods purchased (entered by the vendor if a handwritten receipt is obtained, or by the purchaser if a cash register tape is issued), or of the services provided; and
- Signature indicating receipt of purchases or services.

The total receipts plus the cash on hand must equal the specified amount of the petty cash fund at all times. Reimbursement should be requested as needed, but the fund should always be reimbursed by the end of the fiscal year.

When not in use, the fund's currency must be placed in a safe or a locked receptacle, which is kept in a properly secured area. In the event of a theft, the loss must be immediately reported to the District Manager and Contact Supervisor.

A surprise cash count of each petty cash fund, including a review of the documents on hand, occurs annually or more frequently if the District Manager or Contact Supervisor determines that this is necessary.

In the event of termination of the appointed custodian, the fund is replenished and the impress amount turned over to the District Manager pending appointment of another custodian.

2.033 In-Store Accounts

In-store accounts are convenient and efficient mechanisms for District staff to purchase field and office supplies. The Financial Manager shall maintain a list of the vendors and suppliers with whom the District has in-store accounts. Annually, those vendors and suppliers may be contacted with a list of authorized signatories on those accounts. In-store accounts cannot be used for personal purposes.

2.034 District Credit Cards

The District Manager shall implement the following system for the authorization, distribution, control, implementation and administration of District issued credit cards by District officers and employees:

- (1) Credit cards may be distributed to those District officers and employees who, in the opinion of the District Manager, have job responsibilities that would benefit from, or otherwise be facilitated by, the use of a credit card;
- (2) Credit cards may not be used for personal purposes or for cash advances unless unusual circumstances require the use of the credit card and advance approval is obtained from the Contact Supervisor;
- (3) Credit cards may be required to be immediately surrendered if used in a manner inconsistent with District policies or procedures;
- (4) The District Manager shall develop and implement guidelines and accounting controls to ensure the proper usage of credit cards and credit card funds including compliance with the District's current purchasing policies and procedures;
- (5) The District Manager shall set credit limits on each credit card issued, PROVIDED, that in no event shall the credit limit for any individual credit card exceed \$4,000, and

(6) The District Manager shall establish and implement a procedure for the payment of all credit card bills.

2.035 Personal Credit Cards

Purchases and/or travel related expenses should be made with the District credit card, in-store accounts, petty cash or purchase orders whenever possible. However, if this is not possible or is extraordinarily inconvenient and interferes with the ability to conduct District business in a timely manner, personal credit cards may be utilized. Use of personal credit cards should be occasional and limited to specific circumstances, such as the following situations:

- (1) District employees or supervisors incur travel related expenses (e.g. lodging, parking fees, etc.) while in travel status for District business;
- (2) Urgent purchases are required to conduct District business, including the purchase of field supplies, workshop or other meeting supplies (e.g. refreshments or other necessary supplies), or District vehicle related expenses (e.g. fuel purchases, parking fees, emergency repairs for a District vehicle, etc.); or
- (3) Occasional purchases at wholesale club member stores (e.g. Costco) where the District may benefit from a significant discount for office supplies and equipment or field supplies.

Original itemized receipts must be submitted to the District Manager and/or Financial Manager in order to be eligible for reimbursement. Except for travel related expenses, employees must notify the District Manager of the use or intended use of a personal credit card for District related purchases as soon as is practical or the next business day. The District may refuse reimbursement of purchases made by employees with their personal credit cards if the purchase does not follow these guidelines.

2.04 Reserve Fund Policy

Adequate fund balance and reserve levels are a necessary component of the District's overall financial management strategy and a key factor in external agencies' measurement of the District's financial strength.

Maintenance of fund balance for each accounting fund assures adequate resources for cash flow and to mitigate short-term effects of revenue shortages. Reserve funds are necessary to enable the District to deal with unforeseen emergencies or changes in condition.

2.041 General Policy

The District shall maintain reserves required by law, ordinance and/or resolution. All expenditures drawn from reserve accounts shall require prior Board of Supervisors approval unless previously authorized by the Board of Supervisors for expenditure within the District's annual budget.

If reserves and/or fund balances fall below required levels as set by this policy, the District shall include within its annual budget a plan to restore reserves and/or fund balance to the required levels. All reserves will be presented in the District's annual financial report.

2.042 General Operating Reserves

The District will maintain a General Fund Operating Reserve to provide for adequate cash flow, budget contingencies, and insurance reserves. The General Fund Operating Reserves will be determined as follows:

The District strives to maintain a cash flow reserve in an amount at least equal to two months of operating expenditures and in an amount at least equal to the annual leave liability for all staff. The District will review annually the required cash flow reserve level that is necessary to meet the District's cash flow needs. If it is determined that the two months of operating expenditure reserves and the leave liability amount is not adequate, the District Manager shall propose an amendment to these policies.

Section 3 Insurance

3.01 Pool Membership and Self-Insurance

Kittitas County Conservation District is a member of Enduris. Chapter 48.62 RCW provides the exclusive source of local government entity authority to individually or jointly self-insure risks, jointly purchase insurance or reinsurance, and to contract for risk management, claims, and administrative services. Enduris was formed July 10, 1987 pursuant to the provisions of Chapter 48.62 RCW, Chapter 200-100 WAC, and Chapter 39.34 RCW. Two (2) counties and two (2) cities in the State of Washington joined together by signing an interlocal governmental agreement to fund their self-insured losses and jointly purchase insurance and administrative services. As of August 31, 2015, there are 507 Enduris members representing a broad array of special purpose districts throughout the state. Enduris provides property and liability coverage as well as risk management services and other related administrative services.

Members make an annual contribution to fund Enduris and share in the self-insured retention of the jointly purchased excess and/or reinsurance coverage. The self-insured retention is:

1. \$1,000,000 deductible on liability loss - the member is responsible for the first \$1,000 of the deductible amount of each claim, while Enduris is responsible for the remaining \$999,000 on a liability loss.
2. \$250,000 deductible on property loss - the member is responsible for the first \$1,000 of the deductible amount of each claim, while Enduris is responsible for the remaining \$249,000 on a property loss.
3. Enduris is responsible for the \$4,000 deductible on boiler and machinery loss.

Enduris acquires reinsurance from unrelated insurance companies on a “per occurrence” basis to cover all losses over the deductibles as shown on the policy maximum limits. Liability coverage is for all lines of liability coverage including Public Official’s Liability. The Property coverage is written on an “all risk”, blanket basis using current Statement of Values. The Property coverage includes but is not limited to mobile equipment, boiler and machinery, electronic data processing equipment, business interruption, course of construction and additions, property in transit, fine arts, and automobile physical damage to insured vehicles. Liability coverage limit is \$10 million per occurrence and property coverage limit is \$1 billion per occurrence. Enduris offers crime coverage up to a limit of \$1 million per occurrence.

Since Enduris is a cooperative program, there is a joint liability among the participating members.

The contract requires members to continue membership for a period of not less than one (1) year and must give notice 60 days before terminating participation. The Master Agreement (Intergovernmental Contract) is automatically renewed after the initial one (1) full fiscal year commitment. Even after termination, a member is still responsible for contribution to Enduris for any unresolved, unreported and in-process claims for the period they were a signatory to the Master Agreement.

Enduris is fully funded by its member participants. Claims are filed by members with Enduris and are administered in house.

A Board of Directors consisting of seven (7) board members governs Enduris. Its members elect the Board and the positions are filled on a rotating basis. The Board meets quarterly and is responsible for conducting the business affairs of Enduris.

Section 4 Asset Management

The following policies and procedures provide an asset management system designed both to comply with statutory requirements and increase the District's control over those assets for which it has stewardship responsibilities.

4.01 Fixed Asset Policy

It is the policy of the District to maintain accountability over all tangible fixed assets having a life exceeding two years and costing \$5,000 or more. The asset records will be maintained by the Financial Manager/Treasurer and verified by a physical inventory conducted each year.

The assets covered by this policy include all land, buildings, machinery and equipment, capital leases, leasehold improvements, construction in progress, and improvements other than buildings (i.e., parking lots) owned by the District which are valued at \$5,000 or more.

4.02 Small and Attractive Asset Policy

It is the policy of the District to maintain accountability over small and attractive items. Small and attractive items are defined as easily moveable, desirable items with a unit cost of \$300 to \$4,999.99. These types of items are also not likely to be missed immediately upon disappearance and could be replaced without suspicion. Examples include, but are not limited to: cameras, laptops, mobile power equipment, etc. This would not include more permanent fixtures such as desks, tables and shelving and specifically excludes small tools and minor equipment such as shovels, hand tools, supplies, etc.

4.03 Asset Identification

Whenever feasible, each piece of property will be tagged or marked with the District identification number. Such markings will be removed or obliterated only when the item is sold, scrapped, cannibalized, or otherwise disposed of. Should the identification number be removed or defaced, the item shall be marked again with the original number obtained from the inventory listing.

4.04 Asset Procedures

4.041 Addition of Assets

The District may acquire property by way of purchase, construction, donation, or lease. Regardless of the manner of acquisition, when the property is received, it will be assigned a unique identification number and affixed with a corresponding tag on the property if appropriate or feasible.

4.042 Deletions

Assets which have been previously acquired may eventually be disposed of and, in that event, will need to be deleted from the fixed asset list. Deletion may be required due to sale of the asset or its surplus, scrapping, cannibalization, mysterious disappearance (lost or stolen), or involuntary conversion (fire, flood, etc.).

4.043 Modifications

Larger assets, such as major pieces of equipment and buildings, are often modified to increase their usefulness or increase their useful life. Modification may include partial additions or deletions, major repairs (e.g., a new engine for a vehicle), or component replacement (e.g., a new roof, heating system, etc., for a building).

4.05 Asset Inventory

An inventory count may be conducted annually to verify the existence and condition of all items listed in the fixed asset records. To provide the best possible control, the person responsible for assets should not be the same person who performs the inventory.

All land, machinery and equipment, capital leases, leasehold improvements, buildings, construction in progress and improvements other than buildings (such as parking lots and athletic fields) having an original value of \$5,000 or more must be inventoried. In addition, small and attractive assets having an original value of less than \$5,000 may be inventoried.

4.06 Lost or Stolen Assets

Whenever an item in the fixed asset system has disappeared without explanation and all efforts have failed to recover the item, the District staff member shall notify the Financial Manager/treasurer and the District Manager in writing.

4.07 Surplus Assets

The Board of Supervisors may declare that any fixed assets including equipment, lands or property, or portions thereof, are surplus to the District's needs. The Board of Supervisors may cause such surplus equipment, lands or property to be leased, sold or conveyed. Further the Board shall establish the Fair Market Value or the rent or the consideration to be paid and such other terms and conditions for such disposition as the Board determines to be in the best public interest. The District Manager may declare any Small and Attractive Assets to be surplus to the District's needs and may cause the surplus items to be leased, sold or otherwise conveyed.

Section 5 Public Records

The District owns the records in their possession. The District is responsible to manage those records and allow the public to inspect and obtain copies of those records.

Section 5.01 Retention and Destruction of Public Records

The public record retention and destruction process is governed by Chapter 40.14 of the Revised Code of Washington (RCW) and Chapter 434-615 of the Washington Administrative Code (WAC).

The State Archivist is the head of the Division of Archives and Records Management in the Office of the Secretary of State. The Archivist's office, along with a state records committee, is responsible for developing retention schedules for all public records. The Archivist's office publishes a local government records retention schedule which can be obtained from its web site at <http://www.secstate.wa.gov/archives/ga.aspx> or by calling (360) 753-5485.

Note: Under RCW 42.56.100, if a public records request is made at a time when the record exists but is scheduled for destruction in the near future, the local government cannot destroy or erase the record until the disclosure request is resolved.

Section 5.02 Records Available for Public Inspection

Revised Code of Washington Chapter 42.17.260(1)/42.56.070(1) requires each agency to make available for inspection and copying nonexempt "public records" in accordance with published rules. The act defines "public record" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency.

As part of the 2005 recodification of the Public Records Act, the Legislature asked the Attorney General to provide guidance to both records requestors and agencies on the public records process by drafting model rules on public disclosure. The model rules were formally adopted in late winter 2006. The model rules are non-binding and provide "best practices" for requestors and agencies. The District's intent is to adopt these best practices. The full document can be found on the Attorney General's website at <http://www.atg.wa.gov/ModelRules.aspx>. The following sections provide an overview of the District policies and procedures.

Section 5.021 Public Records Officer

The Board of Supervisors appoints a Public Records Officer whose responsibility it is to serve as a "point of contact" for members of the public seeking public records. The District's Public Records Officer is the District Manager. The purpose of this requirement is to provide the public with one point of contact within the District to make a request. The Public Records Officer name and contact shall be posted on the District website and noted in the quarterly newsletters.

Section 5.022 Hours for Inspection of Records

Public records are available for inspection and copying during normal business hours of the District, Monday through Friday, 8:00 a.m. to 4:30 p.m., excluding legal holidays). Records must be inspected at the District office.

Section 5.023 Organization of Records

The District will maintain its records in a reasonably organized manner. The District will take reasonable actions to protect records from damage and disorganization. A requestor shall not take District records from the District office without the permission of the Public Records Officer or designee. A variety of records are available on the District web site at <http://kccd.net>. Requestors are encouraged to view the documents available on the web site prior to submitting a records request.

Section 5.024 Requests for Public Records

Any person wishing to inspect or copy public records of the District should make the request in writing on the District's request form, or by letter, fax, or e-mail addressed to the Public Records Officer and including the following information:

- Name of requestor
- Address of requestor
- Other contact information, including telephone number and any e-mail address
- Identification of the public records adequate for the Public Records Officer or designee to locate the records
- The date and time of day of the request

A form is available for use by requestors at the District office and on-line at <http://kccd.net>.

Requests for public records that contain the above information will be accepted by telephone or in person. If the Public Records Officer or designee accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing.

Section 5.025 Costs of Providing Copies of Public Records

There is no fee for inspecting public records. If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit. Standard photocopies will be provided at 15 cents per page.

For administrative convenience, the District will waive copying charges for small requests (twenty-five or fewer standard photocopies). The District will charge actual costs for nonstandard copies include color copies, engineering drawings, and photographs. The District may send a copying project to a commercial copying center and bill the requestor for the amount charged by the vendor. The District can arrange with the requestor for him or her to pay the vendor directly.

Before beginning to make the copies, the Public Records Officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The Public Records Officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The District will not charge sales tax when it makes copies of public records.

The cost of electronic copies of records shall be \$5 for information on a CD-ROM. There will be no charge for e-mailing electronic records to a requestor, unless another cost applies such as a scanning fee.

If a requestor asks the District to mail copies, the District will charge for the actual cost of postage and the shipping container (such as an envelope).

Section 5.026 Responsibilities of the District in Processing Requests

The District shall not distinguish among persons requesting records, and such persons shall not be required to provide information as to the purpose for the request. The District may inquire as to the

purpose of the request in an effort to better understand the request and provide all responsive records, however, the requestor is not required to answer that inquiry, except to determine if the request is for a commercial use or would violate another statute prohibiting disclosure.

The District shall provide the fullest assistance, take the timeliest possible action on requests and make records promptly available. The District will devote sufficient staff time to processing records requests, consistent with the act's requirement that fulfilling requests should not be an "excessive interference" with the District's other essential functions. It should be noted that while the District intends to provide the timeliest "possible" action on requests, the District is not always capable of fulfilling a request as quickly as the requestor would like.

Communication is usually the key to a smooth public records process for both requestors and the District. Clear requests for a small number of records usually do not require predelivery communication with the requestor. However, when the District receives a large or unclear request, the District should communicate with the requestor to clarify the request. If the request is modified orally, the Public Records Officer or designee should memorialize the communication in writing.

For large requests, the District may ask the requestor to prioritize the request so that he or she receives the most important records first. If feasible, the District should provide periodic updates to the requestor of the progress of the request. Similarly, the requestor should periodically communicate with the District and promptly answer any clarification questions.

Within five business days of receiving a request, the District must provide an initial response to requestor. The initial response must do one of four things:

- (a) Provide the record;
- (b) Acknowledge that the agency has received the request and provide a reasonable estimate of the time it will require to fully respond;
- (c) Seek a clarification of the request; or
- (d) Deny the request. RCW 42.17.320/42.56.520. An agency's failure to provide an initial response is arguably a violation of the act.²

Unless it is providing the records or claiming an exemption from disclosure within the five-business day period, the District will provide a reasonable estimate of the time it will take to fully respond to the request. Fully responding can mean processing the request (assembling records, redacting, preparing a withholding index, or notifying third parties named in the records who might seek an injunction against disclosure) or determining if the records are exempt from disclosure.

The District may seek a clarification of an "unclear" request when the request is objectively "unclear." If the requestor does not respond to the District's request for a clarification within thirty days of the District's request, the District may consider the request abandoned and send a closing letter to the requestor.

The District will conduct an objectively reasonable search for responsive records. A requestor is not required to "ferret out" records on his or her own. A reasonable District search usually begins with the Public Records Officer and may expand to the rest of the staff depending on the request. All District staff are required to promptly respond to inquiries about responsive records.

After records which are deemed responsive are located, the District will take reasonable steps to narrow down the number of records to those which are responsive. In some cases, it will be helpful to consult

with the requestor on the scope of the documents to be assembled. The District cannot "bury" a requestor with nonresponsive documents. However, the District is allowed to provide arguably, but not clearly, responsive records to allow the requestor to select the ones he or she wants, particularly if the requestor is unable or unwilling to help narrow the scope of the documents.

The District should provide a record within the time provided in its reasonable estimate or communicate with the requestor that additional time is required to fulfill the request based on specified criteria. Unjustified failure to provide the record by the expiration of the estimate is a denial of access to the record.

If the District becomes aware of the existence of records responsive to a request which were not provided, the District should notify the requestor in writing and provide a brief explanation of the circumstances.

Section 5.027 Third Party Notice

Sometimes the District decides it must release all or a part of a public record affecting a third party. The third party can file an action to obtain an injunction to prevent an agency from disclosing it, but the third party must prove the record or portion of it is exempt from disclosure. Before sending a notice, the District should have a reasonable belief that the record is arguably exempt. Notices to affected third parties when the records could not reasonably be considered exempt might have the effect of unreasonably delaying the requestor's access to a disclosable record.

Before releasing a record, the District may choose to provide notice to a person named in a public record or to whom the record specifically pertains (unless notice is required by law). This would include all of those whose identity could reasonably be ascertained in the record and who might have a reason to seek to prevent the release of the record. The notice informs the third party that release will occur on the stated date unless he or she obtains an order from a court enjoining release. The requestor has an interest in any legal action to prevent the disclosure of the records he or she requested. Therefore, the District's notice should inform the third party that he or she should name the requestor as a party to any action to enjoin disclosure. If an injunctive action is filed, the third party or District should name the requestor as a party or, at a minimum, must inform the requestor of the action to allow the requestor to intervene.

Section 5.028 Exempt Public Records

The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by the District for inspection and copying:

- **Farm plans — Disclosure of information.** RCW 89.08.560
- **Attorney-client privilege.** RCW 5.60.060
- **Deliberative process exemption.** RCW 42.17.310 exempts "Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended" except if the record is cited by the District.
- **Commercial use exemption.** The act does not allow an agency to provide access to "lists of individuals requested for commercial purposes."
- **Food, Conservation, and Energy Act of 2008, Section 1619.** A November 4, 2010 Washington State Supreme Court Decision (Ameriquest Mortgage Co. v. Washington State Attorney General) affirmed that a federal statute can be an "other statute" for the purposes of Revised Code of Washington (RCW) 42.56.070 (1) and Washington State's Public Records Act. Section 1619 of the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill), prohibits disclosure of certain

information by USDA and its cooperators, including the District. District responsibilities under this decision are detailed in a “Acknowledgement of Section 1619 Compliance” document provide by USDA Natural Resources Conservation Service and signed by the District.

Section 5.029 Denial of Access to Public Records

Any person who objects to the initial denial or partial denial of a records request may petition in writing (including e-mail) to the Public Records Officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the Public Records Officer or designee denying the request.

The Public Records Officer shall promptly provide the petition and any other relevant information to the Chair of the Board of Supervisors or District legal counsel to conduct the review. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the District’s receipt of the petition, or within such other time as District and the requestor mutually agree to.

Section 6 District Meals and Travel Policy

The District employees and officers attend various meetings and events both sponsored by the District and by other entities. These meetings and events often involve travel (meals, mileage, lodging) in the region and the state. Members of the Board of Supervisors, as well as Associate Supervisors are eligible to receive reimbursement for travel expenses. District employee travel reimbursement is covered in the Section 10 Personnel Policies.

Section 6.01 Supervisor Travel

Any member of the Board of Supervisors (including Associate Supervisors) is considered to be in travel status if the member is required to leave the County for official business and, due to travel requirements, the member is traveling for official business before 7:00 A.M. and/or past 7:30 P.M. Travel in excess of 3 days must be approved by the Board of Supervisors.

Travel reimbursement shall be requested by submission of a "Travel Voucher" form accompanied by original receipts within fifteen (15) days following completion of travel. Travel reimbursements will be per diem and follow the most current guidelines set by the State of Washington, Office of Financial Management (OFM). These guidelines are available from the Washington Conservation Commission.

When a Board member uses their personal vehicle for travel to meetings and events, they are eligible for reimbursement at the Washington State authorized mileage rate. Costs associated with vehicles, such as parking fees and tolls, will be reimbursed if reasonable, necessary, and related to District business. Parking citations or traffic infractions will not be reimbursed by the District.

Section 6.02 District Meals

The District regularly schedules meetings, workshops and other events that include meals. These events require the attendance and participation of some or all of the employees and members of the Board of Supervisors. In addition, the District occasionally schedules meetings for annual and long range planning and other District business that include participants who are not employees or board members, but who's participation is essential to the meeting.

When food or beverage costs meet the following criteria and there is sufficient justification of the business purpose of the expenditures, a meal may be provided or reimbursed. The applicable criteria are:

- The time frame of the meeting (during a typical meal period) is necessary to accommodate schedules of meeting participants and to allow for the time necessary to complete the tasks of the meeting;
- Participation of the individual (either District staff, member of the board of supervisors, or other stakeholder) is essential to success of the event; and
- The cost must be reasonable, that is the cost reflects what a "prudent person" would pay in a similar circumstance.

Examples of appropriate meal expenditures:

- District Board of Supervisors special meetings scheduled during the lunch hour
- District Annual Meeting attendance by staff and members of the Board of Supervisors
- District training or planning sessions scheduled during regular meal times.

Section 7 District Funding

The District receives funding from several sources, including local funding collected within the District boundaries per RCWs 89.08.400 and 89.08.405; various local, state and federal grants; and through the lease of real property determined to be surplus to the needs of the District.

Section 7.01 Local Funding

The District had a Special Assessment as authorized by RCW 89.08.400. It was approved by the Board of County Commissioners in 2006 for 10 years. The Special Assessment was collected by the Kittitas County Treasurer's office along with property taxes. The funding was utilized by the District to cover administrative and operational costs and to leverage grant funding from various local, state and federal sources for priority activities. In 2016, the District pursued renewal of the local funding through a system of rates and charges as authorized by RCW 89.08.405. It was approved by the Board of County Commissioners in September 2016, for collection in 2017-2026. It is also collected by the County Treasurer's office.

Section 7.02 Grant Funding

The District is primarily funded by grants from various local, state and federal sources. Seeking grant sources is a responsibility of the Board of Supervisors and the District Manager. Occasionally grant application opportunities arise between monthly Board meetings. The Board delegates the authority to apply for grant funds to the District Manager in order to prevent the loss of funding opportunities. The authority to enter into contracts or agreements for successful grant applications remains solely with the Board of Supervisors.

Section 7.03 Lease of Real Property

The District owns an office building at 2211 W Dolarway Road in Ellensburg. The Board of Supervisors may declare any portion of the building to be surplus to the needs of the District. In doing so, the Board may decide to lease those portions of the building. Revenue generated through these leases shall be primarily applied only to the real estate contract for the purchase of the building until such time as that contract is satisfied.

Section 8 Real Property Management Policy

The purpose of this section is to establish procedures for the management of District owned property. The District is authorized by RCW 89.08.220 to acquire real property and to maintain, administer, and improve that property; to receive income from that property; and to sell, lease, or otherwise dispose of any of its property or interests therein.

The District owns real property (tax parcel 20533) including 1.05 acres of land and improvements at 2211 W Dolarway Road, Ellensburg. Additionally, the District owns 5.15 acres of land (tax parcel 10090) on the Yakima River near Gladmar Park.

8.01 Real Property Management

The Board of Supervisors shall establish a Building Subcommittee consisting of the District Manager and at least one Supervisor to manage the District owned property. This Subcommittee is tasked with demonstrating stewardship of public property, ensuring that resources are used efficiently, maintaining the building and property in good working order, and communicating with tenants in a clear and concise manner with regard to maintenance and emergency situations.

8.011 Maintenance and Repairs

This Subcommittee shall maintain a maintenance check list that is reviewed at least quarterly. The Subcommittee is delegated the authority to make necessary repairs, purchases or maintenance activities not to exceed a cumulative \$2,000 per month. Further, the Subcommittee is authorized to make emergency repairs as needed to protect the asset and is delegated authority up to \$5,000 to do so.

8.012 Leases

The Building Subcommittee will review all new leases and make recommendations to the Board of Supervisors.

The Building Subcommittee will review the monthly lease collection. Late fees and finance charges will be collected per each lease agreement.

The Building Subcommittee will monitor leases for violations of lease agreements and recommend action to the Board of Supervisors to address any such violations.

8.013 Emergency Situations

The Building Subcommittee shall establish emergency situation contacts to be communicated to the tenants.

Section 9 (Reserved)

Section 10 Personnel Policies

10.01 Receipt of Personnel Policies

All employees should read the following; then sign, date and return the form to the District Manager. The form will be placed in the employees' personnel file.

RECEIPT OF PERSONNEL POLICIES

Following this form is the Kittitas County Conservation District’s personnel policies. It is your responsibility to read these policies, as they will acquaint you with your employee benefits, our personnel practices and rules and some organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment of any specific duration between the District and its employees. These policies are general guidelines and do not constitute promises of specific treatment. Although we hope that your employment relationship with us will be long term, we recognize that at times things do not always work out as hoped, and either of us may decide to terminate the employment relationship.

As the District grows and changes, personnel policies may change. The District, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate by the Board of Supervisors. You will be notified of any such changes.

The Board of Supervisors also retains the ability to act apart from these personnel policies s at their sole discretion.

If you have any questions about these policies or any other policies of the District, please feel free to ask the District Manager or the Board of Supervisors.

I have read and understand the statement above.

Employee Signature

Employee Printed Name

Date

10.02 Establishing Kittitas County Conservation District Personnel Policies and Procedures

The District Manager will develop recommendations for final approval by the Board of Supervisors on District-wide personnel policies. The Board of Supervisors will approve additions, revisions, or new policies to be formally incorporated into the Policies and Procedures Manual. This policy will be reviewed regularly by the Board of Supervisors.

The District Manager or his/her designee is responsible for standardizing the personnel policy and procedure manual format, content and numbering systems. The District Manager or his/her designee is responsible for district-wide policy publication and distribution.

10.03 Contact Supervisor

The Contact Supervisor is the Board member who provides administrative supervision and personnel management for the District Manager. The Chair of the Board of Supervisors serves as the Contact Supervisor.

10.04 Employee Categories

10.041 Regular Employees

Regular employees are those employees who successfully fulfill the six-month introductory period and have been offered regular employment by the Board of Supervisors. Regular employees who work more than 37.5 hours per week are eligible for sick leave, annual leave, health insurance, retirement benefits, and paid holidays. Employees working less than 37.5 hours, but more than 20 hours per week are eligible for holidays, annual leave, and health care benefits pro-rated based on the percentage of full-time employment worked. All employees, regardless of hours worked, receive medical leave¹. Employee eligibility for the Public Employees Retirement System (PERS) will be determined by the guidelines published by PERS.

10.042 Project Employees

Project Employees are those employees hired for specific tasks outlined in grant contracts for a specified duration of time. Project employees who are employed full time for more than five months also receive annual leave, sick leave, health insurance benefits, retirement, and paid holidays. Part time and temporary (less than five months) project employees will receive benefits only in the form of the employer's portion of unemployment, social security, Medicare, and Labor & Industries payments, as well as sick leave. Part time and temporary project employees who are initially hired for and expected to work for a period less than 5 months out of any 12 month period, will not receive paid annual or holiday leave or be eligible for any other benefits program other than the required sick leave.

10.043 Volunteers and Interns

Volunteers and Interns are those persons who voluntarily donate time to the District or are acquiring college credit for voluntary work. All volunteers and interns will be screened and selected to fill the limited number of positions available. The criteria will vary based on need. All volunteers and interns shall comply with the applicable provisions of this policy and procedures of the District.

10.05 Employee status

The District employs both full-time and part-time staff on regular, project and temporary status. Full-time employment constitutes at least 37.5 hours per week on either regular or project status.

Terms of employment require the employee be evaluated upon completion of a six-month introductory period, at which time the employee will be placed on a regular or appointed project status for the duration of the project.

Both during and after the introductory period, continued employment is **At-Will** by the District. The employee may be terminated at any time, with or without cause, and with or without notice, subject to applicable state and federal laws. Continued project employment is at the sole discretion of the Board of Supervisors and contingent upon factors determined by the Board of Supervisors, including but not limited to available funding, job performance, changes in program direction, or reorganization.

10.06 Employee Compensation

The District pays compensation that is nondiscriminatory and competitive. The District Manager is responsible for coordinating the continuing review of compensation with the Board of Supervisors. This review should determine whether compensation accurately and fairly reflects each position's responsibilities and performance. Ultimately, the Board of Supervisors retains full discretion with regard to any changes in rates of pay and makes no guarantee of annual or periodic pay increases.

Non-exempt positions are paid an hourly wage. Exempt positions are salaried and receive a predetermined monthly amount constituting one twelfth of the set annual salary. At approximately each March meeting (and at the successful conclusion of the 6-month introductory period for new employees) each employee may be considered for a pay increase.

All employees are paid on a monthly basis. However, employees have the option of requesting a mid-month draw not to exceed half of the employee's monthly net salary. The official payday is the first day of each month. The 15th of each month is used as a second monthly payday for those employees using the mid-month draw. If payday falls on a weekend or holiday the closest preceding workday will be utilized as payday.

10.07 Employee Benefits

The District provides health care and retirement plans to its employees. Information and summaries intended to explain these benefit plans will be furnished to all plan participants and beneficiaries on a timely and continuing basis. The District reserves the right to modify, amend, or terminate its benefits as they apply to all current, former, and retired employees. Additionally, the Administrator of each benefit plan has the discretionary authority to determine eligibility for benefits and to interpret the plan's terms.

10.071 Retirement

The District participates in the Washington State Public Employees Retirement System (PERS). Both the District and the employee contribute a percentage of the employee's pay into the employee's retirement account. The contributed percentage is set by the State Legislature. Participation in the retirement program is mandatory for both employer and regular full-time and some regular part-time employees, depending upon the number of hours worked per month.

The District offers a State of Washington Deferred Compensation Plan for the benefit of its employees. The District does not offer a match for deferred income. Deferred Compensation is an agreement between the employee and employer to postpone part of their income, until separation from service for the purpose of supplementing future retirement or social security benefits an employee may receive. Deferrals are invested in one or more options offered by the Program, which provide the advantages of reducing current taxable income, and allowing the employee's Deferred Compensation account to grow

on a tax deferred basis until withdrawn. All employees who meet eligibility requirements are encouraged to participate. Any questions should be directed to the Financial Manager.

10.072 Health Care Benefits

The District has comprehensive medical, vision, and dental plans through the Washington State Health Care Authority as determined by the Public Employees Benefits Board.

The District provides health benefits and related insurance coverage to all eligible employees. The District pays 100% of the cost for employee's premium and 50% of costs to add employee's child, spouse, or family coverage if the employee elects to add dependents. The remaining 50% for dependents and any surcharges are the employee's responsibility and must be paid through payroll deduction.

10.073 Benefits During Leave

Employees who are on a paid leave of absence shall continue to receive benefits they were entitled to prior to the start of their leave, including the accrual of annual leave, sick leave, holidays, retirement, and health insurance benefits. Unless stated otherwise in these policies, benefits that accrue according to length of service, such as annual leave, sick leave, and holidays do not accrue during periods of unpaid leave or during periods in which the employee receives workers' compensation. In certain cases, self payment of insurance premiums may apply.

10.08 Office Hours and Work Schedules

Normal office hours are 8:00 am to 4:30 p.m. Monday through Friday, except those days designated as official holidays. The workweek commences on Monday morning at 12:01 a.m. and ends the following Sunday evening at midnight. An eight-hour, five day period (five/40), or ten-hour four day (four/40) schedule is consistent with the normal work period, although a four/40 schedule must be approved by the District Manager to maintain operational capacity of the District. A four/40 work schedule may be revoked at any time. Employees will be charged annual leave and medical/family leave at the rate of total hours scheduled to work in the work day, not to exceed 40 hours per work week. Employees utilizing a four/40 schedule will be paid eight hours for each paid holiday and must charge the remaining hours in the alternative work day to annual leave, compensatory time or leave without pay to total 40 hours in the work week. Each non-exempt employee is allowed a 1/2 hour unpaid lunch break and two fifteen (15) minute paid breaks per day. Break time cannot be accumulated or used for any purpose other than daily breaks.

Due to the nature of District work, some employees may benefit from schedules that differ from normal office hours. In this situation, several work schedule options are available. In all cases, productivity and operational requirements shall be considered by the District Manager prior to approval. Use of the following work schedule options is at the discretion of the District Manager and may be denied, revised or discontinued at any time based on the operational needs of the District or another reason.

Employees generally are expected to report for work during inclement weather conditions unless the District Manager or their designee declares an emergency closing. It is expected that employees make every reasonable effort to report to work, so long as doing so does not endanger their personal safety. An employee who is unable to get to work or leaves work early because of unusual weather conditions may charge the time missed to annual leave, personal holiday, compensatory time off, or leave without pay.

10.081 Flextime Schedule

Flextime permits flexible starting times and quitting times while maintaining a standard number of core hours which must be worked. For the purposes of flextime, the core hours are typically 9:00AM to 3:00PM, with the 6:30 to 9:00AM and 3:00PM to 5:30PM time periods being flexible. Flextime schedules may be approved by the District Manager, so long as the office continues to be sufficiently staffed during normal office hours and the individual employee's ability to complete tasks is not compromised. All flextime schedules must comply with the FLSA and prevent an overtime obligation for non-exempt employees.

10.082 Alternative Work Period

There is a specific definition of "alternative work period" that varies from the standard regular work period that must be followed in order to utilize alternative work periods without violating provisions of state and federal wage and hour laws. This definition allows 40 hours of work within a seven consecutive 24-hour day period. The work week may begin and end on any day, however, no more than 40 hours can be worked without overtime obligations in any 168-hour work week period. The implementation of this policy is subject to the following guidelines.

The alternative work period begins after the first four hours of work on the work start day and ends after the first four hours of work on the same day the following week. Example after the first four hours of work on Friday (work start day) and ends after the first four hours of work on the following Friday. The work week can begin on any day of the week—but the corresponding day in the next week must be the day off. Employees work eight-hour days for the work start day with those hours split evenly between two work weeks. The next start day is a day off. For example, if the work start day is Friday, employees will work eight-hours the first Friday nine-hour days Monday through Thursday, and the next Friday is a day off.

Alternative work schedules may be approved by the District Manager, so long as the office continues to be sufficiently staffed during normal office hours and the individual employee's productivity is not compromised. All schedules must comply with the FLSA and prevent an overtime obligation for non-exempt employees.

Employees will be charged annual leave and medical/family leave at the rate of total hours scheduled to work in the alternative work day, not to exceed 40 hours per work week. Employees approved for an alternative work period will be paid eight hours for each paid holiday and must charge the remaining hours in the alternative work day to annual, compensatory time or leave without pay to total 40 hours in the work week.

10.083 Exempt Employee Schedules

Exempt employees are not required to strictly adhere to the normal attendance requirements as are hourly employees, however, flexible attendance should not interfere with District operations, employee productivity or the work of subordinates. Workday lengths for exempt employees are determined primarily by their current workloads although general working hours and the ability to consider alternative work schedules remain the same as non-exempt employees. Exempt employees are expected to attend meetings and carry out other activities outside of regular working hours as appropriate. If exempt employees are absent from the workplace for a period of three or more hours, they must document these hours as annual leave, medical/family leave, or informal leave, as appropriate.

10.09 Payroll Information and Timekeeping Procedures

Each employee shall keep a daily journal tracking specific hours of each activity during the day. The time must be tracked to the quarter of an hour and include a beginning and ending time and total hours spent for each activity. The journal should also include a brief description of the activity performed and the grant

and specific task to which the work is related. Employees must record actual hours worked on the actual days worked. Employees will also delineate office and field hours on a daily basis.

Each employee is responsible for filling out and signing his or her own timesheet and submitting it to the Financial Manager by 9AM on the first working day of the month. Timesheets must be completed and signed in ink by the employee and reviewed by the District Manager in order to receive their paycheck. Copies of the daily journal must be maintained by the employee and available for review by the District Manager or Board of Supervisors at any time.

10.10 Employee Performance Evaluations

Performance of the duties of each position is evaluated against the requirements developed for each of the positions. A formal review may be completed by a personnel committee appointed by the Board of Supervisors on a yearly basis generally during the month of March. The review will include the employee whose performance is being evaluated. The District Manager will be evaluated only by the personnel committee; all other employees will be evaluated by the District Manager. Performance rating is an overall evaluation of performance in the judgment of the supervisor. It may be the basis for any merit pay increases granted by the Board of Supervisors, although all pay rate changes are at the sole discretion of the Board of Supervisors.

10.11 Employee Training

It is the expressed goal of the District Board of Supervisors to make available appropriate training, pursuant to an employee-training plan, to facilitate the professional development of district staff.

10.12 Leave Categories

The District authorizes leave for employees for a variety of reasons in accordance with the guidelines established below.

10.121 Annual Leave

All full time regular and eligible project and part time employees are entitled to accrue annual leave. Annual leave is accrued or earned based on the employee’s length of service and on the time actually worked. Annual leave cannot be taken until the hours are accrued.

Annual leave is accrued at the following rates for full time employees:

Years of Continuous Employment	Hours Per Annum	Hours Per Month
1 st Year	96	8 hours
2 nd Year	104	8 hours 40 minutes
3 rd and 4 th Years	112	9 hours 20 minutes
5 th , 6 th , and 7 th , Years	120	10 hours
8 th , 9 th , and 10 th Years	128	10 hours 40 minutes
11 th , 12 th , and 13 th Years	136	11 hours 20 minutes
14 th , 15 th , and 16 th Years	144	12 hours
17 th , 18 th , and 19 th Years	160	13 hours 20 minutes
20 th , 21 st , and 22 nd Years	168	14 hours

All years thereafter	176	14 hours 40 minutes
----------------------	-----	---------------------

Regular part-time employees shall earn annual leave proportionate to the number of hours that they work in a pay period divided by the number of hours a full time employee works in the same pay period. Annual leave does not accrue when an employee is on an unpaid leave of absence. The maximum number of annual leave hours cannot be more than 240 hours per calendar year. An employee can accrue more than 240 hours during any given year, but the excess over 240 hours must be used prior to the end of each calendar year or the excess will be forfeited without compensation.

Annual leave will accrue from the date of hire. Eligible employees will be allowed to begin using any accumulated leave after completing the six-month introductory period. Increases in annual leave will be effective on the first day of the employee’s anniversary month.

For any annual leave of one week in duration or more, the employee shall seek advanced approval, from the District Manager or Contact Supervisor, a minimum of 10 days prior to use. Leave shorter than one week must be pre-approved unless a legitimate emergency arises.

Upon termination for any reason, an employee shall be paid for unused annual leave at his/her rate of pay at termination. This "termination" pay will be made at the end of the pay period following the last day worked.

Employees shall document any use of annual leave on the appropriate time sheet. Employees shall transfer carry-over leave on each time sheet. This balance "brought forward" will be verified by the District Financial Manager each pay period. An employee shall, within 5 working days, bring to the attention of management; any perceived errors in the account. It is the responsibility of the employee to take the appropriate action to assure hours in excess of the maximum allowable accrual are used.

Annual leave cannot be cashed out while the employee is in continuous employment of the District. Once per year, employees may elect to have their accrued annual leave balance that exceeds 220 hours cashed out and deposited into a deferred compensation account set up through the District. The employee must notify the Financial Manager in writing by November 15 of each year for distribution on the December payday. This benefit is prorated for part time employees based on their full-time equivalency.

10.121 Compensatory Time

Prior authorization for an employee to work more than 40 hours per week must be granted, in writing, by the employee's supervisor. If overtime is authorized and if the employee so chooses, compensation may be in the form of compensatory time off at the rate of 1.5 hours per hour overtime worked; 40 hrs maximum accruable. Compensatory time will be taken off within 60 days of accrual, and must be liquidated before annual leave is granted. An exception to the aforementioned condition may be granted, with written district approval, when liquidating compensatory time off would result in loss of accumulated annual leave. The District Manager and District Engineer are not eligible for compensatory time.

10.122 Informal Leave for Exempt Positions

The positions of District Manager and District Engineer are exempt from the Fair Labor & Standards Act through a “professional exemption.” In recognition of the time demands of the positions, informal paid leave may be taken as mutually agreed by the employee and the Contact Supervisor. Informal leave is accrued on a one for one basis and may not exceed 40 hours without prior approval and may not exceed 174 hours at any time. Informal leave time exceeding 60 hours should be used as soon as possible after being earned and prior to an employee using annual leave, unless doing so would cause the employee to forfeit earned annual leave at the end of the calendar year. When an exempt employee’s informal leave

accrual exceeds 60 hours, that employee has the option to request a bonus equivalent to a pro-rated portion of the monthly salary for the number of hours exceeding the 60 hour threshold. In the event of termination for whatever reason, the exempt employee shall not receive compensation for any accrued informal leave.

10.123 Sick Leave

All employees are entitled to sick leave that accrues at a rate of 8 hours per month. Sick leave will accrue from the date of hire and may be used at any time after that date. For employees hired in mid-month, sick leave for the partial calendar month shall accrue proportionately. Eligible part time employees shall accrue sick leave prorated according to hours worked. As a minimum under RCW 49.46.210, effective January 1, 2018, FLSA non-exempt (hourly) employees will accrue at least (1) hour for every 40 hours worked. In the event of termination for whatever reason, the employee shall not receive compensation for any accrued medical/family leave. An employee rehired within 12 months of separation will also have their accrued, unused sick leave reinstated as required by law.

Employees must notify the District Manager (or designee) of their absence from work, at the earliest time possible prior to the beginning of the employee's regular work day and the reason for the sick leave taken. The District may require a doctor's certificate after three (3) consecutive work days of absence to verify legitimate use of sick leave. An employee found to have abused sick leave privileges by falsification or misrepresentation may forfeit medical leave compensation or be subject to other disciplinary action, up to, and including, termination of employment.

Sick leave may be used by the employee for these situations:

1. An employee's mental or physical illness, injury or health condition;;
2. Preventive care such as a medical, dental or optical appointments and/or treatment;
3. To care for employee's spouse, domestic partner, children, step children, parents, parents-in-law, grandparents or grandparents-in-law who are ill, have health care appointments, or have a serious health condition;
4. For the birth of a son or daughter, and to care for the newborn child;
5. For placement of a son or daughter for adoption or foster care; or
6. By specific request for other family members (not listed above) for whom the employee has day-to-day responsibilities to care for or financially support, and who are ill, have health care appointments, or have a serious health condition.
7. If the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking.

If sick leave, annual leave, and compensatory time are exhausted, the employee may request in writing up to 12 weeks of leave of absence without pay within a 12-month period. This request will only be accepted from employees who have worked for the District for 12 months and at least 1,250 hours in the 12 months immediately preceding the request. If the request is approved by the Contact Supervisor and District Manager, the employee's monthly benefits award will be provided at the same rate (part-time or full-time) as during regular employment for no more than the approved 12 week period. The 12 weeks begin when all of the employee's paid leave has been exhausted. Any time associated with donated leave (Section 10.124) is counted as part of the 12 weeks.

Each employee shall document the use of medical/family leave on his or her time sheet. An employee shall bring to the attention of management, within 5 working days; any perceived errors in the account.

10.124 Donated Sick Leave

When an employee on extended sick leave has exhausted all their accrued leave, other employees may donate medical/family leave. The donor must retain for their own use a minimum of 40 hours of sick leave. Donated sick leave must be approved by the District Manager via the leave form, prior to the end of that pay period. Donated sick leave must be noted on the donor's time sheet.

10.125 Family and Medical Leave

The following is a summary of the District's Family and Medical Leave Policy. Further information regarding the Family and Medical Leave Act of 1993 (FMLA), and Washington Paid Family & Medical Leave and local leave laws should be referenced.

The FMLA entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth;
 - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - a serious health condition that makes the employee unable to perform the essential functions of their job;
 - To care for an immediate family member who has a serious health condition; or
 - Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty"
- Twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave)

An employee on family leave is entitled to use accrued sick leave, annual leave, and comp/exchange time. Request for this leave should be made in writing at least 30 days in advance to the Director. All other periods of family leave shall be leave without pay. Sick and annual leave will not accrue while on leave without pay.

If members of the same household are both employed by the District, FMLA leave is limited to a combined total of 12 workweeks of leave in a 12-month period for the following FMLA-qualifying reasons:

- the birth of a child and bonding with the newborn child,
- the placement of a child with the employee for adoption or foster care and bonding with the newly-placed child, and
- the care of a parent with a serious health condition.

The employees may not take twelve weeks each in these situations.

Eligible members of the same household who work for the same employer are also limited to a combined total of 26 workweeks of leave in a single 12-month period to care for a covered servicemember with a serious injury or illness (commonly referred to as "military caregiver leave") if each spouse is a parent, spouse, son or daughter, or next of kin of the servicemember. When spouses take military caregiver leave as well as other FMLA leave in the same leave year, each spouse is subject to the combined limitations for the reasons for leave listed above.

The limitation on the amount of leave for members of the same household working for the same employer does not apply to FMLA leave taken for some qualifying reasons. Eligible members of the same household

who work for the same employer are each entitled to up to 12 workweeks of FMLA leave in a 12-month period, without regard to the amount of leave their spouses use, for the following FMLA-qualifying leave reasons:

- the care of a spouse or son or daughter with a serious health condition;
- a serious health condition that makes the employee unable to perform the essential functions of their job; and
- any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on "covered active duty."

Employer provided benefits will be paid by the District during approved FMLA leaves. For the first twelve (12) weeks of authorized leave during any twelve (12) month period, the District shall maintain the employee's medical, vision, and dental benefits regardless of whether the employee is on paid or unpaid leave.

If leave without pay past the initial twelve (12) weeks is approved for a FMLA associated cause, the employee may use eight (8) hours of leave per month or self-pay to retain medical, vision, and dental benefits.

If an employee fails to return to work after the expiration of the approved leave without pay due to a reason other than a serious health condition that prevents the employee from performing their job, or circumstances beyond the employee's control, the employee may be required to reimburse the District for the payment of the medical/dental premiums during the leave.

10.126 Leave of Absence Without Pay

Leaves of absence without pay may be authorized by the District Manager only after compensatory time, annual leave, personal days and, in the case of sickness, sick leave has been exhausted. Factors which will be considered in granting leave include, but are not restricted to, personal reasons (after all other leave has been exhausted), District financial reasons, and District workload.

Unauthorized absence will be treated as absence without pay and may be grounds for disciplinary action. Upon return, the employee shall give a written statement to the District Board of Supervisors explaining the reason for the absence.

Annual and sick leave will not accrue during periods of leave without pay.

The anniversary date of the employee will be adjusted by the length of leave granted. Any employee on approved leave of absence may continue medical and/or dental insurance coverage by paying the full cost to the District in advance for each month or portion thereof in which the employee is to be absent.

10.127 Jury duty

The District allows all employees who are called to serve on jury duty to take the time required to serve. Employees who are summoned for jury duty or who are subpoenaed to appear in court or in a deposition should present a copy of the summons or subpoena to their direct supervisor. Employees who are dismissed from jury duty or are not required to remain in court must report to work during regular work hours.

Any employee required to report to jury duty shall receive full pay and benefits during that time. Leave of absence for jury duty must be requested in advance. Employee must report for work when released from jury duty. Compensation received from the court for jury duty must be given to the District. The employee may keep parking and mileage reimbursement they receive.

10.128 Bereavement Leave

Up to twenty-four hours of paid leave is allowed when an employee experiences a death in the employee's immediate family. For the purposes of this leave, immediate family members shall include the following whether related by blood or marriage: spouse/registered domestic partner, child, grandchild, great-grandchild, sibling, parent, grandparent, great-grandparent, aunt, uncle, niece, or nephew. The District will also consider a request for bereavement leave in the event of the death of other family members for whom the employee has day-to-day responsibilities to care for or financially support. Additional time off required for grieving may be authorized as sick leave. An employee must obtain approval of the District Manager or Contact Supervisor when taking such leave.

10.129 Military Leave

Any employee who is a member of a military reserve force of the United States or of the National Guard will be entitled to military leave without pay not to exceed twenty-one (21) working days during each calendar year. Although employees will not be paid during this leave time, they will receive all benefits or status due during this absence. Such leave will be granted when the employee is ordered to report for active duty, when called, or when ordered to take part in active training duty. Unless prohibited by military necessity, employees must provide the District with a copy of their orders at the time they request military leave. Employees may elect to use accrued comp/exchange or vacation leave in conjunction with this military leave.

Requests for military leave must be made as soon as reasonably practical or within two weeks after the employee learns of the need for such leave.

10.130 Domestic Violence Leave

Leave for Victims of Violence and Their Family Members

Employees who are victims of violence, sexual assault or stalking may take reasonable unpaid leave from work to take care of legal or law enforcement needs or to get medical treatment, social services assistance or mental health counseling, or to participate in safety/relocation planning. Employees who are qualifying family members of a violence victim are also eligible for leave under this policy. For purposes of this policy, the term "qualifying family member" means child, spouse/domestic partner, parent, parent-in-law, domestic partner parent, grandparent or person the employee is dating. Employees may elect to use accrued paid comp/exchange, sick or annual leave for this leave. Sick and annual leave will not accrue during leave without pay.

Employees wishing to take leave under this policy must give as much advance notice of the need for the leave as possible. Leave requests must be supported with one or more of the following:

- A police report indicating that the employee or the employee's qualifying family member was a victim;
- A court order providing protection to the victim;
- Documentation from a healthcare provider, advocate, clergy or attorney;
- The employee's written statement that the employee or employee's qualifying family member is a victim and needs assistance.

Upon return from this leave, employees will be reinstated to their same position or another position with substantially equivalent benefits and terms and conditions of employment.

If leave without pay past twelve (12) weeks is approved due to a violence related cause, the employee may use eight (8) hours of leave per month or self-pay to retain medical, vision, and dental benefits.

If an employee fails to return to work after the expiration of the approved leave without pay due to a reason other than a serious complications related to acts of violence that prevent the employee from performing their job, or circumstances beyond the employee's control, the employee may be required to reimburse the District for the payment of the health care premiums during the leave.

10.131 Administrative Leave

Employees may be granted administrative leave when conditions cause closure of the office. The Contact Supervisor and/or District Manager will have the authority to declare administrative leave for any such period as necessary. Full pay and benefits will continue during administrative leave. Notification of such closure will be given to each employee by the District Manager and will be posted on the office door.

10.132 Inclement Weather and Natural Disasters

Conditions such as severe weather, fire, flood, earthquake, or other natural disasters can disrupt District operations as well as endanger the health and welfare of employees. In certain circumstances, the District Manager may, at their discretion, declare the office to be officially closed due to unusual or inclement conditions. In such cases, the District Manager may grant administrative leave or allow employees to work at home or another location as deemed appropriate. If the office is open but an employee is unable to reasonably report to work due to inclement conditions, the employee may elect to use available paid leave in connection with such absence. If the employee does not have available paid leave, the absence will be unpaid.

10.13 Holidays

10.131 Paid Holidays

All regular and eligible project and part-time employees are entitled to paid holidays. District employees observe the same paid holidays as our NRCS partners:

New Year's day	January 1
Martin Luther King Jr.'s Birthday	3 rd Monday in January
Presidents Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Veterans Day	November 11
Thanksgiving	4 th Thursday in November
Day After Thanksgiving	Day after Thanksgiving
Christmas	December 25

A holiday that occurs on a Saturday will be observed on the preceding Friday. A holiday that occurs on a Sunday will be observed the following Monday. If a holiday occurs during an employee's annual leave period, the employee will be required to record the day as holiday pay on their timesheet. Temporary employees and employees on unpaid leaves of absence or on layoff are not eligible to receive holiday pay.

Paid holidays will be taken on the specific holiday or be forfeited unless the employee is officially representing the District on that holiday and the work has been pre-approved. For full-time employees, holidays will be considered as no more than one full day (8 hrs) without regard to the employee's hourly schedule. Holiday hours for part-time employees will be pro-rated based on the regular number of hours worked by that employee on that particular day of the week (e.g. employee scheduled to work 4 hours on a holiday will receive only 4 hours of holiday time). Holidays cannot be accrued. To be eligible for

holiday pay, the employee must be on pay status the previous working day or the next working day following the holiday. Pay status includes the use of annual or medical/family leave.

Except for any holidays mandated by state or federal law, District holidays are subject to change at the sole discretion of the District. Employees may be granted special or limited holidays, as declared by the U.S. Government or the State of Washington², upon approval of the Contact Supervisor.

In addition to the paid holidays specified above, employees are entitled to one paid holiday per year per RCW 1.16.050. This is referred to as a personal day. A leave request shall be made to the District Manager or the Contact Supervisor for approval in advance of taking the personal day.

10.131 Unpaid Holidays

Employees may take two unpaid holidays at any time during the calendar year for reasons of faith or conscience or an organized activity conducted under the auspices of a religious denomination, organization, or church, with prior approval of the District Manager, in accordance with RCW 1.16.050(3). The unpaid holidays are in effect and available for use on January 1 of each year. The unpaid holidays must be taken in full workday increments, may not be supplemented with paid accrued leave time, and shall not accumulate from year to year.

10.14 Travel Status

Any employee of the District is considered to be in travel status if the employee is required to leave the County for official business and, due to travel requirements the employee, is traveling for official business before 7:00 A.M. and/or past 7:30 P.M. The District Manager authorizes travel for all employees. Written authorization is issued for travel exceeding 3 days. Travel reimbursements will follow the most current guidelines set by the State of Washington, Office of Financial Management (OFM). These guidelines are available from the Washington Conservation Commission. Employees will receive straight per diem. When an employee is using their personal vehicle for work they are eligible for mileage reimbursement.

Employees may receive advance cash allowances to cover anticipated, reimbursable expenses for authorized travel on official business. Such advances shall be provided to the employee, on approval of the District Manager, and in accordance with administrative procedures for such advance. Travel advances shall be accounted for by submission of a "Travel Voucher" form, with any excess advance repaid to the District within fifteen (15) days following completion of travel. An interest penalty of 10 percent will be charged on the advance amount if a travel voucher form is not received within fifteen (15) days of employee's return date. No further travel advances will be granted until that outstanding advance is settled. Under no circumstances shall an advance be considered a personal loan to any employee. Any unauthorized expenditure of such advance shall be deemed a misappropriation of public funds. If excess funds have not been repaid, the District may withhold an amount equal to the advance allowance from the employee's paycheck or other funds payable to the employee.

Time spent by nonexempt employees (those covered by the minimum wage and overtime requirements of the Fair Labor Standards Act) in traveling away from home on District business during normal working

hours (including what would be normal working hours on a day not usually scheduled to work) are considered hours worked for pay purposes.

Employees traveling on District business are representatives of the District and are expected to maintain a high level of professionalism and to follow all of the District's policies and rules.

10.15 Employment Procedures and Equal Employment Opportunity

The District is an equal opportunity employer and hires individuals solely based on their qualifications and ability to do the job to be filled.

10.151 Employment Procedures

Employment at the Kittitas County Conservation District is at-will, which means that either the employee or Kittitas County Conservation District may terminate the employment relationship at any time with or without cause or advance notice. No agent or representative of District has the authority to enter into any agreement of employment for any specified period of time, or to enter into an employment agreement that in any way modifies the at-will status of employment at the District. Both federal and state laws regulate the employment of minors (under age 18). Before a minor can be employed, the minor must obtain a permit to work, and District must obtain a permit to employ.

All job references, verification of employment, previous positions held, and employment dates, will be checked before the candidate is hired.

Employees will receive an orientation with procedures and policies and a copy of a job description for the position for which they were hired. The job description summarizes the knowledge, skills, and abilities required for the position. All new employees receive an orientation packet during the first week of employment, which includes:

- Job Description
- W-4 form
- Immigration Form I-9
- Kittitas County Conservation District Policy and Procedures Manual
- Health/Life/Dental Insurance enrollment (if eligible)
- Retirement enrollment (if eligible)
- Background Check (All prospective new employees may be subject to a criminal history and driving record check through the Washington State Patrol.)

10.151 Equal Employment Opportunity

The District is an equal opportunity employer and it is our policy that employees and applicants will not be subjected to discrimination or harassment based on race, color, religion, sex, age, creed, national origin, honorably discharged veteran's status, marital status, sexual orientation, physical or mental disability, or any other basis prohibited by applicable state, federal or local laws. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, reduction in force, recall, transfer, and leaves of absence, compensation and training. The District complies with all applicable federal, state and local laws that prohibit discrimination in employment.

Any District employee who is found to have violated the District's strict policy against any type of discrimination will be subject to disciplinary action, up to and including termination of employment.

10.16 Productive Work Environment (Complaints of Unlawful Discrimination, Harassment, or Retaliation)

The District promotes a productive work environment and does not tolerate unlawful discrimination, harassment, or retaliation.

10.161 Discrimination

The District is committed to providing a workplace that is free from unlawful discrimination. Unlawful discrimination occurs when an employee is disciplined, terminated, demoted, or suffers some other adverse consequence in their employment on the basis of race, color, national origin, creed, religion, sex, age (over 40), pregnancy, marital status, physical or mental disability, genetic information, gender identification, sexual orientation, gender identity or status as an honorably discharged veteran, or any other class protected by federal, state, or local law.

10.162 Harassment

The District is committed to providing a work environment which is free from unlawful harassment. The District expressly prohibits any form of unlawful harassment by or against its employees on the basis of race, color, national origin, creed, religion, sex, age (over 40), pregnancy, marital status, physical or mental disability, genetic information, gender identification, sexual orientation, gender identity or status as an honorably discharged veteran, or any other class protected by federal, state, or local law.

Sexual harassment is conduct that is directed at an employee because of his or her sex, is unwelcome, and is offensive. Each supervisor and manager has a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.

Other sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, non-supervisory employees, or non-employees, is also prohibited. Prohibited conduct includes, but is not limited to:

- i. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
- ii. Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references;
- iii. Demeaning, insulting, intimidating, or sexually suggestive comments about an individual;
- iv. The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs;
- v. Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Any of the above conduct, or other offensive conduct directed at individuals on the basis of race, color, national origin, creed, religion, sex, age (over 40), pregnancy, marital status, physical or mental disability, genetic information, gender identification, sexual orientation, gender identity or status as an honorably discharged veteran, or any other class protected by federal, state, or local law, is strictly prohibited.

10.163 Retaliation

The District is committed to providing a work place that is free from unlawful retaliation. The District prohibits any form of retaliation against any employee for good faith actions in filing a complaint under the District's discrimination and harassment policies, and for participating in the investigation of any complaint of discrimination or harassment. Improper retaliation may include, but is not limited to, discipline, termination, transfers, assignment of unfavorable duties, or treating the employee who made

the complaint in a hostile manner when such action or behavior is motivated in substantial part by the employee's participation in protected activity. Employees who bring complaints may be subject to discipline if the investigation reveals that the complaint was made in bad faith.

10.164 Complaint Procedures

An employee who feels harassed should immediately tell the offending individual how they feel and ask them to stop. If that does not work or if the employee is uncomfortable confronting the offending individual, the employee should report the incident promptly. A complaint can be made verbally or in writing to District Manager. In the alternative, as the employee may wish, the complaint may be brought to the attention of the Contact Supervisor.

A harassment complaint generally will be handled as follows:

- i. Every complaint is to be reported promptly, whether by the complainant or by the person receiving the complaint. If reported verbally, the person taking the complaint should produce a written statement for the complainant to review and sign.
- ii. The complaint will be investigated as soon as reasonably practicable. Choice of investigator, level of formality, and the procedures used in the investigation may vary, depending upon the nature of the allegations and full circumstances of the situation, including the context in which the alleged incidents occurred.
- iii. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the need to undertake a full investigation.
- iv. There shall be no retaliation by the District, its supervisors, manager, or other employees toward any employee bringing a complaint in good faith or cooperating with the investigation of a harassment complaint. Any person who feels they have been retaliated against, should immediately report their concern to the Board of Supervisors. The District strictly prohibits retaliation under this policy, and any sustained allegations of retaliation will lead to discipline, up to and including termination.
- v. Where the investigation confirms the allegation of unlawful harassment or retaliation, the District will take prompt corrective action, and, where appropriate, discipline the offending individual. Discipline may include verbal and written reprimands, professional counseling, reassignment, demotion, or other appropriate action, up to and including termination. The affected individuals will be informed of the outcome of the investigation.

The District Manager and Contact Supervisor are assigned responsibility for implementing this policy, ensuring compliance with and knowledge of its terms, and for taking immediate and appropriate corrective action if they witness inappropriate behavior or receive a complaint. The District Manager and Contact Supervisor must open and maintain channels of communication to permit employees to raise concerns of sexual or other workplace harassment without fear of retaliation, stop any observed harassment, and treat harassment matters with sensitivity, confidentiality, and objectivity. Failure to carry out these responsibilities may result in disciplinary action up to and including discharge.

10.17 Employee Disclosure Act (Whistle Blower)

Chapter 42.41 RCW encourages local government employees to report improper governmental actions. It is the policy of the District, (1) to encourage reporting by its employees of improper governmental action taken by District officers or employees and (2) to protect District employees who have reported improper governmental actions in accordance with the District policies and procedures.

10.171 Definitions

Improper Governmental Action means any action by an employee that violates state law, abuses authority, wastes public funds, or endangers public health or safety. Improper Governmental Action does not include personnel actions, including but not limited to: employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, relations to collective bargaining or civil service laws, alleged violations of labor agreements, or reprimands to any action that may be taken under RCW 41.56 or RCW 53.18.

Retaliatory Action means any adverse change in the terms and conditions of a District employee's employment.

Emergency means a circumstance that if not immediately changed, may cause damage to persons or property.

Whistle blower means a reporting employee, who in good faith, reports allegedly improper governmental action, initiating an investigation. The term whistle blower also means a reporting employee, who in good faith provides information in connection with an investigation and/or an employee who is believed to have reported allegedly improper governmental action or to have provided information with connection to an investigation, but who in fact, has not reported such action or provided such information.

10.172 Procedure

A District employee who becomes aware of improper governmental action should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor stating in detail the basis for the employee's belief that an improper governmental action has occurred.

Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the District Manager.

Where the employee reasonably believes that the improper governmental action involves the District Manager, the employee may raise the issue with the District Auditor and Contact Supervisor.

The District Manager shall take prompt action to assist the District in properly investigating the report of improper governmental action. District officers and employees involved in the investigation shall keep the identity of reporting employees confidential, to the extent possible under law, unless the employee discloses his/her identity in writing.

After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a written summary of the results of the investigation, except that personnel actions taken as a result of the investigation shall be kept confidential.

District employees may report information about improper governmental action directly to the county prosecuting attorney with responsibility of investigating the improper action if the District employee reasonably believes that:

- i. An adequate investigation was not undertaken by the District to determine whether an improper governmental action occurred; or
- ii. Insufficient action has been taken by the District to address the improper governmental action; or
- iii. In the case of an emergency where the employee believes damage to persons or property is likely to occur if action is not taken immediately.

Employees may report information about improper governmental action directly to an outside agency if the employee reasonably believes that an adequate investigation was not undertaken by the District to determine whether an improper governmental action occurred, or that insufficient action was taken by the District to address the improper action or that for other reasons the improper action is likely to recur.

10.173 Protection Against Retaliatory Actions

District officials and employees are prohibited from taking retaliatory action against a District employee because he/she has in good faith reported an improper governmental action in accordance with these policies and procedures. Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the District Manager, Contact Supervisor or the District Auditor in writing. District officials and supervisors shall take appropriate action to investigate and address complaints of retaliation. If the employee's supervisor does not satisfactorily resolve a District employee's complaint that he/she has been retaliated against in violation of this policy, the District employee may obtain protection under this policy and pursuant to state law by providing a written notice to the District board that:

- a. Specifies the specific retaliatory action; and
- b. Specifies the relief requested.

District employees shall provide a copy of their written charge to the District Manager or his/her designee no later than thirty (30) days after the occurrence of the alleged retaliatory action.

The District shall respond within thirty (30) days to the charge of retaliatory action. After receiving either the response of the District or thirty (30) days after the delivery of the charge to the District, the District employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law.

An employee seeking a hearing should deliver the request for hearing to the District Manager within the earlier of either fifteen (15) days after delivery of the District's response to the charge or retaliatory action or forty-five (45) days after delivery of the charge of retaliation to the District for a response. Upon receipt of request for hearing, the District shall apply within five (5) working days to the Washington State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge. The District will consider recommendations provided by the Administrative Law Judge, including that the retaliator be suspended with, or without pay, or dismissed.

10.18 Drug – Free Workplace

In accordance with the Federal Drug-Free Workplace Act, the District is committed to maintaining a drug-free workplace to protect its employees, clients, and the general public from serious risks posed by the illegal manufacture, distribution, possession, or use of controlled substances. Illegal use includes use of any illegal drug, the misuse of legally prescribed drugs, or the use of illegally obtained prescription drugs. Substance abuse threatens and impairs employee health, safety, security, moral, and job performance. Thus, the District will take reasonable steps to prevent and eliminate it in the workplace.

All employees are prohibited from illegally manufacturing, distributing, dispensing, possessing, or using controlled substances, while conducting District business (including business travel), or during work hours. District employees are further prohibited from reporting to work under the influence of controlled substances.

A legally prescribed drug designated by prescription or other written approval, in the employee's name, from a physician for the use of the drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The use

of any substance that carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel prior to performing duties. It is the employee's responsibility to read warning labels and/or to seek medical advice from a physician when appropriate. It is also the responsibility of employees to remove themselves from service if they are experiencing any adverse effects from medication. The misuse or abuse of legal drugs

while performing business is prohibited.

As a general condition of employment at the District, and as a specific and express condition of employment on a federal contract, each District employee must abide by the terms of this policy. Employees must also notify District if they are convicted of a criminal drug statute violation no later than five calendar days after such conviction.

Employees that do not report their conviction will be subject to discipline up to and including termination. Within thirty days of such notice from the employee, the District may take appropriate disciplinary action against the convicted employee.

Disciplinary action including termination will be taken against any District employee who has violated the Federal Drug-Free Workplace Act or the District Drug-Free Workplace policy.

10.19 Safety

People are our greatest asset - employee safety comes first, no exceptions. Accordingly, all rules of conduct, rules of safety and safety instructions for any device operated by district staff shall be diligently observed.

The District complies with all applicable federal, state and local health and safety regulations and works to provide a work environment as free as practicable from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by the District or by federal, state or local laws. Failure to followed safety and health requirements may result in disciplinary action up to and including termination. The District maintains the following Accident Prevention Guidelines.

10.191 General Safety

Personal Conduct

- All employees shall conduct themselves in a manner that assures maximum safety to all persons affected by their actions.
- At no time shall employees engage in practical jokes, scuffling, horseplay or misuse of District equipment.
- The use of alcohol or drugs (except as prescribed by a qualified physician) during working hours is prohibited. Violation of this policy is sufficient cause for termination of employment.
- Any source of ignition, including smoking, is prohibited in any area where a match, flame, spark or careless disposal of lighted material constitutes a fire hazard.
- Personal work clothing shall be suitable for the individual job and be of the type offering maximum protection from accidental injury. Use good judgment about loose clothing, jewelry or hanging objects worn while working around moving equipment.
- Hard hats will be worn in construction sites, in electrical substations and in any work area where there is a potential hazard from falling objects.

- Proper eye protection will be worn when an employee is exposed to flying objects, dust, harmful rays, chemicals, flying particles, etc.
- Proper footwear will be worn as necessary for a particular task. This includes wearing hip boots or chest waders.
- Gloves, aprons and/or other protective clothing will be used when handling chemicals, hot or cold materials or rough materials.

Job Hazards

- Every employee shall be alert for possible hazards that could result in an accident, and act promptly to eliminate the hazard. If the hazard cannot be corrected immediately, report the problem to the District Manager.

10.192 Work Area Safety

Office & Clerical Safety

- All employees should observe safe lifting and carrying procedures when moving boxes, office machines or other heavy materials.
- Water, oil or other slippery substances shall be removed at once to eliminate slipping hazards. Extension cords, wastebaskets, and other materials shall be kept to the side of walkways or aisles to prevent tripping hazards. Standing on chairs, boxes or makeshift supports to reach overhead objects is prohibited.
- Desk and filing drawers shall be kept closed at all times when not in use. Caution should be observed in opening top file drawers to avoid tipping the cabinet. Only one drawer shall be opened at any one time.

Traffic Control

- When it is necessary for an employee or vehicle to work in/on any street, road or highway, proper traffic control will be in place. This control shall consist of coning, emergency lighting, signs or if needed, all these methods.
- Highly visible clothing must be worn by employees working in or directly adjacent to any street, road or highway. District furnishes orange vests to be worn for this purpose.

10.193 Equipment Safety

Hand Tools

- The use of tools shall be confined to the purpose for which intended.
- All damaged or worn tools shall be promptly repaired. All tools with split or defective handles shall be repaired prior to use. Temporary or makeshift repairs are prohibited.

10.20 Accidents

All accidents and/or injuries must be reported by employees to the District Manager or Contact Supervisor regardless of the nature or severity of the accident or injury. The District Manager shall evaluate any injury or suspected injury and assist in securing appropriate medical assistance.

Any employees involved in any job-related accident or suffering a job related injury or illness is required to promptly report the accident and/or injury/illness to the District Manager or the Contact Supervisor

immediately. Failure to report may be grounds for denying worker's compensation, and/or cause for discipline up to and including dismissal.

10.21 Policy Against Workplace Violence

Violent actions on District property or facilities, or while on District business, will not be tolerated or ignored. Any unlawful violent actions committed by employees or members of the public while on District property, or while using District facilities, will be prosecuted as appropriate. The District intends to use reasonable legal, managerial, administrative, and disciplinary procedures to secure the workplace from violence and to reasonably protect employees and members of the public. Any District employee who violates this policy shall be subject to disciplinary action up to and including termination.

10.211 Definitions

The word violence in this policy shall mean an act or behavior that:

- is physically assaultive;
- a reasonable person would perceive as obsessively directed, e.g. intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property;
- consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual;
- would be interpreted by a reasonable person as carrying potential for physical harm to the individual;
- is a behavior, or action, that a reasonable person would perceive as menacing;
- involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or
- consists of a communicated or reasonably perceived threat to destroy property.

10.212 Possession and Use of Dangerous Weapons by Employees

In the interest of maintaining a workplace that is safe and free of violence, except as hereinafter provided, possession or use of dangerous weapons is prohibited on District property, in District vehicles or in any personal vehicle which is used for District business.

A dangerous weapon is any instrument capable of producing bodily harm, in a manner, under circumstances, and at a time and place that manifests intent to harm or intimidate another person or that warrants alarm for the safety of another person. Dangerous weapons are further defined by RCW 9.41.

10.213 Exceptions to Dangerous Weapons Prohibitions-

Employees of the District may possess a firearm on District property if legally in possession of a firearm for which the employee holds a valid permit and said firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle while that person is working on District property.

10.214 Responsibilities

All employees are responsible for:

- refraining from acts of violence and for seeking assistance to resolve personal issues that may lead to acts of violence in the workplace; and
- reporting to the District Manager and Contact Supervisor any dangerous or threatening situations that occur in the workplace.

Employees are encouraged to report to the District Manager or Contact Supervisor situations that occur outside of the workplace which may affect workplace safety, i.e., instances where protection orders have been issued, etc.

The District Manager and Contact Supervisor are responsible for assessing situations, making judgments on the appropriate response, and then responding to reports of or knowledge of violence and for initiating the investigation process.

Any report of violence, will be evaluated immediately and confidentially, and appropriate action will be taken, where possible, in order to protect the employee from further violence. Appropriate disciplinary action will be taken when it is determined that District employees have committed acts of violence.

Where issues of employee safety are of concern, the District Manager and/or Contact Supervisor should evaluate the workplace and make appropriate recommendations regarding a reasonable response.

10.215 Procedures for Dealing With Acts of Violence in the Workplace

When a violent act occurs:

If the act or altercation constitutes an emergency, CALL 911. Contact the District Manager or Contact Supervisor after calling 911.

If possible, separate the parties involved in the violent altercation. If the parties cannot be separated, or it would be too dangerous to the employee or District Manager to attempt to separate the parties, CALL 911.

In instances that involve emergency situations, or criminal activity, the District Manager will contact the Police Department. Incidents involving emergency situations and/or criminal activity will be referred to the Police Department for assessment and, if necessary, investigation.

In instances when it is not appropriate to refer an incident to the Police Department, the District Manager and Contact Supervisor will evaluate the situation and make a recommendation regarding the need for an investigation. If an internal investigation is recommended, the District Manager and Contact Supervisor will coordinate the investigation process.

In instances that are not emergency situations, employees should contact the District Manager or Contact Supervisor.

10.24 Standard of Conduct and Ethics

The conservation program developed by the District Board of Supervisors cannot be effectively carried out unless district staff, in addition to being technically competent, demonstrates professional integrity in their conduct. All employees and supervisors are expected to maintain the highest standards of ethical and personal conduct. The following minimum requirements should be adhered to.

10.241 Attendance

Employees are expected to report for work and leave work at the time designated. Planned or unplanned lost time is to be discussed with the District Manager. Excessive tardiness and poor attendance disrupt workflow and customer service and will not be tolerated.

10.242 Diligence during work period

Employees are expected to perform assigned duties during the entire schedule for which compensation is being received, except for reasonable amount of time for personal needs. Employees are expected to meet established performance standards. Any conditions or circumstances in the work environment that prevent an employee from performing effectively are to be reported immediately to the District Manager.

10.243 Criminal Conduct

Employees should not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful or other conduct prejudicial to the District.

10.244 Dress

Employees should dress appropriately for the work of the day. Employees should keep in mind that slogans, logos, statements, and other materials attached to some clothing may be contentious to some people and could present a poor or incorrect image of the District.

10.245 Personal Vehicles for Work

Employees should not use personal vehicles for work purposes except when approved by the District Manager. Employees should keep in mind that bumper stickers, posters, window stickers, and other materials attached to a personal automobile may be contentious to some people and could present a poor or incorrect image of the District. A vehicle displaying such items should not be used for work purposes.

10.246 Conflicts of interest & Self-interest

Employees and Board members shall not use District assets for personal profit, nor shall they award District business to related parties. Likewise, employees and Board members shall not accept gifts from any person where the gift is related to the performance of District tasks. The following acts are prohibited:

- Use of intangible assets, such as the District's name, logo, intellectual property, mailing list, computer file, or any other intangible asset for any purpose for which the individual is compensated by someone other than the district.
- Use of any physical asset, such as a District vehicle, or a tool or office space for any purpose for which the individual is compensated by someone other than the District.
- Awarding of District business to any person or entity that shares a direct financial interest with a District employee or board member. For example, a partnership between a District employee or a District board member and a third party should not be awarded District business.
- Awarding of District business to a relative of an employee or board member. Relative is defined as immediate family, including husband, wife, child, mother, father, sibling and any other relatives if the appearance of conflict would be harmful to the District.
- Accepting gifts from any person or entity that is awarded District business.
- Accepting gifts from the public for performing acts required to perform an authorized District function.
- Any act that would cause the appearance of violating this policy to a reasonable member of the community within the District.

The following acts are allowed:

- Accepting food and refreshments from landowners, vendors, or potential vendors in the context of normal District duties.

- Accepting promotional materials, such as pens, notepads, calendars, and other similar items having small value.
- Accepting achievement awards from any entity provided the award has only nominal cash value.

10.247 Financial Interest

Employees should not have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with the duties and responsibilities of a District employee or engage in a financial transaction that results from information obtained through employment.

Failure to adhere to these standards may result in disciplinary action up to and including termination.

10.25 Technology Use Policy

The District provides a variety of business tools to aid its employees in completing their assigned tasks. This technology includes, but is not limited to computer hardware, computer software, e-mail access, Internet access, telephones, copiers, printers, fax machines, and digital cameras. It is the responsibility of each employee to abide by the expected uses of all District-owned or purchased technology. Any technology owned by another entity but utilized for District business will be considered District technology. Misuse or abuse of District technology will result in reimbursement to the District of actual expense incurred and may result in disciplinary action up to and including termination. Notification to appropriate law enforcement agencies may be made in the event of perceived unlawful use.

All District technology is deemed the private property of the District. When requested, employees will return any District-owned equipment. Within its discretion, the District may limit or exclude any employee from access to any District technology.

Technology users are advised that almost any communication on publicly owned equipment is a public record subject to disclosure under Washington state law. Users should be aware that any information technology resource, whether networked or stand-alone, may be accessible to other users. The District does not guarantee the privacy or confidentiality of e-mail or voice mail communications, whether internal or external. Never assume that e-mail or voice mail can be read/heard by no one except yourself; others may be able to read or access these communications. Users should assume that any communication, whether deleted or unsaved, may be retrieved. This can include copies of documents that were produced on a District copy machine (digital imager) and saved in the memory of the copy machine. All users should compose communications with the expectation that they could be made public.

There is no right to privacy in the workplace. The Board of Supervisors retains discretion to examine any employee's computer files, usage, activities, records, etc. at any time. Inappropriate usage must be reported by all employees to the District Manager or Contact Supervisor.

Use of any District technology, whether for District or personal business, may not display, transmit, or otherwise communicate any illegal or inappropriate images, messages, or cartoons. Examples of such material include but are not limited to political statements or proselytizing; sexually explicit material; racial or ethnic slurs or epithets; anything that might be construed as harassment or offensive to others based on race, national origin, gender, disability, or other classifications protected by state and federal law.

User names, passwords, and access codes assigned for the use of District technology are confidential and must be maintained as assigned. Employees will not change passwords, user names, or access codes without informing the District Manager. Employees will not share this information with anyone outside of the District.

District technology is provided primarily for the completion of District business. The use of technology for personal business is acceptable as long as the following conditions are met:

- A) Personal use of technology cannot result in expense being incurred by the District. The District cannot gift property or services to anyone. Public servants are often times called upon to provide lectures or perform work for activities that are indirectly connected with our governmental function. Use of technology for such purposes is not prohibited.
- B) Personal use of technology must occur on break and lunchtime or be so brief in nature as to be incidental to the work assignment of the employee.
- C) District technology may not be used to conduct or support business for other organizations, either for self-employment or other employment.

10.251 E-Mail (Electronic Mail)

E-mail messages are not confidential. All E-mail messages and attached documents sent to or received by an employee can be made subject to audit at any time. Electronic records can be subpoenaed, including E-mail messages and attached documents. E-mail messages sent or received will be retained in keeping with the "Local Government Records Retention Schedule & Records Management Manual".

To insure the reliability and integrity of our E-mail communication, the following guidelines and procedures must be utilized:

- A) Do not permit use of your E-mail account by anyone else. Use of the E-mail system is strictly limited to District employees.
- B) E-mail access is intended for individual use.
- C) Unsolicited e-mail, with attachments, from an unknown sender should be deleted without opening either the e-mail or attachment. If a pattern of unsolicited e-mail is found, the employee should contact the District Manager for assistance in blocking the e-mail.

10.252 Internet

In order to safeguard the District's data and productivity, the following guidelines and procedures must be adhered to:

- A) Every time a file is downloaded from the Internet, the file to which the file is written must be immediately scanned for viruses before proceeding with other activity involving use of your computer. Anti-virus software is installed on every computer. Every employee is responsible to keep this anti-virus software updated. Contact the District Manager if you are notified that your software is about to expire.
- B) If a virus is detected and reported, contact the District Manager immediately for assistance to ensure that the workstation and/or disks involved are properly cleaned. Do not perform any other function with your computer, including shutdown, until the District Manager has had the opportunity to check your workstation.
- C) Use of chat room software or gaming software on the Internet is not permitted.

10.253 Personal Computers and Laptops Owned by the District

The District Manager must be contacted in advance to gain authorization for installing or uninstalling software or hardware on computers and laptops owned by the District. Repair of hardware must be completed by a District-approved vendor. Contact the District Manager to verify which vendors are approved. Authorization to customize desktops, screen savers, and wallpaper is given by the District

Manager. Should customization result in damage to District-owned technology or result in repair time spent by a District-approved vendor, the responsible individual may be billed.

Prior to bringing privately owned hardware or software from home to use in a district workplace, the District Manager will be consulted. The District Manager will ask that the license be submitted for any software. Hardware and software will be logged for inventory purposes. Final approval from the Board of Supervisors is required for each instance.

Prior to taking District-owned hardware or software to use outside a district workplace, the contact Supervisor will be consulted. This does not include common mobile hardware such as laptop computers, or palm pilots. Hardware and software will be logged for inventory purposes. Final approval from the Board of Supervisors is required for each instance.

10.254 File Storage

Each District employee provided with computer access is set up with a file storage area on the network. Storage of computer files on the network uses system resources. It is the responsibility of each employee to monitor and maintain his or her computer files.

All files related to District business should be saved to the hard-drive in a location that is backed up and maintained. Each employee is responsible to notify the District Manager of the location of their work files.

10.255 Telephones

The use of the phone for local personal calls, or incoming long distance personal calls, is not prohibited, as long as such use shall not interfere with the employee's ability to perform their assigned job functions.

The use of the telephone for outgoing long distance personal phone calls (including Faxes) is prohibited, except as follows:

- A) If the call is billed to your home phone number or calling card;
- B) If the call is billed to a pre-paid calling card; or
- C) If the call is made to an 800 number that does not result in a charge to the District.

An employee found to be using the phone in violation of these rules will be subject to disciplinary action up to and including termination.

10.256 Copy Machines, Fax Machines and Printers

Personal use of the copy machine, fax machine or any of the District printers is not allowed, except with the authorization of the District Manager. Any use allowed will be minor and not cause the District to incur unreasonable cost.

10.257 Cellular Phones

It is sometimes necessary for efficient completion of District business that an employee have ready access to a cell phone. The District Manager may designate which employee positions benefit from a cell phone. That designation is subject to periodic evaluation and change by the Board of Supervisors.

An employee may request approval from the District Manager to carry a cell phone for business purposes. If approved by the District Manager, that employee would be paid a \$25 cell phone allowance monthly. This allowance is included in the employee's paycheck and is taxable.

The employee receiving the fee is responsible for procuring their own cell phone and service. All subsequent related expenses will be paid by the employee. The employee must not utilize features of the cell phone in any manner that may be contentious to some people and could present a poor or incorrect

image of the District. In particular, the automated introduction to leave a voice mail message and the ring tones should reflect a professional manner.

The employee is required to provide their cell-phone number to the District Manager and can expect it to be distributed to other District staff or Supervisors, cooperators, contractors, agency personnel and others who need to contact the employee during the course of District projects or activities.

10.26 Vehicle Use

The District maintains vehicles for use by employees in completing their assigned tasks. These vehicles may be owned by the District or by NRCS. Vehicles may only be used in the course of implementing district programs or activities. Personal use of District vehicles is strictly prohibited. Persons not affiliated with the District are not allowed to drive or ride in District vehicles.

The use of personal vehicles to conduct District business is discouraged and may be used only when necessary and with prior approval of the District Manager. Employees must maintain their own insurance on any personal vehicle they use to conduct District business.

District employees are responsible to maintain a valid driver's license and to immediately notify the District Manager of any changes in their driving status. Employees who drive a District vehicle must exercise due diligence to drive safely, follow all traffic laws, avoid distractions while driving (such as using telephones), and maintain the security of the vehicle and its contents. In addition, employees specifically are prohibited from texting while driving. Drivers also must make sure the vehicle meets all District or legal standards for insurance, maintenance, and safety. Employees are personally responsible for any driving infractions or fines as a result of their driving a District vehicle and must report them to the District Manager. Smoking is strictly prohibited in District or NRCS vehicles.

Employees are not permitted, under any circumstances, to operate a District vehicle, or a personal vehicle for District business, when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any District vehicle at any time, or operate any personal vehicle while on District business, while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication, or intoxication.

All vehicle use must be documented by the employee in the appropriate logbook. That documentation will include mileage and the purpose of the trip. Fuel purchases will be made at Mid-State Cooperative using the fuel card provided by the District, unless travel status requires fuel purchases at other locations. Fuel purchases will be noted in the logbook along with odometer reading at the time of purchase.

In the case of a single vehicle accident, first ensure that any and all injuries are properly taken care of as the situation dictates. Notify law enforcement immediately. Report the accident to the District Manager or the contact supervisor as soon as possible. Fill out a State Patrol Accident report if required.

In case of a multiple vehicle accident, first seek medical attention as necessary for all parties involved. Notify law enforcement immediately. Then get the following information from all other parties involved: vehicles make, model, license plate number, and driver's license numbers of all persons involved including passengers and witnesses. Report the accident to the District Manager or the contact supervisor as soon as possible. Fill out a State Patrol Accident report if required.

10.27 Administration of Discipline & Termination

The District Board of Supervisors retains the right to administer discipline as it sees fit. The District Board of Supervisors may consider a disciplinary procedure that may consist of verbal reprimand, written

reprimand, initiation of a 90-day employee improvement plan, or termination. The policies and procedures in this manual do not constitute a contract of employment and should not be interpreted as such by an employee or prospective employee. District employees are at-will and may be terminated at any time.

10.271 Termination

The District may terminate employment because of an employee's resignation, discharge, or retirement, or a permanent reduction in the workforce. Discharge can be for any reason not prohibited by law. In the absence of a specific written agreement, employees are free to resign at any time and for any reason. The District reserves the right to terminate employment "at-will", with or without notice and with or without cause. At-will employees, however, cannot be terminated for any reason that would violate anti-discrimination laws or public policy.

Employees are requested to give advance written notice of their intent to resign including the anticipated date of termination. Failure to give advance written notice may result in ineligibility for re-employment. Employees who are absent from work for three consecutive days without being excused or giving proper notice will be considered as having voluntarily quit.

Requests for employment references should be made in writing to the District Manager and should include an authorization by the employee for the release of the requested information. Generally, the District will not release reference information without the employee's authorization, or will limit the information to verification of the employee's position, job location, and dates of employment with the District.

10.28 Grievance Procedure

It is the policy of the District Board of Supervisors that all employees will be treated fairly and equitably in all respects. If an employee feels they have not been treated in this manner they have the right to present their grievances in the following manner:

1. Whenever possible, grievances should be resolved informally. Every effort should be made by the employee, the immediate supervisor (if applicable), and the contact supervisor to come to an agreeable resolution of the problem within a reasonable amount of time (2 weeks). Complaints that the District Manager or Contact Supervisor does not have authority over should be referred to the Board of Supervisors for consideration.
2. Unsuccessful attempts at an informal resolution should be followed by a formal grievance procedure, which consists of the employee submitting their grievance in writing to the Board of Supervisors. This communiqué should include the nature of the grievance, recommended remedial action being sought, and provide all information available to support the grievance.
3. Upon receipt of a written grievance the board will make every effort to resolve the complaint at the next scheduled board meeting.
4. Persons who believe they are being, or have been subjected to harassment or discriminatory behavior should report the incident(s) to their immediate supervisor within thirty (30) days of the incident(s). Throughout any harassment resolution process, the confidentiality of the complaint(s) and witness(es) will be maintained. An individual may file a formal complaint through the Human Rights Commission in Olympia at (360) 753-6770 within 180 days of the incident(s), or with the U.S. Equal Employment Opportunity Commission within 300 days of an incident(s).

10.29 Personnel Records

The District maintains personnel records for applicants, employees, and past employees in order to document employment-related decisions, evaluate and assess policies, and comply with government record keeping and reporting requirements.

The District tries to balance its need to obtain, use and retain employment information with a concern for each individual's privacy. To this end, its attempts to maintain only the personnel information that is necessary for the conduct of its business or required by federal, state or local law.

Employees have a responsibility to keep their personnel records up to date and should notify the District Manager in writing of any changes in at least the following:

- Name
- Address
- Telephone number
- Marital status (for benefits & tax withholding purposes only)
- Number of dependents
- Persons to be notified in case of emergency

In addition, employees who have a change in the number of dependents or marital status should complete a new Form W-4 for income tax withholding purposes.

Employees may inspect their own personnel records and may copy, but not remove documents in the file. Inspections by employees must be requested in writing to the District Manager and must be conducted in the presence of either the District Manager or the Financial Manager. Employees who believe that any file material is incomplete, inaccurate, or irrelevant may submit a request for file revisions to the District Manager. If the request is not granted, the employee may place a written statement of disagreement in the file and make a complaint using the regular grievance procedure. (See Section 10.35)

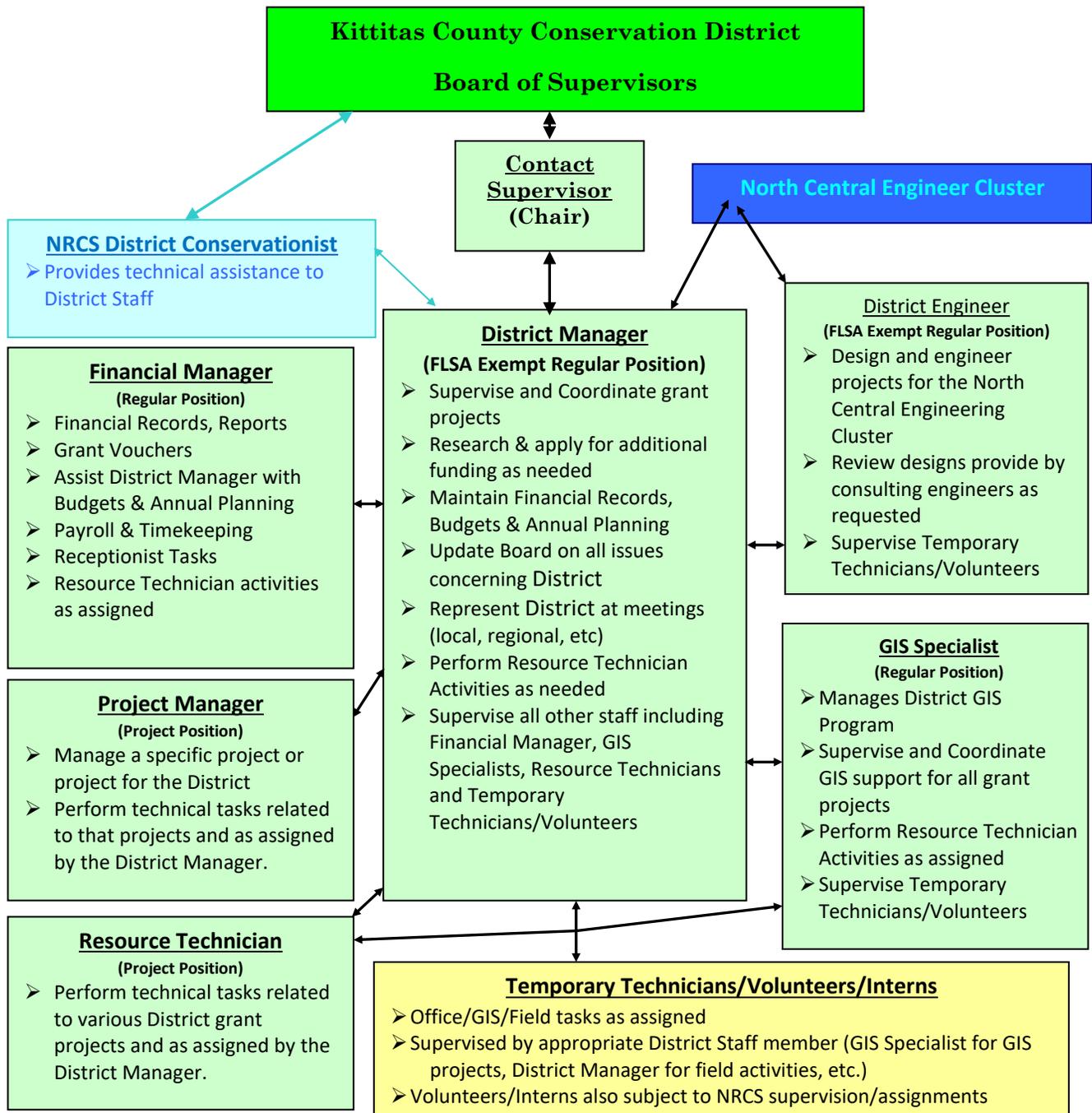
Only the District Manager or Financial Manager, both of whom have an employment related need-to-know for information about another employee, may inspect the files of other employees.

Employees should refer all requests from outside the District for personnel information concerning applicants, employees, and past employees to the District Manager. The District Manager normally will release personnel information only in writing and only after obtaining written consent of the individual involved. Exceptions may be made to cooperate with legal, safety, and medical officials who need specific employee information. In addition, exceptions may be made to release limited general information, such as the following: employment dates, position held, and location of job site.

10.30 Authorization Structure

The Board of Supervisors shall have full responsibility and authority for all District activities as defined in Revised Code of Washington (RCW-Title 89.08). In accordance with RCW 89.08, some of this authority may be delegated to the District staff by the board as indicated in this Personnel Policy.

ORGANIZATIONAL CHART



Section 11 Purchasing and Contracting Policies

11.01 Purpose

It shall be the purpose of this policy to establish a purchasing system to work with all operations of the District to ensure efficiency in procurement of supplies and equipment of the necessary quality at the lowest possible cost; to ensure compliance with purchasing statutes, regulations, policies and procedures; to ensure efficient utilization of District property, new and used; to minimize employee time devoted to purchasing functions; and to assist private landowners with implementation of conservation or restoration projects.

The District Manager (“manager”) shall have full authority and responsibility for the operation of the purchasing system under the direction of the Board of Supervisors. The District Manager will also maintain templates of the solicitation documents, updating and amending them as necessary for each individual purchase or contract.

This policy is written with assistance from the “Suggested Guidelines for Purchasing, Bidding, and Contracting for Washington State Conservation Districts” as revised by the Municipal Research and Services Center of Washington in November 2016.

11.011 Objectives

The objectives of the District’s policy are as follows:

1. Use sound business judgement and fair administrative procedures in acquiring goods and services.
2. Award contracts only to responsible contractors with the ability to perform successfully under the terms of the grant contract.
3. Award contracts through a competitive process, if required by State or Federal law, grant contracts or and/or this policy.
4. Ensure contractors comply with all applicable federal, state and local laws and regulations related to discrimination, labor and job safety, and environmental protection; and that contractors perform in accordance with the terms and conditions of their contracts.
5. Utilize enforceable and legally sound contract documents with appropriate general conditions.
6. Maintain a code of conduct governing the performance of District representatives including employees engaged in the award and administration of contracts. Avoid purchase of unnecessary or duplicate items, and consolidate or break out purchases as appropriate to obtain a more economical price.
7. Where applicable, analyze lease versus purchase alternatives in determining the most economical approach.
8. Consider entering into agreements with other public agencies for joint or cooperative action, pursuant to Chapter 39.34 RCW, the Interlocal Cooperation Act to foster greater efficiency.
9. Use federal or state excess and/or surplus property in lieu of purchasing new equipment and property where such use is feasible and reduces projects costs.
10. Resolve disputes promptly and fairly to settle all contractual and administrative issues related to subcontracts for goods and services including, but are not limited to, source evaluation, protests, disputes, and claims.
11. Maintain a protest procedure for handling disputes relating to subcontracts and interagency agreements.

11.012 Scope

These guidelines apply to purchases of:

1. Personal Services (Consultants)
2. Professional Services (Consultants) Related to a Public Works Project
3. Purchased Services and/or Goods (Equipment, Materials, or Supplies)
4. Public Works Contracts

The guidelines do not apply to the acquisition, sale, or lease of real property. If grant funding is involved in the proposed purchase, applicable requirements should be obtained from the funding agency. Such requirements may be more restrictive than the District's policy.

11.013 Controlling Laws

All purchases shall comply with appropriate and relevant Federal and State laws and policies. If the appropriate and relevant Federal or State laws, regulations, grants, or requirements are more restrictive than these guidelines, such laws, regulations, grants, or requirements should be followed.

The District legal counsel may be consulted when questions regarding potential conflicts arise. Applicable laws and regulations will be cited throughout this document.

11.0131 Federal Awards Standards

The District will maintain effective internal control over Federal awards providing reasonable assurance that the District is managing those awards in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. The District will:

- Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive.

To assure that expenditures are proper and in accordance with the terms and conditions of the Federal award and approved project budgets, the annual and final fiscal reports or vouchers requesting payment under the agreements must include a certification, signed by an official who is authorized to legally bind the non-Federal entity, which reads as follows: "By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise."

For all Federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the non-Federal entity's cost sharing or matching when such contributions meet all the criteria outlined in § 200.306 (b). If the purpose of the Federal award is to assist the non-Federal entity in the acquisition of equipment, buildings or land, the aggregate value of the donated property may be claimed as cost sharing or matching.

Federal awards will meet the following general criteria in order to be allowable except where otherwise authorized by statute;

- Be necessary and reasonable for the performance of the Federal award;

- Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items;
- Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the District;
- Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.;
- Be determined in accordance with generally accepted accounting principles (GAAP);
- Not be included as cost or used to meet cost sharing or matching requirements of any other Federally-financed program in either the current or a prior period;
- Be adequately documented.

The District, as a recipient of Federal funds, shall adhere to the Federal regulations outlined in 2 CFR §200.501 as well as all applicable Federal and State statutes and regulations.

11.014 Definitions

“Bid Documents” are the package of documents issued when a public works project is advertised for bid. The Bid Documents include instructions for the bidder regarding when, where and how the bids are to be submitted, contract clauses, project plans and specifications, project permits, prevailing wage rates, and other relevant information. The Bid Documents form the basis for the construction contract executed after a successful bidding process has been completed and the contract awarded.

“Formal Advertisement” is a legal notice in at least one newspaper of general circulation (e.g. Ellensburg Daily Record) to notify individuals, companies, or firms of upcoming solicitations. The notice should be published once per week, in two consecutive weeks with the last advertisement no less than 7 days from the due date of the bids, proposals or quotes.

"Inter-local agreements" are the exercise of governmental powers in a joint or cooperative undertaking with another public agency.

“Invitation for Bid” (IFB) is the solicitation document used Districts to contract for purchased services or goods. The IFB identifies the functional performance threshold at which the District needs would be met, serves as the basis for the applicants to respond, and also provides the foundation for the eventual contract.

“MSRC Small Works and Consultant Roster” is a shared statewide small public works and consultant roster service managed by the Municipal Research and Services Center of Washington used by Washington state local public agencies. The Small Works and Consultant Roster is maintained and operated in full compliance with state laws and purchasing requirements.

“Personal Services” are professional or technical expertise provided by a consultant to accomplish a specific study, project, task, or other work statement, which may not reasonably be required in connection with a public works project meeting the definition in RCW 39.04.010(4). “Personal service” does not include purchased services or professional services procured using the competitive selection requirements in Chapter 39.80 RCW (A&E).

“Professional Services Reasonably Required in Connection with a Public Works Project” are services rendered by any person, other than as an employee of the agency, contracting to perform activities within the scope of the general definition of professional practice in Chapters 18.08 (Architects), 18.43 (Engineers and Land Surveyors), or 18.96 (Landscape Architects) RCW. RCW 39.80.020(5). Services are procured using the qualifications based selection requirements in Chapter 39.80 RCW.

“Public work,” as defined in RCW 39.04.010, means a complete project, and includes all work, construction, alteration, repair or improvement other than ordinary maintenance, executed at the cost of the District or which is by law a lien or charge on any District property. Public work projects include the related materials, supplies and equipment to complete the project. For purposes of this policy, the term “public work” may include contracts for maintenance of District facilities or real property (i.e. janitorial services).

“Purchased Services” are services provided by a vendor to accomplish routine, continuing, and necessary functions. “Purchased services” includes, but is not limited to: machine repair, equipment service agreements, auctioning services, delivery services, inspections, advertising, computer hardware and software maintenance; etc.

“Request for Proposals” (RFP) is a type of solicitation in which the District announces that funding is available for a particular project or program, and individuals/companies can submit proposals for the project's completion. It includes at least a description of services required, project schedule, request for consultant's qualifications, request for costs or fees, due date for responses and a description of how the District will evaluate responses.

“Request for Qualifications” (RFQ) refers to the pre-qualification stage of the procurement process. Only those proponents who successfully respond to the RFQ and meet the qualification criteria will be included in the subsequent Request for Proposals (RFP) solicitation process.

11.02 Approval Authorities

Contracts for professional services exceeding \$5,000, bids exceeding \$5,000 and all real property leases must be submitted to the Board of Supervisors for approval, except when made in the exercise of an option contained in a contract or lease previously approved by the Board.

Contracts for professional services less than \$5,000, construction bids less than \$5,000, and general goods and services and purchased services less than a cumulative \$5,000, may be approved by the District Manager contingent on sufficient availability of funds and provided that the Board of Supervisors shall ratify the District Manager’s approval at the next scheduled Board meeting. Exceptions to this approval authority may occur with approval of the contact supervisor in extenuating circumstances, including but not limited to circumstances that significantly impact the ability of the District to function efficiently and effectively.

Contracts entered into by the District may be amended by the District Manager to a cumulative amount not to exceed \$5,000; larger amounts require Board approval. All amendments to increase contracts are contingent on sufficient available funding and subject to ratification by the Board of Supervisors.

11.03 Purchasing and Contracting Limitations

The District desires a fair and open process for procurement of goods and services that is free from the potential for bias and conflict of interest. In addition, the District desires consistent and appropriate practices for solicitations and contracting. All procurements of goods and services shall provide the District

with the best quality and best value. All purchases are to be made within budgetary limitations and for the purpose of the goals and objectives approved in the District’s annual plan of work and in individual grant agreements. All purchases made by the District shall ultimately be approved by the Board of Supervisors through the monthly process of approving bills to be paid.

When procuring goods and services under a Federal award, the District will follow 2 CFR §200.318 General procurement standards through §200.326 Contract provisions or District purchasing procedures whichever is more restrictive. The following table outlines procurement requirements and both local and federal funds thresholds.

Table 1. The table below indicates the procurement method for categories of purchases at the prescribed dollar thresholds. Procurement methods are further described in the following sections of this policy.

<i>Procurement Method</i>	Personal Services	Professional Services	Purchased Services	Equipment, Materials & Supplies	Public Works Contracts
<i>Minimal Competition or Select from Roster</i>	Less than \$10,000 District Threshold and Federal Threshold	Less than \$10,000 District Threshold and Federal Threshold	Less than \$10,000 District Threshold and Federal Threshold	Less than \$10,000 District Threshold and Federal Threshold	Less than \$10,000 District Threshold and Federal Threshold
<i>Informal Competition</i>	\$10,000 to \$49,999 District Threshold \$10,000-\$250,000 federal threshold <i>Must use more restrictive District threshold</i>	\$10,000 to \$49,999 District Threshold \$10,000-\$250,000 federal threshold <i>Must use more restrictive District threshold</i>	\$10,000 to \$49,999 District Threshold \$10,000-\$250,000 federal threshold <i>Must use more restrictive District threshold</i>	\$10,000 to \$49,999 District Threshold \$10,000-\$250,000 federal threshold <i>Must use more restrictive District threshold</i>	\$10,000 to \$64,999 District Threshold \$10,000-\$250,000 federal threshold <i>Must use more restrictive District threshold</i>
<i>Formal Competition</i>	\$50,000 or more District threshold Over \$250,000 Federal Threshold	\$50,000 or more District threshold Over \$250,000 Federal Threshold	\$50,000 or more District threshold Over \$250,000 Federal Threshold	\$50,000 or more District threshold Over \$250,000 Federal Threshold	\$65,000 or more District threshold Over \$250,000 Federal Threshold

	<i>Must use more restrictive District threshold</i>				
--	---	---	---	---	---

11.031 Exceptions to Purchasing Limitations

The District Manager, within the limits of the delegated purchasing authority, is authorized to allow open market purchases without obtaining the regularly required competitive quotes or bids under the following conditions:

1. Surplus or Distress Sale. When it is possible to procure obvious bargains through the procurement of surplus or distress material, supplies or equipment.
2. Auctions. RCW 39.30.045 authorizes municipalities to acquire supplies, materials, and equipment through an auction conducted by the United States or any agency thereof, an agency of the state of Washington, a municipality or other government agency, or any private part, without quotations or bids, if the items to be purchased can be obtained at a competitive price.
3. Inter-local Joint Purchasing Agreements. Materials, equipment, supplies and services may be purchased under RCW 39.34.080 using joint purchasing agreements with a city, county, state or other public agency where bid requirements of this policy have been followed by the cooperating agency in obtaining bids. Originating agency’s bid process shall be vetted to assure compliance with all applicable laws.
4. Sole Source Procurement. A contract for the purchase of materials, supplies, or equipment may be awarded without complying with the bidding requirements of this policy when the District Manager determines in writing, that there is only one source of the required materials, supplies, or equipment.
5. No Bids or Quotations Received. When no bids or quotations are received in response to an invitation to bid or request for quotations, the District Manager is authorized to procure the required item through direct negotiations with a vendor or to rebid as appropriate.

11.04 Soliciting for Personal Services

Personal services differ significantly from purchased services in the degree of independence in performance of the services. Personal services are performed independently from the day-to-day control of the District and require more professional or technical expertise. The chart below outlines the procedures for personal services procurement.

Dollar Threshold	Competitive Process	Major Activities
------------------	---------------------	------------------

Less than \$10,000	Micro-Purchase	<ul style="list-style-type: none"> ❖ Seeking competition is recommended, though not required. ❖ Telephone calls can be made or emails sent to firms or individuals describing the services desired and requesting price, schedule and qualifications to perform. ❖ Contract is entered into upon selection of contractor, regardless of dollar amount.
\$10,000 to \$49,999	Informal Competition -- also called "evidence of competition"	<ul style="list-style-type: none"> ❖ Prepare written solicitation document/letter including at a minimum: description of services required, project schedule, request for consultant's qualifications, request for costs or fees, and due date for responses. ❖ Send to a minimum of three firms/individuals. List of firms can be obtained through the MRSC Roster or developed from telephone or internet listings, a formal advertisement, etc. ❖ Evaluate responses and make award decision. ❖ Negotiate contract with successful contractor. ❖ Document for file: names of firms solicited; information of firm's responses, basis for award decision, and copy of contract.
\$50,000 or more	Formal Competition	<ul style="list-style-type: none"> ❖ Prepare Request for Proposals (RFP) or Request for Qualifications (RFQ). ❖ Obtain list of consultants/companies/individuals through the MRSC Consultant Roster and verify there are a sufficient number of consultants on the roster that possess the required qualifications to perform the scope of work. ❖ If MRSC Consultant Roster does not contain a sufficient number of qualified consultants, then publish formal advertisement. Develop mailing list from the responding firms. ❖ Issue RFP or RFQ to a minimum of 6 firms/businesses either on the MRCS list or as developed from the formal advertisement. Document for the file if fewer than 6 firms are contacted & state the reason why. ❖ Conduct pre-proposal conference, if required in RFP or RFQ, and issue addendum as necessary. ❖ Provide answers to bidders' questions via addenda to all who receive the RFP or RFQ. Or advise those who download the RFP or RFQ from the web site to check back for any addenda that may be posted. ❖ Date and time stamp proposals received by the due date. Electronic proposals will have the date and time automatically noted. ❖ Evaluate proposals strictly against criteria set forth in the RFP or RFQ and score. ❖ Schedule and conduct oral interviews of top finalists, if desired. ❖ Determine final scoring and select apparent successful contractor. ❖ Notify successful and unsuccessful firms. ❖ Negotiate contract with apparent successful contractor. ❖ Conduct debriefing conferences with unsuccessful proposers, if requested.

11.05 Soliciting for Professional Services

The chart below outlines the procedures for procurement of professional services reasonably required in connection with a public works project. These services must be obtained using the quality based selection (QBS) procedures of Chapter 39.80 RCW. Chapter 39.80 RCW requires selection of professional architecture, engineering, surveying and landscape architecture services on the basis of qualifications of the firm or individual.

The District shall contract with the Municipal Research and Service Center (MRSC) to establish, maintain and manage a current roster of eligible Architectural, Landscape Architectural and Engineering consultants from which the District may solicit for these services. The District Manager will ensure that the contract with MRSC for Consultant Rosters remains in force and that all required fees are paid.

The District may choose to enter into an on-call agreement or “multiple projects agreement” with a selected consultant. This type of agreement allows the District to contract for professional services for multiple similar projects over a defined time period (typically three years).

Dollar Threshold	Competitive Process	Major Activities
Less than \$10,000	Micro-Purchase	<ul style="list-style-type: none"> ❖ Develop a list of firms from telephone listings, professional societies and periodicals, internet listings, a published legal notice requesting information on available services, or obtain list of consultants/companies/individuals through the MRSC Consultant Roster. ❖ Select the most qualified firm from those who have qualifications on file with the District. ❖ OR Advertise for statements of qualifications and proposals from interested firms ❖ Negotiate a contract with the firm deemed most highly qualified from either method.
\$10,000 to \$49,999	Informal Competition -- also called "evidence of competition"	<ul style="list-style-type: none"> ❖ Prepare Request for Proposals (RFP) or Request for Qualifications (RFQ). ❖ Obtain list of consultants/companies/individuals through the MRSC Consultant Roster and verify there are a sufficient number of consultants on the roster that possess the required qualifications to perform the scope of work. ❖ If MRSC Consultant Roster does not contain a sufficient number of qualified consultants, then publish a formal advertisement. ❖ Issue RFP or RFQ to a minimum of 3 firms/businesses either on the MRSC list or as developed from the formal advertisement. Document for the file if fewer than 3 firms are contacted & state the reason why. ❖ Evaluate responses and select the most qualified firm. ❖ Negotiate contract with most qualified firm. ❖ Document for file: names of firms solicited; information of firm's responses, basis for award decision, and copy of contract.
\$50,000 or more	Formal Competition	<ul style="list-style-type: none"> ❖ Prepare Request for Proposals (RFP) or Request for Qualifications (RFQ). ❖ Obtain list of consultants/companies/individuals through the MRSC Consultant Roster and verify there are a sufficient number of consultants on the roster that possess the required qualifications to perform the scope of work.

		<ul style="list-style-type: none"> ❖ If MRSC Consultant Roster does not contain a sufficient number of qualified consultants, then publish a formal advertisement. Develop mailing list from firms responding to notice. ❖ Issue RFP or RFQ to a minimum of 6 firms/businesses confirm. District may also just send a notification to 6 or more businesses that the solicitation document is posted on their web site and can be accessed there. Document for the file if fewer than 6 firms are contacted & state the reason why. ❖ Conduct pre-proposal conference, if required in RFP or RFQ, and issue addendum. ❖ Provide answers to bidders' questions via addenda to all who receive the RFP or RFQ. Or advise those who download the RFP or RFQ from the web site to check back for any addenda that may be posted. ❖ Date and time stamp proposals received by the due date. Electronic proposals will have the date and time automatically noted. ❖ Evaluate proposals strictly against criteria set forth in the RFP or RFQ and score. ❖ Schedule and conduct oral interviews of top finalists, if desired. ❖ Determine final scoring and select apparent successful contractor. ❖ Notify successful and unsuccessful firms. ❖ Negotiate contract with apparent successful contractor. ❖ Conduct debriefing conferences with unsuccessful proposers, if requested.
--	--	--

11.06 Soliciting for Purchases of Equipment, Materials and Supplies, and/or Purchased Services

The chart below outlines the procedures for equipment, materials and goods procurement.

Dollar Threshold	Competitive Process	Major Activities
Less than \$10,000	Micro-Purchase	<ul style="list-style-type: none"> ❖ Seeking competition is always recommended, though not required for this dollar range. ❖ Telephone calls can be made to vendors describing the services desired and requesting price, schedule and qualifications to perform. Purchases should be made based on the District's inquiries and experience and knowledge of the market to obtain the best quality product at the best price.
\$10,000 - \$49,999	Informal Competition -- also called "evidence of competition"	<ul style="list-style-type: none"> ❖ Either written solicitation or documented telephone solicitation may be used. The solicitation should include at a minimum: a description of goods or services required, project schedule, request for qualifications, request for bid, and due date for responses. If solicitation is done by phone, it must be thoroughly documented. ❖ Seek bids from a reasonable number of qualified sources (a minimum of three vendors). If written, the solicitation may be faxed or emailed to them and responses may be faxed or emailed to the District to expedite processing. A list of vendors can be developed from telephone listings, internet listings, a formal advertisement requesting information on available services, etc. ❖ Evaluate responses and make award decision. ❖ Negotiate contract with successful bidder. ❖ Document for file: names of vendors solicited; information on vendor's responses, basis for award decision, and copy of contract.
\$50,000 or more	Formal Competition	<ul style="list-style-type: none"> ❖ Prepare an Invitation for Bid (IFB). ❖ Publish formal advertisement. Develop bidder's list from firms responding to notice. ❖ Issue IFB to responding bidders. ❖ Conduct a preproposal conference to clarify the extent of the work and permit prospective bidders to ask questions. ❖ Date and time stamp proposals received by due date. ❖ At least two individuals evaluate proposals strictly against the criteria set forth in the IFB and score the proposals. Determine apparent successful bidder. ❖ Notify successful and unsuccessful firms. ❖ Negotiate contract with successful contractor. ❖ Conduct debriefing conferences, if requested.

11.07 Soliciting for Public Works

Procedures for any public work or improvement shall be governed by these policies and any applicable grant requirements, laws or rules. Cost for a public works project includes all amounts paid for materials, supplies, equipment, and labor on the construction of that project which is inclusive of sales tax, unless exempted by law. The cost for the project is estimated by the engineer (on staff with the District or contracted professional services) as part of the design process.

Public Works project contract documents are maintained by the District Manager and updated or modified as necessary for each individual project.

Dollar Threshold	Competitive Process	Major Activities
Less than \$10,000	Micro-Purchase -	<ul style="list-style-type: none"> ❖ Prepare Bid Documents as necessary to obtain a reasonable price. ❖ To the extent practical, distribute equitably among contractors. ❖ Verify contractor meets established responsibility criteria. ❖
\$10,000 to \$64,999	Informal Competition -- also called "evidence of competition"	<ul style="list-style-type: none"> ❖ Prepare Bid Documents. ❖ Provide Bid Documents to potential bidders (preferably at least three). ❖ Conduct an informal pre-bid meeting as necessary to ensure bidders understand the project and are familiar with the project site. ❖ Accept bids from bidders until the due date and time. Open bids after the deadline and verify their responsiveness (on time, bid sheet complete, signature page signed). The apparent low bidder is identified. ❖ Request responses to the required and supplemental bid responsibility criteria from the apparent low bidder. ❖ Determine whether apparent low bidder does or does not meet responsibility criteria. If they do, proceed with a construction contract. If they do not, move the next low bidder and request their responses to the required and supplemental bid responsibility criteria. ❖ Contractor submits payment and performance bonds and evidence of insurance for approval before notice to proceed is issued.
\$65,000 or more	Competitive sealed bid process	<ul style="list-style-type: none"> ❖ Prepare Bid Documents. ❖ Electronic bid package may be posted on an electronic bid management system (e.g. QuestCDN). ❖ Publish a formal advertisement to notify firms of the availability of the bid documents. ❖ Conduct the pre-bid meeting together with the project engineer, permitting agency personal (as applicable) and District staff. The pre-bid meeting may be optional or mandatory for the bidders at the discretion of the District Manager. ❖ Issue addendums as necessary during the bid period to modify or supplement the bid package, including at least one addendum with the attendance, meeting notes and questions/answers from the pre-bid meeting. Addendums will not be issued less than 24 hours from the due date.

		<ul style="list-style-type: none"> ❖ Accept paper bids or electronic (via an electronic bid management system only if authorized by the District Manager) bids from bidders until the due date and time. ❖ Bids are opened and read aloud by at least two District staff members immediately after the bid due date and time. At the opening the bids are initially verified as responsive (on time, bid sheet complete, proposal signature page signed, bid bond included, and addenda acknowledged, etc.) and the apparent low bidder is identified. ❖ Request responses to the required and supplemental bid responsibility criteria from the apparent low bidder. ❖ Determine whether apparent low bidder does or does not meet responsibility criteria. If they do, proceed with a construction contract. If they do not, move the next low bidder and request their responses to the required and supplemental bid responsibility criteria. ❖ Contractor submits payment and performance bonds and evidence of insurance for approval before notice to proceed is issued.
--	--	--

11.071 Bid Deposit and Non Collusion Affidavit

Whenever competitive quotes or bids are required, a bidder may be required make a deposit in the form of a certified check, cashier’s check, or bid bond in an amount equal to not less than five percent of the total bid, which percentage shall be specified in the call for bids. As part of any bid submitted, the bidder shall be required to warrant that the bid is a genuine bid, and that he/she has not entered into collusion with any other bidder or any other person.

11.072 Consideration of Bids

No orally or telephonically submitted bids or modifications to bids shall be accepted. Electronic bids may only be accepted through an electronic bid management system (e.g. QuestCDN) if specifically authorized by the District Manager in the Bid Documents. Bids must arrive at the designated place of opening prior to bid opening time. Late bids, for whatever cause, will not be accepted.

After opening and reading Proposals, the District will check them for correctness of extensions of the prices per unit and the total price. If a discrepancy exists between the price per unit and the extended amount of any Bid item, the price per unit will control. The total of extensions, corrected where necessary, will be used by the District for Award purposes and to fix the amount of the Payment and Performance Bonds.

The right is reserved by the District to waive informalities in the bidding, accept a Proposal of the lowest responsible Bidder, reject any or all Bids, republish the call for Bids, revise or cancel the Work, or require the Work to be done in another way if the best interest of the District is served.

11.073 Bidder Responsibility Criteria and Appeals

It is the intent of the District to award a contract to the lowest responsible bidder deemed responsive by the District, whose bid conforms to the requirements of the specifications, and whose past record of performance on work of similar complexity and magnitude indicates that said bidder is qualified to carry

out the obligations of the contract and to complete the work contemplated. Specifically, the amount of the bid, as well as the responsiveness and responsibility criteria will be reviewed.

In addition, as a condition of the award the bidder must agree to verify that all subcontractors are also in compliance with the “responsibility” criteria as specified in RCW 36.06.

The responsibility of the bidder is evaluated applying required and supplemental criteria. The required criteria are specified in RCW 39.04. Proof of compliance with the following criteria must be provided by the bidder for there to be a determination that the bid is acceptable as being a “responsible” bid:

- (a) Have a certificate of registration in compliance with Chapter 18.27 RCW, which must have been in effect at the time of bid submittal;
- (b) Have a current Washington Unified Business Number;
- (c) If applicable:
 - 1) Have industrial insurance coverage for the bidder’s employees working in Washington as required in Title 51 RCW;
 - 2) Have an Employment Security Department number as required in Title 50 RCW;
 - 3) Have a state excise tax registration number as required in Title 82 RCW;
- (d) Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065(3).
- (e) If bidding on a public works project subject to the apprenticeship utilization requirements in RCW 39.04.320, not have been found out of compliance by the Washington state apprenticeship and training council for working apprentices out of ratio, without appropriate supervision, or outside their approved work processes as outlined in their standards of apprenticeship under chapter 49.04 RCW for the one-year period immediately preceding the date of the bid solicitation; and
- (f) Until December 31, 2013, not have violated RCW 39.04.370 more than one time as determined by the Department of Labor and Industries.

The supplemental responsibility criteria, as allowed in RCW 39.04.350(2), may be defined by the contracting agency. The bidder must also meet the supplemental bidder responsibility criteria for the District listed below. The District Manager shall maintain descriptions of the criteria and documentation required from the bidders. Below is a general description of the Supplemental Criteria.

- (a) **Completion of Similar Projects** - The Bidder shall have successfully completed at least three (3) public works projects in the State of Washington, each such project to have a contract value in excess of \$500,000, within the last three (3) years.³ Bidder’s previous public works projects in the State of Washington shall include environmental conservation type projects, consisting of at least earthwork, concrete, mechanical, electrical, pipe laying and instream rock structures (roughened channel, rock weirs, rock barbs, etc.) and having been completed in salmon bearing streams or rivers with permits issued by agencies including Washington Department of Fish & Wildlife, Washington Department of Ecology, US

Army Corps of Engineers, National Marine Fisheries Service and/or US Fish & Wildlife Service.⁴

(b) **Experience of Key Personnel**-The Bidder shall provide an experience Project Manager and Superintendent.

(c) **Delinquent State Taxes**-The Bidder shall not owe delinquent taxes to the Washington State Department of Revenue without a payment plan approved by the Department of Revenue.

(d) **Federal Debarment**-The Bidder shall not currently be debarred or suspended by the Federal government.

(e) **Public Bidding Crime**-The Bidder shall not have been convicted of a crime involving bidding on a public works contract within five years from the bid submittal deadline.

(f) **Subcontractor Responsibility**-The Bidder's standard subcontract form shall include the subcontractor responsibility language required by RCW 39.06.202, and the Bidder shall have an established procedure which it utilizes to validate the responsibility of each of its subcontractors. The Bidder's subcontract form shall also include a requirement that each of its subcontractors shall have and document a similar procedure to determine whether the sub tier subcontractors with whom it contracts are also "responsible" subcontractors as defined by RCW 39.06.020.

(g) **Claims Against Retainage and Bonds**- The Bidder shall not have a record of excessive claims filed against the retainage or payment bonds for public works projects during the previous three years, that demonstrate a lack of effective management by the Bidder of making timely and appropriate payments to its subcontractors, suppliers, and workers, unless there are extenuating circumstances and such circumstances are deemed acceptable to the District.

(h) **Termination for Cause**-The Bidder shall not have had any contract terminated for cause on a government agency project during the five year period immediately preceding the date of Bid opening, unless there are extenuating circumstances acceptable to the District

(i) **Lawsuits**- The Bidder shall not have lawsuits with judgments entered against it within five years of the bid submittal date that demonstrate a pattern of failing to meet the terms of contracts, unless there are extenuating circumstances and such circumstances are deemed acceptable to the District.

(j) **Prevailing Wages**-The Bidder shall not have a record of prevailing wage complaints filed against it within five years of the bid submittal date that demonstrate a pattern of failing to pay workers prevailing wages, unless there are extenuating circumstances and such circumstances are deemed acceptable to the District.

There is an appeal process for the bidder, if they are declared not responsible. If the District determines the Bidder does not meet the bidder responsibility criteria and is therefore not a responsible bidder, the District shall notify the Bidder in writing with the reasons for its determination. If the Bidder disagrees with this determination, it may appeal the determination within 24 hours of receipt of the District's

determination by presenting additional information to the District. The District will consider the additional information before issuing its final determination. If the final determination affirms that the Bidder is not responsible, the District will not execute a contract with any other Bidder until two business days after the Bidder determined to be not responsible has been sent, by certified mail, the final determination.

11.074 Payment and Performance Bonds

The District shall require from a successful bidder both payment and performance bonds in the amount each of 100% of the original contract price and with the conditions imposed by law. The District requires additional performance and payment bond protection if the contract price is increased. The increased protection will equal 100 percent of the increase in contract price, inclusive of Washington State Sales Tax.

On contracts of \$35,000 or less, the District may, where 50 percent of the contract amount is retained for a period of 30 days after date of final acceptance (providing all necessary releases from the Department of Employment Security, Department of Revenue and the Department of Labor and Industries and settlement of any liens filed under chapter 60.28 RCW have been received) dispense with the requirements of the Performance and Payment bonds, as permitted by state law.

When required, the payment and performance bonds must be signed by an approved Surety (or Sureties) that is registered with the Washington State Insurance Commissioner and appears on the current Authorized Insurance List in the State of Washington published by the Office of the Insurance Commissioner. The bonds are to be conditioned upon the faithful performance of the Contract by the Contractor within the prescribed time and guarantee that the Surety shall indemnify, defend, and protect the District against any claim of direct or indirect loss resulting from:

1. The failure of the Contractor (or any of the employees, Subcontractors, or lower tier subcontractors of the Contractor) to faithfully perform the Contract; or
2. Of the Contractor (or the Subcontractors or lower tier subcontractors of the Contractor) to pay all laborers, mechanics, Subcontractors, lower tier subcontractors, materialperson, or any other person who provides supplies or provisions for carrying out the Work.

The District may require Sureties or Surety companies on the Bond to appear and qualify themselves. Whenever the District deems the Surety or Sureties to be inadequate, it may, upon written demand, require the Contractor to furnish additional Surety to cover any remaining Work. Until the added Surety is furnished, payments on the Contract will stop.

The contractor's bonds are to be approved and filed with the original contract document within 20 days (exclusive of the date of notice) after notice of award.

11.075 Multiple Bidder Awards

The District may award to multiple bidders for the same commodity or service when the bid specifications provide for special circumstances in the determination of which vendor is truly the lowest price to the district. Special circumstances may include differences in ability to deliver, delivery time, 361634availability of material, special loading or unloading conditions, total cost including transport or labor if not included with bid item, performance of the delivered material, location of the source, and proximity to the delivery point.

11.076 Small Public Works Construction Projects

This section may be utilized in the acquisition of contractual services necessary to complete public works projects with an estimated value of less than \$65,000. In order to use a small works contract award process in lieu of formal sealed bidding, the District shall:

A. In every case a certain category of work is to be accomplished under this section and the estimated cost is less than \$65,000, at least three contractors shall be contacted and provided the Bid Documents.

B. Include in the Bid Documents the date on which bids will be received, the scope and nature of work to be performed, the materials and equipment to be furnished, prevailing wage rates, and, if not provided otherwise in the Bid Documents, where the detailed plans and specifications may be seen and obtained.

C. Reasonable efforts to alternate the contractors selected for bid invitations shall occur. Contractors invited to bid may include contractors who have previously submitted bids for District projects and who appear to meet the defined responsibility criteria (Section 11.052).

11.077 Prevailing Wage

The Washington State Public Works Act, also known as the "Prevailing Wage Law," is a worker protection act that requires that workers be paid prevailing wages when employed on public works projects. District contracts involving services which are reimbursed using State funding are classified as public work projects and are subject to the state prevailing wage law. There is no minimum dollar amount below which state prevailing wages need not be paid. State prevailing wages are established by the Washington State Department of Labor and Industries.

Similarly, the Davis-Bacon and Related Acts, apply to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for public works projects. Davis-Bacon Act and Related Act contractors and subcontractors must also pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. The Davis-Bacon Act directs the Department of Labor to determine such locally prevailing wage rates. The Davis-Bacon Act prevailing wage provisions apply to the "Related Acts," under which federal agencies assist construction projects through grants, loans, loan guarantees, and insurance.

Since the District utilizes both state and federal funding, sometimes on the same project, the Bid documents must stipulate the applicable prevailing wages requirements.

11.08 Emergency Procurements.

Notwithstanding any other provisions of this policy, the District Manager may make or authorize others to make emergency procurements of materials, supplies, equipment, or services when there exists a threat to public health, welfare, or safety or threat to proper performance of essential functions; provided, that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the contract, and listing of the item(s) procured under the contract, which shall be reported to the Board of Supervisors at the next subsequent meeting.

11.09 Amendments and Change Orders.

Amendments or change orders to contracts, including inter-local agreements, which result increase the final contract amount maybe approved by the District Manager if the changes are:

- i. Within the scope and budget of the project or purchase;
- ii. Within the approval authority of the District Manager.

Contract amendments that are strictly a change in contract expiration date may be administratively approved by the District Manager, however the Board of Supervisors will ratify the amendments at the next scheduled Board meeting.

11.10 Joint Purchasing

The District may enter into agreements with the state or with any agency, political subdivision, or unit of local government to purchase goods or services cooperatively. Joint purchasing services are hereby authorized and encouraged with any other municipal corporation in Kittitas County. Assistance to the participating municipal corporation may be given in any way except that a sale or contract shall be between the vendor and the participating municipal corporation and not the District. Bids and quotes may be obtained jointly based on volume if it is in the District's best interest to do so.

11.11 Temporary Construction Easements

The District acquires a temporary easement when it needs the temporary right to enter upon the property of another. The temporary easement will set forth the District's right to the use of the property under specified circumstances and/or conditions for a limited time period. The following are typical temporary easement guidelines and situations:

- i. The temporary easement is used when the District requires a property right of a temporary nature. In most cases the rights required or the work to be performed is not beneficial to the property owner and just compensation will be paid.
- ii. The temporary easement will expire by its own terms by inclusion of a statement to the following. "The temporary rights herein granted shall terminate on (date)." Caution should be taken to allow ample time for completion of construction.
- iii. The recording of temporary easements will be at the discretion of the District Manager

Parties having interests in a parcel may be reimbursed up to \$750 for "expenditures actually and reasonably incurred" in evaluating the District's offer of just compensation and the temporary easement terms and conditions. District staff suggest to the owners that, if they choose to have an evaluation made, it should be made by knowledgeable personnel. The documentation accompanying the claim for payment is reviewed prior to approval of payment.

11.12 Amendments To Policy

The Board of Supervisors reserves the exclusive right to alter, amend, rescind, abrogate, delete, supersede or replace the provisions of this policy or any part thereof, in any manner not inconsistent with state law. Whether or not the Board of Supervisors takes action, the provisions of this policy shall be deemed automatically altered, amended, or superseded to conform to any mandatory state administrative ruling or statute, as of the effective date of any such enactment appertaining to the matters covered in this

policy, to the effect that the provisions of this policy shall at all times conform to, and never conflict with, said state laws and regulations.

11.13 Severability

If any provision of this policy is held to be invalid, the remainder of the policy shall remain in effect.

11.14 Standard of Conduct for Purchases or Contracts

Any purchases or contracts between the District and any member of the Board of Supervisors or staff shall abide by Revised Code of Washington (RCW) Chapter 42.23 - Code of Ethics for Municipal Officers. According to RCW 42.23.030, municipal officers are prohibited from being beneficially interested in a contract. Contract is defined in RCW 42.23.020 as "...any contract, sale, lease or purchase." However, RCW 42.23.030 (6)(a) does allow the purchases and contracts in which the total amount received under the contract or contracts by the municipal officer or the municipal officer's business does not exceed \$1,500 in any calendar month. This applies to the total of all contracts, sales, leases and purchases between the District employee or an associate supervisor and the District, except for cost share agreements (see Section 12.011).

Standards of conduct for employees engaged in the selection, award and administration of contracts for grant funded projects or programs are as follows:

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a grant award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of the District must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts with the exception of an unsolicited gift that does not exceed \$50 in value. Offers of gifts should generally be refused. Employees should review with their supervisors any offers of gifts.

Violation of these standards of conduct by officers, employees, or agents of the District may be cause for discipline up to and including dismissal.

Section 12 Cost Share Policy

It is the expressed desire of the District Board of Supervisors to provide landowners and/or land managers (“cooperators”) with opportunities to implement projects that maintain, improve or protect the natural resources of Kittitas County. In order to achieve that goal, the District must focus and coordinate all available technical, financial and educational resources.

The following policies and procedures address the use of financial resources coordinated or secured by the District. The purpose of the policies and procedures is to distribute available public funds in a fair and consistent manner to eligible cooperators. The policies and procedures are intended to provide the cooperators with information necessary to fully understand the process and facilitate a successful project. The policies also ensure the proper and best expenditure of public funds.

These policies are not intended to be a complete or final statement of all District cost share policies and procedures. These policies and procedures are to serve as a guide and may require periodic review or revision. It is understood that the Board of Supervisors will meet as needed for that purpose.

12.01 Getting Started

The District becomes involved in cooperator projects through a variety of circumstances. Sometimes the District actively seeks participants for a particular grant program, sometimes the cooperators specifically request assistance from the District, and sometimes the cooperators are referred by another agency or organization that may be unable to provide the assistance requested. District staff area available to work with cooperators to help determine the level and type of assistance. Permission to access forms may be requested, if access to the property is necessary to gather data or information (e.g. survey). If the cooperator is not the landowner, they will be asked to assist in obtaining the landowner signature for the permission to access forms and to continue to involve the landowner as the potential project progresses.

12.02 Eligibility Requirements

It should be emphasized that the District is almost entirely grant funded, so the type and number of projects the District is able to assist with is dependent on the availability of funds from various granting groups and agencies. All Kittitas County landowners and land managers within the District boundaries are eligible to request technical and financial assistance from the District. Additional eligibility requirements will be determined by the amount and types of grant funds available and the type of project for which assistance is being requested. Projects, especially those that require a large capital investment, are often difficult to locate funding for unless that project addresses a major priority for a funding agency. For example, a landowner may have a great project that will significantly reduce erosion on their property. However, unless that project can be tied to a priority, e.g. an impaired stream, an endangered or threatened species, etc, it may be difficult to find a funding source. In addition, most large projects involve years of preparation, planning and searching for funds before they are successfully funded.

12.021 Cost Share Participation by Board Members, Associate Members and Staff

Revised Code of Washington (RCW) Chapter 42.23 generally states that no municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer. Members of the Board of Supervisors are considered municipal officers, as are associate supervisors and staff. Chapter 89.08.220(4) RCW authorizes a conservation district to furnish financial aid to land occupiers and states that land occupiers who are also district supervisors are not subject to the provisions of RCW 42.23.030. Therefore, Board members may receive financial assistance from the District, but associate supervisors and staff are not allowed the same exemption. A list of financial assistance contracts or agreements with members of the Board is maintained at the District office.

12.03 Searching for a Funding Source

If the District does not have a funding source in place to address a project that has been developed with a cooperator, the District shall make a reasonable effort to locate funds. If the District submits an application to a funding source on behalf of a specific project, the cooperator and landowner may be required to submit a letter of acknowledgement with the application and otherwise cooperate with the District in meeting the funding agency’s criteria. This assures the funding agency’s that the cooperator is interested in the funding source, agrees with the conceptual design of the project, and is willing to implement the project.

12.04 Cost Share Rates

Most of the technical and financial (cost share) assistance to the landowners by the District is funded by grants from various groups or agencies. This means that cost share funds provided to cooperators are dependent on the requirements and priorities of the grant source. It is the goal of the District is to match cooperators and their projects with the most appropriate funding source. Sometimes this involves the cooperators agreement to cost share rates that are different than those defined in this section. Often, the more project cost a cooperator is willing to assume, the greater chance the grant source will award funds. Prior to submitting an application to a granting source for any project, the cooperators may be notified of the opportunity to increase the chance of receiving funding by accepting lower cost share rates.

It should also be noted that 100% cost share for a project is **NOT** possible. No matter how well planned, all projects have unexpected costs or costs that because of the funding source, are not eligible for cost share. At a minimum, it will be necessary for the cooperators to provide their personal time in the development of the project, review of applications to funding sources, applications for permits and, if desired, to seek professional legal or financial advice regarding the project. These costs to the cooperator are generally not reimbursable.

Since the District is grant funded, cost share rates for particular projects are a direct reflection of the requirements of the grant being utilized. In the cases where cost share rates for cooperator are not rigidly defined by the granting agency or group, the following guidelines will be implemented.

In general, if conservation practices applied to private property are solely to benefit the resource (e.g. water quality, fish and wildlife) with little or no potential for economic benefit to the cooperator, the District will pursue funding for the full cost of project management, design and engineering and construction for those practices. If practices are proposed that produce an economic benefit (e.g. increased production, decreased labor, etc.) to the cooperator, the cost share rate for implementation and construction of those practices will not exceed 75%. For example, a project to install a fish screen and fish passage structure, plant trees and shrubs and convert from a gated pipe to a sprinkler system would be cost shared as follows:

Practice	Cost Share Rates	Additional Landowner Obligations
<i>(as defined by NRCS FOTG*)</i>	<i>(These are maximum cost share rates. Due to differing funding sources, the District may not be able to provide these rates on every project)</i>	

Fish Screen (Practice 587)	100% Cost of Design and Engineering, Project Management, and Construction	Professional legal or financial advisement, permit application fees, easement acquisition, long term operations and maintenance costs
Fish Passage (Practice 396)	100% Cost of Design and Engineering, Project Management, and Construction	Professional legal or financial advisement, permit application fees, easement acquisition, long term operations and maintenance costs
Tree and Shrub Establishment (Practice 612)	100% Cost of Design and Engineering, Project Management, and Construction	Professional legal or financial advisement, permit application fees, easement acquisition, long term operations and maintenance costs
Sprinkler System (Practice 442)	100% Cost of Design and Engineering, Project Management, and not more than 75% of the cost of Construction	Professional legal or financial advisement, permit application fees, easement acquisition, long term operations and maintenance costs

*A complete listing of conservation practices may be accessed at:

http://efotg.nrcs.usda.gov/efotg_locator.aspx?map=WA

The Board of Supervisors reserves the right to deviate from the above listed rates at their discretion.

The District will not cost share on used equipment for any project.

Sometimes either the District or the cooperator involved is able to secure multiple funding sources to implement a specific project. The District will provide assistance in the coordination of the multiple funding sources where possible. It should be noted that even with multiple funding sources, **it is not possible to implement a project that results in no cost to the cooperator.**

12.05 Cooperator Responsibilities

Cooperators who wish to work together with the District on a particular project must be made aware that the District's role is to support and assist the cooperator through the project. The District facilitates funding, assists with project design and permitting, but the project is ultimately led by the landowner/cooperator. The landowner/cooperator is responsible for finding and contracting with suitable contractors and vendors to provide the materials or work required to complete the BMPs. Generally, the vendor or contractor communicates only with landowner/cooperator, unless otherwise authorized by the landowner/cooperator.

12.06 Project Permitting

Permits are necessary with nearly every potential project a landowner considers. Federal, state and local permits and requirements will vary by project and by funding source. Below is a partial list of the permits or consultations that may be required:

Application to Local Government For: Shoreline, Conditional Use, Floodplain Management, Critical Areas Ordinance, franchise agreements, temporary access, etc.

Application to Washington Department of Fish and Wildlife for a Hydraulics Permit to work within the ordinary high water mark of a waterbody.

Application to the Washington Department of Ecology for 401 Water Quality Certification

Application to the Washington Department of Natural Resources for Aquatic Resources Use Authorization Notification

Application to the Corps of Engineers for a Section 404 or Section 10 permit if dredging or filling of a waterway or wetland may occur

Consultation with NOAA Fisheries or US Fish & Wildlife Service if endangered or threatened species are present

Completion of Washington State Environmental Policy Act (SEPA) if state funds are utilized

Completion of the National Environmental Policy Act (NEPA) if federal funds are utilized.

Application to change point of diversion or other aspect of the landowner's current water right (including Trust Water) or an application for a new water right.

Application or establishment of easements for access to project site for construction, monitoring or maintenance.

Responsibility to ensure that all necessary permits are in place prior to construction of a cost shared project lies solely with the cooperator/landowner. Recognizing the complexity of permit applications, especially with fisheries related projects, District staff will assist with actual application forms and the application process. District staff can provide maps, project designs, background information, etc. as requested by. The cooperator/landowner may be more comfortable referring the land (easement) and water right issues to legal counsel. Costs associated with the use of legal counsel are generally not eligible for cost share, although, unless specifically restricted by the funding source, the costs are eligible to count as a portion of the cooperator/landowner's share of the project cost. The same is true of any fees associated with permit applications, changes in water rights or the acquisition of necessary easements.

12.07 Contract for Cost Share Funds

Unless otherwise specified by the project funding source, the District maintains a standard contract with cooperator/landowners, called the "Contract for Cost Share Funds". This form is based on the Washington State Conservation Commission issued form. This agreement may be amended or modified if the cost share funding source so requires. This agreement will also be updated as the Commission provides updates.

The "Contract for Cost Share Funds" can include several attachments. Once such attachment is cost share worksheets that details funding contributions from all involved sources and defines the cost share requested for this specific agreement. Another is the plans and specifications for the project. These plans and specifications will meet NRCS standards and may be prepared by the District staff or by a licensed engineer (depending on the magnitude of the project).

The "Contract for Cost Share Funds" also establishes a monitoring plan that defines when monitoring will occur and who will do it. For example, District staff may monitor a tree planting site for 3 years to ensure maximum survivability. Unless otherwise established in writing, all long-term operations and maintenance of a project are the sole responsibility of the landowner.

12.08 Termination

There are two levels of termination with regard to cost share funding. Notice by a party of its intent to terminate the cost sharing agreement shall be given to the other party in writing and delivered via first class mail to the last known address of the other party.

1. Any time after engaging with the District and before signing the Contract for Cost Share Funds, either the District or the cooperator may terminate pursuit of the project without liability.
2. Once the Contract for Cost Share Funds is signed, termination may only occur by mutual agreement of both parties upon the parties having made written arrangements for reimbursement of funds and expenses paid to date through the cost share program.

12.09 Operations & Maintenance

Operation and maintenance of any practice defined in the Contract for Cost Share Funds is the sole responsibility of the landowner. An operations and maintenance plan may be included as an attachment to the Contract for Cost Share Funds. If the total investment of cost share funds exceeds \$25,000, this plan may be recorded in the office of the Kittitas County Auditor and may, therefore appear in the records of title on the property. This is a safeguard to protect the investment of public funds and to ensure that the individual practices are maintained for their expected life, even if the land changes ownership.

12.10 Payment Procedures

Reimbursement of costs incurred will be based on the Terms of Contract (items 7 to 11) in the Contract for Cost Share Funds. **A written notice to proceed must be given by District prior to initiating any work or incurring any costs that are part of the project.** Only work done or costs incurred after receiving the notice to proceed will be eligible for reimbursement.

If a BMP exceeds \$5,000 in cost, the cooperator is strongly encouraged to obtain a minimum of two bids from vendors or contractors. Both bids may be submitted to District before work commences. If the bids differ by more than 10%, and the landowner chooses the higher bid, they may be asked to provide a written statement defining why the higher bid was chosen. The landowner may also be asked to provide a written explanation if it is not possible to obtain two bids.

All requests submitted for reimbursements must have been incurred in the implementation of a practice listed in the Contract. That usually means the landowner will have to pay the invoices from the vendors and then request reimbursements by the District. A "Reimbursement Request Form" (see Appendix D) shall be completed and submitted with detailed invoices for the work. All practices must be implemented as defined in the Project Design. Any deviations from the Project Design (plans and specifications) must be approved in writing by the District in order to be eligible for payment.

Prior to providing payment for any individual practice, it must be implemented and certified either by a licensed engineer, District staff or NRCS staff.

All receipts or invoices must be detailed. No lump sum receipts or invoices will be accepted. For example, if the landowner hires a contractor to install buried PVC pipelines, the receipt or invoice must include a separate line item for the PVC pipe, the heavy equipment, labor, sales tax, etc. All invoices must be in the landowner's name. Invoices billed directly to the District will not be accepted.

A landowner may also choose to complete an "assignment of payment" form in order to facilitate cost share payment directly to the contractor or vendor. Landowners who are eligible to receive specified cost share payments from District programs may arrange to have all or part of their payments assigned directly

to another party by check. This allows a third party, such as a person or entity, to receive a select program payment directly from the District in lieu of receiving the payment from a landowner. Landowners must inform the District staff immediately of any changes affecting an assigned payment, such as when an assigned amount is being reduced or an assignment is being terminated. After the assignment is established, the assignee must concur before a change is applied or an assignment is terminated.

The timeline for reimbursement of costs depends on the individual funding source. Generally, the District submits vouchers during the first half of the month for the previous month's costs. It can take up to sixty days to receive payment from the funding source.

Section 13 Drone Policy

Unmanned Aerial Systems (UAS), also known as drones are valuable tools that are available for use today. These devices can be used to collect data, take pictures, and record video from vantage points previously only accessible from helicopter or airplane. The District strives to provide the best service and resources to landowners and projects. The District has incorporated drones into its group of tools and has provided the public and producers with visuals and information that were previously out of reach. As a public agency, the District provides transparency and innovation to the new technology utilized. This Drone policy is a guideline to the steps taken to ensure public safety, safe flying, record keeping, and utilizing this technology to its full potential.

13.01 Scope

This policy shall cover the standard conduct for operating the District's drone and related equipment.

13.02 Delegation of Authority

Management responsibility for monitoring District drone activity is delegated to the District Manager, or designee assigned by the Board.

Operation of drone and related equipment is limited to those individuals who possess a current Remote Pilot Certificate from the Federal Aviation Administration (FAA).

13.03 Controlling Laws

The District's policy is based off the applicable regulations in 14 CFR Part 107 – Small Unmanned Aircraft Systems.

13.04 Authorized Equipment and Use

In general, small drones weighting less than 55 pound must be flown in compliance with Part 107 guidelines. Under this rule drones must be registered with the FAA and operators must obtain a Remote Pilot Certificate before usage.

It is the responsibility of any drone pilot to ensure conduct in accordance with Part 107 rules and regulations at all times. Before each flight it is important to consider safe and legal flying conditions, including whether the drone is fit for flight.

Basic conduct includes, but is not limited to the following:

- Drone must be flown at or below 400 feet
- Operate drone within your visual line of sight
- Be aware of FAA Airspace restrictions
- Respect privacy
- Never fly near other aircrafts, especially near airports
- Never fly directly over groups of people, public events, or stadiums full of people
- Never fly near emergencies such as fires or hurricane recovery efforts
- Never fly under the influence of drugs or alcohol

For more information refer to FAA's 2016 Part 107 summary at https://www.faa.gov/uas/media/Part_107_Summary.pdf or the full Part 107 regulation at <https://www.law.cornell.edu/cfr/text/14/part-107>

13.05 Private Land Access

In general, District staff will use the drone to take pictures, videos and collect data from District projects during the construction of and throughout the lifespan of the project. During the construction phase, landowners authorize staff to access their property during the regular business hours, unless otherwise arranged with the landowner. During the maintenance period, staff will notify landowners in advance before accessing their property.

13.06 Public Land Access

All flights on public land or in public airspace will follow 107 guidelines and local regulations.

13.07 Record Retention

Any videos, pictures or data collected with the drone should follow the applicable record retention schedule for the type of activity, including privacy laws related to farm plans.

13.08 Insurance/Liability

Insurance coverage should be maintained at all times. Any accident should be reported immediately.

CFR 107.9 requires the following incidents to be reported to the FAA within 10 days:

- Serious injury to any person or any loss of consciousness.
- Damage to any property, other than the drone/UASS, unless one of the following conditions is satisfied:
 1. The cost of the repair (including materials and labor) does not exceed \$500; or
 2. The fair market value of the property does not exceed \$500 in the event of total loss