

Meeting Minutes, December 7, 2017 @ 10:00AM

Thirteenth meeting of the WOODBURY COUNTY POLICY REVIEW COMMITTEE

Location: Board Chambers, first floor of the Courthouse  
620 Douglas Street, Sioux City, Iowa 51101

Members present: Matthew Ung, County Supervisor; Pat Gill, County Auditor; Ed Gilliland, Director of Human Resources; P.J. Jennings, County Attorney; Tonia Abell, Human Resources

Members absent: Keith Radig, County Supervisor

Audience Attendees: Michelle Skaff, Deputy Auditor; John Malloy, IT Director WCICC; KMEG-TV reporter

**Agenda**

- I. Call to order ---Ung
- II. Public Comments  
No public comments
- III. Approval of Agenda  
Approved by consensus
- IV. New Business

Ung welcomed everyone to the policy review committee meeting.

**A. Removable Media (1st review of new policy)**

John Malloy, IT Director WCICC, presented a draft of the removable media policy along with a compliance question as to how the County would hold employees accountable. WCICC has the ability to see devices such as flash drives, thumb drives, cameras or smart phones plugged into a computer; their use can have all sorts of unintended consequences. WCICC already has antivirus in place that runs multiple times a day to fix viruses which have been introduced. WCICC foresees the need of implementing a security policy for the use of these items while maintaining essential job functions. Malloy prioritized visiting with outside vendors, customers and County departments to understand how they use removable media. Committee discussion turned to alternative solutions for the use of media storage without jeopardizing security: placing data in a separate system, emailing pictures instead of downloading, classifying data already on thumb/flash drives and WCICC scanning media before use. Committee members relayed how their departments use electronic media in day to day operations. Ung questioned if the City had a security awareness training, since both share WCICC. Malloy commented the City was offered security awareness, however it was not enforced. Committee voiced support for Malloy to move forward with removable media policy.

**B. Voluntary Vacation Donation for Catastrophic Illnesses or injuries (1st review of new policy)**

Ung introduced backup materials which included a draft policy from Gilliland and an opinion letter from Klass Law Firm outlining potential unintended consequences and obstacles. Committee questioned the wisdom to continually expend effort on this policy which will only benefit a few. Gilliland summed up a letter from Klass Law Firm concerning the risk of creating a case of discrimination if allowing for one circumstance and not for another. Ung remarked a lot of County departments work with other public entities and private businesses which also create close interpersonal relationships with the desire to help others in need. Gilliland expressed a potential conflict with the CWA union contract as it includes a negotiated "no vacation payout." Vacation is deemed a benefit to the employee as time off from work. Skaff questioned whether it is a benefit to the County if the City is not reciprocating. Gill voiced his belief that the contract was obviously negotiated with the agreement not to pay out vacation. Gill conveyed a strict cash payout would increase tax to the donor, the receiver, and cost the County. Gill noted the County does not share data with the City or any other entity. Skaff recalled a "County All" email received by the City for a

fundraiser for an employee, which raised \$30,000. Jennings noted the cash implications for an employee to donate vacation is not like giving to a fundraiser. Ung asked Gilliland whether the policy draft was from the City and if they reciprocate for others. Gilliland responded the City draft is only for City employees. **Motion by Ung, second by Gill, to recommend against this policy to the board of supervisors based on the following: The legal risks of allowing one agency and denying another in the future, the unintended consequences including mandated tax implications, and the moral hazard of supplying benefits that conflict with or go beyond negotiated union contracts. Passed 5-0.**

**C. 1st Review and Comparison to 2016 Handbook of Existing Policies**

i. Drug & Alcohol Policy

Ung requested clarification whether the policy is redundant to one already in current handbook. Gilliland relayed Heidman Law Firm recommendation is to do a comparison with that of Polk and other counties and to separate some policies from handbook. Jennings inquired whether this policy was mentioned in the Union contracts to which Gilliland responded that the policy reflects Dept. of Transportation, but the law does not apply to public entities. Gilliland educated the committee on steps taken when an employee does not pass drug testing. Jennings specified that Iowa Law does not always allow for ADA. Gilliland acknowledged this and clarified that the County takes steps to recognize the ADA regulations. Gilliland recounted drug testing is performed before initial hire, random testing for secondary roads/some conservation, testing after accidents and suspicion of abuse. **Motion by Gill, second by Ung, to remove stand-alone Drug & Alcohol policy due to its duplication in handbook. Passed 5-0.**

Skaff suggested in these rare cases when the County policy book does not include a policy replicated in the employee handbook, that the policy book note on a separate page where the policy is in the handbook. Committee agreed.

ii. Vehicle Title Policy

Committee reviewed the policy passed in 2010 by the board of supervisors. Gill commented that the County was losing titles because other departments preferred to keep their titles rather than hand them over to the Auditor's Office. Committee discussed this past problem and concluded it is not an issue any longer. Additionally, committee noted that the County owns the titles and can already direct them to be recorded in a particular location without a policy. Committee agreed that because the 2010 policy was passed by the board, this committee did not have authority in itself to remove the policy, and so will recommend it to the board. Gill agreed to help draft a directive to the county if needed. **Motion by Jennings, second by Ung, to recommend to the Board that the policy to be removed from any list of effective county policies, and for Gill to present the item to the Board on December 19<sup>th</sup>. Passed 5-0.**

Ung commented committee is doing a good job in grouping old policies to be reviewed so far and should strive to continue. Ung will recommend the Board reauthorize the Policy Review Committee in 2018. Ung acknowledged the Committee had made strides in updating and improving policies. Ung thanked members individually for their commitment.

Meeting adjourned at 11:20 AM