



RESOLUTION NUMBER: 2016-47

Approving the
ROOSEVELT COUNTY POLICY
Cell Phone Utilization

WHEREAS, pursuant to NMSA 1978 Section 4-38-1 (1884) the powers of a county as a body politic and corporate shall be exercised by a board of county commissioners; and,

WHEREAS, NMSA 1978, Section 4-38-13 (1953) provides that board of county commissioners shall have power at any session to make such orders concerning the property belonging to the county as they may deem expedient; and,

WHEREAS, Section 4-37-1 et seq. NMSA 1978 provides that counties may adopt those resolutions and ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

WHEREAS, the Board of County Commissioners has determined that it is necessary for certain Elected Officials, Department Heads, and Employees to have cellular devices in order to protect the health safety and welfare of the County's citizens and property and / or to more efficiently perform the functions of County Government.

NOW THEREFORE BE IT RESOLVED THAT, the effective upon the passing of this resolution, the following Cellular Phone Policy is hereby adopted.

I. PURPOSE. To establish efficient and standard procedure with respect to:

1. Use of cell phones while operating County vehicles.
2. An individual's responsibility for cell phones.
3. Allowance for usage of personal cell phones for County business.
4. Compliance to the Policy.

II. DEFINITION

Personnel. For the limited purposes of this policy, only Roosevelt County elected officials and employees shall be referred to as "personnel".

III. USE OF CELL PHONES ON COUNTY BUSINESS OR WHILE OPERATING A COUNTY VEHICLE.



1. County personnel shall be permitted to use a cell phone while operating a county vehicle or equipment only while using hands free, hand-held or voice-activated device. Law enforcement shall not be required to use hands free, hand-held or voice activated device in the case of an emergency.
2. If it is necessary for personnel to read or write while taking the call, personnel shall pull off the road and park in a safe location. All personnel should take time to become familiar with the various cell phone functions. The cell phone should be placed where it is easy to see and reach.
3. County employees shall not have cell phones on or in use while fueling vehicles (studies show that cell phones can ignite gasoline vapors while fueling).

IV. INDIVIDUAL'S RESPONSIBILITY FOR CELL PHONES. Personal use of a cell phone, while on County duty, that is excessive or disrupts the operation of the County is prohibited.

V. STIPENDS FOR USAGE OF PERSONAL CELL PHONES FOR COUNTY BUSINESS. The purpose is for designated personnel to more efficiently perform the functions of County Government by use of their personal cell phones. Roosevelt County will pay a stipend to personnel that have been designated by the Department Head or Elected Official for the use of their personal cell phones for County business. (Stipend Form attached).

VI. COMPLIANCE TO THE POLICY. Any person who uses a cellular phone or wireless personal digital assistant device for County business shall comply with all local, state and federal laws and County policies related to such use. Personnel shall sign an agreement to observe the above rules regarding cell phone use and shall be subject to disciplinary action for non-compliance. (Agreement attached).

APPROVED, PASSED and ADOPTED this 1st day of November, 2016 by the Roosevelt County Board of Commissioners.

ATTEST: *DeAun Searl*
 DeAun Searl, Roosevelt County Clerk

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