



Burleigh County Finance Manual



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PROCUREMENT POLICY

GENERAL

- A. It shall be the policy of the Burleigh County Commissioners to:
 - a. Require departments of Burleigh County to comply with all statutes regarding purchase or dispositions of equipment and hiring of services
- B. Inventory items are defined as any item with the value of \$500 or more.
- C. For GASB purposes, any item over \$5,000 value will be depreciated over the life of the item. See Burleigh County's Capital Asset Policy for a full description.
- D. This policy shall be in effect for all departments receiving an annual appropriation from the county commission.

NEW EQUIPMENT, SUPPLIES, CONTRACTS

- A. Unless purchasing equipment, supplies or contracts through a State bid, competitive bids, proposals, or price quotes shall be obtained for any single item over \$5,000.
- B. The cost of the new equipment shall be appropriated in the commissioner approved budget of the department for the year in which the acquisition is to occur.
- C. Any deviations from the approved budget such as an emergency issue shall be presented to the commissioners for approval prior to purchasing new equipment, supplies or contracts.

MAINTENANCE

- A. Maintenance of equipment, computer software, software upgrades and licenses shall be the responsibility of each department.
- B. The cost of maintenance shall be appropriated in the commissioner approved budget of the department.
- C. Any unforeseen maintenance costs, not in the department's budget, shall be presented to the commissioners for approval.

REPLACEMENT

- A. Replacement of equipment shall be appropriated in the commission approved budget of the department.
- B. Unless the replacement is through State bid, competitive bids, proposals, or price quotes shall be obtained for any single item over \$5,000.
- C. Unexpected replacement costs, not in the current budget, shall be presented to the commissioners for approval.
- D. Replacement of large items such as elevators, boilers, software upgrades, etc. may be budgeted over multiple years in order to avoid a major increase in one year budget cycle with the approval of the commissioners.

DISPOSITION OF EQUIPMENT

- A. Notice of all inventory items with a county item number that is disposed of or replaced shall be made to the county Auditor/Treasurer's office.
- B. Computer equipment and copiers shall be cleared of all data by IT prior to disposal.
- C. Vehicles shall be traded in, auctioned or sold on bids at the discretion of the department head with approval of the commissioners.
- D. Transfer of property from one office to another shall be noticed to the Auditor/Treasurer's office for inventory purposes using the Inventory Transfer Record form.

Suspended and Debarred Parties

- A. For all Federal Funded awards, it is required that the county verifies that the party is not Suspended or Debarred from completing work related to Federal Funds. This can be searched using the following website: <https://sam.gov/content/entity-information>. In the Search dropdown select "Exclusions" and then to the right type in the name you are searching. Printing the results page will fulfill the documentation requirement.

Approved this ____ of _____, 2023

Commission Chairman

Proposal and Interview Review
66th Street NE and I94 Interchange
9/22/2022

Firm: _____

Proposal Score:

1 2 3 4 5 6 7 8 9 10

Recent, current, and projected workloads of firm's staff:

1 2 3 4 5 6 7 8 9 10

Staff experience and technical capabilities:

1 2 3 4 5 6 7 8 9 10

Related experience and performance on similar projects:

1 2 3 4 5 6 7 8 9 10

Willingness to meet time and budgetary requirements:

1 2 3 4 5 6 7 8 9 10

Total Score from Proposal and Interview: _____

Proposing firm is interested in the following areas:

Hydrologic Analysis and Design
Registered Ground Survey and Control Work
Traffic Operations Report
Wetland Delineation Report
Pavement Design
Geotechnical Evaluation
Cultural Review and Reports
Noise Analysis
Interchange Justification Report
All

Proposing firm is qualified to do work in the following areas:

Hydrologic Analysis and Design
Registered Ground Survey and Control Work
Traffic Operations Report
Wetland Delineation Report
Pavement Design
Geotechnical Evaluation
Cultural Review and Reports
Noise Analysis
Interchange Justification Report
All

SUBRECIPIENT MONITORING CHECKLIST

A subrecipient is a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal award. As the prime recipient the pass-through entity is ultimately responsible for the subrecipient's performance and compliance with federal and state regulations and requirements. As a consequence, the pass-through entity must monitor the activities of the subrecipient.

Name of Subrecipient(s):			
SUBRECIPIENT INFORMATION:	YES	NO	N/A
Is there a written Subaward document with the agency?			
Date of Award:			
Does the Subaward document describe the type of work or product that will be performed or delivered by the subrecipient?			
If no, explain:			
Does the Subaward document specify a deadline for each major service or product identified in the subaward?			
If no, explain:			
Does the Subaward document contain a detail budget to compare budgeted costs with actual costs?			
If no, explain:			
SUBRECIPIENT MONITORING (Post Review Activities):	YES	NO	N/A
Do monitoring reports document areas monitored, conclusions reached, and necessary corrective action(s)?			
Is sufficient time given to subrecipients to respond to recommendations?			
Are monitoring results communicated on a timely basis to subrecipients?			
Do results include expected corrective actions and dates for resolution?			
SUBRECIPIENT MONITORING (Financial Management System):	YES	NO	N/A
What type of financial management system does the subrecipient utilize?			
How are Federal funds identified and tracked in the accounting system?			
Are sources of non-Federal funds identified and tracked separately in the accounting system?			
Does the subrecipient use a Chart of Accounts and Accounting Manual?			
Does the accounting manual describe the criteria for an obligation?			
Are accounting records supported by source documentation?			
Does the system provide for prompt and timely recording and reporting of all financial transactions?			
SUBRECIPIENT MONITORING (Policy and Procedures):	YES	NO	N/A
Does the subrecipient have written policy and procedures to adequately administer Federal grant programs (Travel, Procurement, etc.)?			
Does the subrecipient have a written conflict of interest policy for their employees?			
Are there sufficient internal controls in place to protect against waste, fraud, and abuse of Federal funds (segregation of duties, etc.)?			
Does the organization use the same policy and procedures for accounting and expending Federal funds as it does for other agency funds?			

What procedures does the subrecipient use to identify and account for federal property purchased with grant funds?			
Does the subrecipient have adequate safeguards for preventing loss, damage, or theft of property held (inventory control, etc.)?			
SUBRECIPIENT MONITORING (Cash Management):	YES	NO	N/A
Is the cash receipts function performed by someone other than the person who is responsible for signing checks, reconciling bank accounts, or maintaining non-cash accounting records (i.e. ledgers or journals)?			
Are payment vouchers or supporting documents identified by grant number, date(s) and expense classification?			
Are all disbursements controlled by check registers?			
Do supporting documents accompany checks when they are submitted for signature?			
Are supporting documents canceled to prevent reuse?			
Are invoices or vouchers approved in advance by authorized officials?			
Are the requests for reimbursement from the pass-through entity based on supporting documentation from the accounting system?			
What is the process for paying project invoices?			
How is the amount of award funds to draw down determined?			
SUBRECIPIENT MONITORING (Record Retention & Access):	YES	NO	N/A
At a minimum, are the subrecipient's record retention practices in compliance with the federal requirements?			
Do the entity's policies meet or exceed the Federal retention requirements?			
Has the subrecipient retained all records related to pending litigations, claims negotiations, audits or other actions involving records beyond the regular record retention requirements?			
SUBRECIPIENT MONITORING (Audit Requirements):	YES	NO	N/A
Is the subrecipient required to obtain an audit under Subpart F for its most recently completed fiscal year?			
If yes, did the subrecipient submit the required audit report?			
Did the audit report contain any findings or questioned costs?			
If yes, has the subrecipient assigned someone the responsibility for resolving the findings or questioned costs?			
Did the subrecipient submit a timely response to the audit, including a plan for correcting any conditions reported in sustained findings?			
SUBRECIPIENT MONITORING (Miscellaneous):	YES	NO	N/A
If program income will be generated by the subrecipient, have provisions been made to ensure that it is used in accordance with federal agency rules?			
Was technical assistance/training provided to the subrecipients during the project period?			
Are financial and progress reports submitted timely by the subrecipient?			
How is the amount to be charged to the award for an employee's salary and fringe benefit cost, including those employees whose hours may be allocated to more than one cost center, determined?			

If the subrecipient expended over \$750,000 in funds within a year, have they had a Federal Single Audit completed?			
SUBRECIPIENT MONITORING (continued)			
COMMENTS:			

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County of Burleigh

Capital Asset Policy

Assets that have a useful life of more than one fiscal year are considered capital assets. The term capital assets will be identified through the capital improvements planning process. The objectives of capital asset planning are to enhance the accuracy and reliability of Burleigh County's financial statements, amortize the cost of long-term assets over their useful lives and allow a systematic replacement of capital investments. Capital asset accounting is required under compliance with GASB Statement 34. Application of this capital asset policy must adhere to GASB, North Dakota Century Code, and the policies of the County of Burleigh.

Capital Asset Process: The capital improvements planning process will provide the necessary information to identify long-term capital assets.

Designation as a Capital Asset: The acquisition of an independent asset with an estimated useful life of not less than one fiscal year and an estimated capitalized value of \$5,000.00 or greater will be designated through the capital improvements process and capitalized as a capital asset. Capitalized value will include interest, administrative, professional and or engineering costs, transportation charges, and site preparation. Donated items will be valued at their estimated fair market value at the time of acquisition. Historical items already under the ownership of the County will be valued at a historical value.

Asset Classification and Estimated Useful Lives:

CLASSIFICATION	ESTIMATED USEFULL LIFE
Land	Indefinite
Land Improvements	15 – 40 years
Buildings	40 years
Building Improvements	15 – 20 years
Machinery & Equipment	3 – 15 years
Infrastructure	40 – 50 years
Vehicles	3 – 10 years
Office Equipment & Furniture	3 – 10 years

Land and land improvements will be recorded at actual or estimated historical cost in the case of purchased land and recorded at fair market value on the date donated to Burleigh County. Land will not be subject to annual depreciation expense. Annual review of additions and deletions may warrant changes in estimated useful life.

Asset Acquisition:

Asset acquisitions will be capitalized at cost and effective on the first day of the month that they are put into use.

Asset Disposition:

The disposition of capital assets will be determined by the department head responsible for assigned assets. Asset dispositions must be reported to the Auditor/Treasurer with the explanation for disposition: obsolescence, trade, sale, destruction, or theft. In the event an asset is disposed of prior to fulfilling the term of its estimated useful life, a loss on disposal will be calculated. Gain or loss on the disposal is calculated as follows:

Cost – accumulated depreciation = Net Value

Net Value – reimbursement received (if any) = Loss or Gain on Disposal

Dispositions resulting from insured perils will reflect subsequent reimbursements in the disposal transaction. Asset disposals are effective on the date the asset is removed from service. Assets may be transferred from one department to another without disposition as long as both departments agree.

Implementation of Capital Assets Program:

The capital asset program, in compliance with the recommendation of the ND State Auditor's and GASB Statement 34, was implemented in 2002 and reflected in financial statements for the fiscal year ended 12/31/2002. Asset inventory records will be created by the Auditor's office. Actual acquisition costs will be used when available, assessed or consistently applied values will be used as necessary. Accumulated depreciation will be factored life-to-date of the asset beginning with the month after the asset is put into service as calculated by our financial software.

Specific Topics of Capital Assets Program:

Demolition Costs: Demolition costs of an existing asset are not incorporated into the capitalized cost of the new asset.

Donated Assets: Donation of tangible assets will be valued at their estimated fair market value at the time of acquisition plus any eligible costs incurred. In-kind donations cannot be capitalized or depreciated.

Improvements and Replacements: Improvement is the substitution of a better asset. Replacement is substitution of a similar asset. The capitalization of a cost incurred is determined when the improvement or replacement increases the future service level as opposed to merely maintaining the existing level of service (estimated useful life).

BURLEIGH COUNTY

CREDIT CARD MANUAL

- I. PURPOSE:** The purpose of using the credit card program is to purchase low-dollar, high-volume goods and services that are repetitive in nature. Any transactions made with the credit card are the liability of the County of Burleigh. Credit cards should be treated with the same level of care that you would your own personal credit card. Cardholder's are responsible for the use of their cards. Each department should designate a person to be the department's purchasing card coordinator.
- II. CARDHOLDERS:** Cards should only be issued to purchasing staff that routinely make purchases of supplies and materials. Whenever possible the personnel with the authorization to approve expenditure and the purchasing card coordinator should not have access to the credit card. The only person authorized to use the card is the person whose name appears on the card. The card number should never be placed on file at any place of business and should be secured at all times.
- III. OBTAINING A COUNTY CREDIT CARD:**
- 1) Contact the Auditor/Treasurer's office for applications
 - 2) Complete and sign application for approval from Auditor/Treasurer
 - 3) Sign a written acknowledgement of employee/cardholder responsibilities
 - 4) Sign a blanket authorization for sales tax and unapproved expenditures to be deducted from the cardholder's paycheck.
 - 5) Attend a training/regulation session
- IV. GUIDELINES FOR CREDIT CARDS:** Credit cards are authorized for purchasing county transactions and credit limits will vary (for guidelines on how limits are set contact Auditor/Treasurer). Any increase in credit limits needs approval of the Auditor/Treasurer and any increase in the transaction limit needs approval of the department head.
- A.** Gasoline/Fuel for Burleigh County vehicles, lodging, airline tickets and meals (if the employee is staying overnight and elects to charge meals rather than seek the per diem) will be acceptable charges. If cardholder elects to charge the meals then the cardholder will be responsible for the difference between the meals charged and the maximum per diem allowed. Overages will be handled through payroll deductions.
- B.** Other purchases that are STRICTLY forbidden:
- 1) Cash Advances (ATM or other)
 - 2) Alcoholic Beverages
 - 3) Flowers/Gifts
 - 4) Ammunition/Weapons
 - 5) Gasoline/Fuel for personal vehicles
 - 6) Entertainment/hospitality
 - 7) Sheriff uniforms or street clothes (IRS regulation that this is taxable income and will be paid thru payroll)

- 8) Meals purchased for single day travel (if no overnight stay) (IRS regulation that this is taxable income and will be paid thru payroll)
- 9) This list is not all inclusive

V. **PURCHASING PROCEDURE:**

A) Cardholder Responsibilities

- 1) Responsible for notifying vendor of tax exemption. Each cardholder will receive a tax exemption form to carry along with them for proof. **Any ND tax that is charged to the card will be the sole responsibility of the cardholder.** Exception: When the county credit card is denied and the business expense is assumed through personal means, then the actual receipt amount will be reimbursed, as long as it does not exceed per diem rates.
- 2) All invoices must include proper description, quantity, and price. Invoices without proper documentation will not be accepted for payment and will be the responsibility of the cardholder.
- 3) Responsible for Returns, Credits & Disputed Items. **See Section VI, page 3.**
- 4) If the goods are shipped, inform the vendor to ship the invoice with the purchase. Upon receipt of item(s), compare order to invoice to ensure accurate billing and delivery.
- 5) If the goods are picked up, obtain itemized invoice indicating description, quantity, and price.
- 6) Do not give your credit card to anyone else to use. **See Section VII, page 3**
- 7) Do not leave your card number or any writing with the credit card number in any location that is accessible to others.
- 8) Use only secure web sites when purchasing items over the internet.
- 9) **ALL RECEIPTS AND PROPER DOCUMENTATION MUST BE TURNED INTO YOUR DEPARTMENT CREDIT CARD COORDINATOR WITHIN BILLING CYCLES, WHICH WILL BE DETERMINED BY AUDITOR/TREASURER OFFICE.**
- 10) Maintain record of the purchases on the purchasing card record that is located on the outside of the purchase card envelope and secure the invoice(s) inside.

B) Card Coordinator Responsibilities

- 1) Write the account numbers on the purchase card envelope.
- 2) Reconcile invoices and purchase card records to the monthly credit card statement.
- 3) Responsible for getting the Department Head to authorize expenditures by signing the purchase card envelope.
- 4) Responsible for tracking per diem for overages charged on the Credit Card and attaching travel voucher with expenditures for deduction from payroll.

5) Sending the purchase card envelope with original invoices to the Auditor/Treasurer's office by dates that are set up by the Auditor/Treasurer's office.

VI. RETURNS, CREDITS, & DISPUTED ITEMS: The cardholder is responsible to follow up on any returns, credits, or items in dispute. If there is a dispute, the cardholder should try to research and resolve the conflict directly with the supplier. A majority of the problems will be resolved at this level. Maintain all returns, credits, and disputed items in a file. Following are procedures to handle returns, credits, and disputed items:

- A) RETURNS: Any item returned to the vendor must be returned for credit on the credit card. Cardholder must ask for a credit receipt. **DO NOT ACCEPT CASH, CHECK, OR CREDIT ON AN IN-HOUSE ACCOUNT** for any items that were purchased with the credit card.
- B) CREDITS: Record the credit on the purchase card envelope and make reference to the invoice that pertains to the credit. Use the same account number for the credit that was assigned to the original invoice.
- C) DISPUTED ITEMS: If the cardholder cannot resolve the problem directly with the vendor, contact the department head and fill out a disputed credit card transaction report. Immediately send the original disputed credit card transaction report to the Auditor/Treasurers office to prevent payment on disputed items. Record the disputed item on the purchase card envelope and attach a copy of the disputed invoice to the purchase card envelope.

VII. CREDIT CARD SECURITY: Cardholders should treat the credit card with the same level of care as they would their own personal credit card.

- A) Do not give your credit card to anyone else to use. The only one authorized to use the credit card is the cardholder whose name appears on the credit card. The cardholder is responsible for any transactions resulting from the use of the credit card.
- B) Do not leave your card number or any writing with the credit card number in any location that is accessible to others.
- C) Use only secure web sites when purchasing items over the internet.

VIII. LOST OR STOLEN CREDIT CARDS: Report any lost or stolen credit cards immediately to the credit card company for cancellation and then contact your supervisor. If it is the weekend there will be a main contact

office to call for getting your card information and the phone number to call to cancel. Notify the Auditor/Treasurer's office as soon as possible after the incident.

- IX.*** **FAILURE TO COMPLY WITH PROCEDURES:** Any misuse or noncompliance with the procedures may result in the following:
- A) Termination of all credit card privileges.
 - B) Disciplinary actions, up to and including employee termination.
 - C) Repayment of all transactions resulting in personal or other improper use of the credit card will be deducted from the cardholder's payroll check.
 - D) The Auditor/Treasurer has the authority to revoke a credit card at any time.

- X.*** **TERMINATION OF EMPLOYMENT OR TRANSFER TO OTHER DIVISION:** Upon an employee's termination or transfer to another department, the terminating or transferring cardholder must return the credit card to his/her supervisor. The supervisor should cut the credit card in half and return the card to the Auditor/Treasurer's office. **Do not assign the card to any other personnel for use.**

- XI.*** ***The Auditor/Treasurer's office will conduct random audits of the Credit Cards throughout all Burleigh County entities that have been issued a Credit Card.***

Burleigh County Credit Card Employee Agreement

Employee Name: _____

Position: _____

I have received a corporate credit card to be used in connection with my employment with Burleigh County.

- I. I understand that I bear ultimate responsibility for the credit card.
- II. I understand that I will not use the corporate credit card for cash withdrawals.
- III. I understand that I will not use the corporate credit card for personal expenses and will use it only for official business on behalf of Burleigh County.
- IV. I understand that if the corporate credit card is lost or stolen, I will report it immediately to the credit card company and the Burleigh County Auditor's Office.
- V. I understand that the credit card is the property of Burleigh County. If I resign from Burleigh County, or at any time upon request of Burleigh County, I will return the card with a final reconciliation of all expenditures prior to departure or upon return of the card.
- VI. I understand that any misuse or noncompliance with the credit card procedures may result in :
 - 1) Termination of all credit card privileges.
 - 2) Disciplinary actions, up to and including termination.
 - 3) Repayment of all transactions resulting in personal or other improper use of the credit card may be deducted from my payroll check.
 - 4) The Burleigh County Auditor/Treasurer has the authority to revoke my credit card at any time.
- VII. I understand that if Burleigh County does not make payroll deductions as set forth in this policy, I am still responsible for payment of any sums due and owing to Burleigh County based upon my misuse of the credit card issued to me or my violation of the Burleigh County policy. Nothing in this Employee Agreement waives Burleigh County's right to collect such sums from me.
- VIII. I understand that this Employee Agreement does not create any contract for employment of any employee benefit. Employment at Burleigh County is at-will. Thus, either Burleigh County or I may terminate the employment relationship at any time without notice or cause.
- IX. I authorize Burleigh County to maintain a copy of the Burleigh County Credit Card Employee Agreement in my personnel file.

PLEASE READ CAREFULLY – Execution of this form evidences your consent to deductions from your wages or other payments to you.

Acknowledged and Agreed to:

Signature of Cardholder

Date

Burleigh County employees may be eligible for a credit card at the discretion of the County Auditor and must complete the Credit Card Employee Agreement. Eligibility requirements to become a credit card holder are as follows, but not limited to, frequent travel, purchasing supplies for use by the County, or other low-dollar, high-volume purchases of goods and services that are repetitive in nature.

Each card's limit will be set on a case-by-case basis. Increases to the maximum may be made also on a case-by-case basis and must go through the approval of the Department Head and County Auditor.

The credit card is only to be used for official business on behalf of Burleigh County. The credit card may not be used to obtain cash advances, bank checks, traveler's checks or electronic cash transfers for either business or personal expenses. If the card is used for an employee's personal expenses, the County reserves the right to recover these monies from the employee. Employees who become cardholders will be required to sign a declaration authorizing the County to recover, from their salary, any amount incorrectly claimed as a business expense or not reconciled within 30 days. Any misuse of the credit card may result in cancellation of the card, withdrawal of corporate credit card privileges, and disciplinary action up to and including termination.

All credit card expenditures must include a receipt showing proper description, quantity and price. Invoices without proper documentation will not be accepted for payment and will be the responsibility of the cardholder. All receipts along with proper documentation must be turned in within billing cycles. Turn the credit card invoices into the department's credit card coordinator on a monthly basis. All invoices/receipts must be reconciled to the monthly statement and then turned into the County Auditor's office for payment. Continued or repeated non-conformance to this policy may result in cancellation of the card, payroll deduction for un-reconciled amounts, and such other actions as appropriate, up to and including termination of employment.

Lost or stolen cards must be reported immediately to the County Auditors Office.

CHAPTER 14

FRAUD

Section 1: Fraud Policy

BACKGROUND

This Burleigh County fraud policy is established to facilitate the development of controls which will aid in the detection and prevention of fraud against the County of Burleigh. It is the intent of the County of Burleigh to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

SCOPE OF POLICY

This policy applies to any fraud, or suspected fraud, involving employees as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with The County of Burleigh (also called the County). Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the County.

POLICY

Management is responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury. Each county department head will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity. Any fraud that is detected or suspected must be reported immediately to the Burleigh County States Attorney, who coordinates all investigations with the Burleigh County Sheriff and other affected areas, both internal and external.

ACTIONS CONSTITUTING FRAUD

The terms misappropriation, and other fiscal wrongdoings refer to, but are not limited to:

- Dishonest or fraudulent acts relating to or affecting County operations
- Forgery or alteration of any document or account belonging to the County
- Forgery or alteration of a check, bank draft, or any other financial document relating to County business
- Misappropriation of funds, securities, supplies, or other assets owned, leased, or related to County business
- Improperly handling or reporting of money or financial transactions involving County business
- Disclosing confidential and proprietary information to outside parties

- Accepting or seeking anything of value from contractors, vendors, or persons providing services/materials to the County. Exception: Gifts less than \$50 in value
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment
- Other acts that may have a negative impact on the County

OTHER INAPPROPRIATE CONDUCT

Suspected improprieties concerning an employee's moral, ethical, or behavioral conduct, should be resolved by the County department head. If there is any question as to whether an action constitutes fraud, contact the Burleigh County State Attorney for guidance.

REVIEW RESPONSIBILITIES

Department Heads or their designees have the responsibility to review suspected fraudulent acts as defined in this policy. A Department Head or designee shall consult with the Human Resources Department to determine if further investigation is needed.

The Sheriff's Department's purpose is to conduct criminal investigations and in the event the Sheriff's Department becomes involved in suspected fraudulent acts involving Burleigh County employees or officials, the primary focus will be on the criminal aspects of the allegation. The Sheriff's Department may solicit the assistance of other entities if a conflict of interest or potential conflict of interest exists or if special expertise is needed to assist in the investigation.

The results and findings of the investigations will be provided to the Burleigh County State's Attorney for review. The State's Attorney will issue reports to appropriate personnel and/or the Burleigh County Commission. Decisions to prosecute or refer the results/findings to other entities for review will be made by the State's Attorney or other designated legal counsel.

CONFIDENTIALITY

The County treats all information received confidentially to the extent possible within the constraints of the law. Any employee who suspects dishonest or fraudulent activity will notify the department head immediately, or in certain situations, the County Commissioner who holds the department's portfolio and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act (see **REPORTING PROCEDURE** section below). Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the County from potential civil liability.

AUTHORIZATION FOR INVESTIGATING SUSPECTED FRAUD

The Burleigh County Sheriff's Department and State's Attorney's office will have :

- Free and unrestricted access to all County records and premises, whether owned or rented; AND
- The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities when it is within the scope of their investigation.

REPORTING PROCEDURES

Precautions must be taken in the investigation of suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way. An employee who discovers or suspects fraudulent activity will contact the department head immediately. All inquiries concerning the activity under investigation should be directed to the States Attorney.

The reporting individual should be informed of the following:

- Do not contact the suspected individual.
- Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the State's Attorney or Sheriff's Department.

TERMINATION

If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the designated representatives from Burleigh County's Human Resources Department and the Burleigh County State's Attorney, and, if necessary, by outside counsel, before any such action is taken.

Burleigh County Bill Payment Policy

I. Governing Authority

The Burleigh County Bill Payment Policy shall be operated in conformance with federal, state, and other legal requirements, including NDCC 11-06-07 and Generally Accepted Accounting Principles.

II. Scope

This policy applies to the payment of all vouchers, bills, invoices, charges, debts, warrants, encumbrances, and specifically excludes obligations of the Burleigh County Weed Board, Burleigh County Water Management Board, and apportionment payments, which may be covered by a separate policy.

III. General Objectives

The primary objective of this policy is the accurate and timely payment of obligations of the County of Burleigh.

IV. Standard of Care

The standard of prudence to be used by the Accounts Payable staff shall be the “prudent person” standard and shall be applied in the context of auditing bills submitted by the various departments and functions of Burleigh County.

V. Policy Considerations

All vouchers for payment shall be submitted no later than noon on the Wednesday prior to the Commission meeting (see Attachment #1). All vouchers submitted shall be approved by signature of the official or officials in charge of the office or undertaking before being allowed by the board of county commissioners.

Pursuant to NDCC 11-11-14(4) the Burleigh County Commission shall review and formally approve payment of all bills at the semi-monthly meetings. A County commissioner will be assigned to review the vouchers, for recommendation to the full Commission for approval pursuant to NDCC 11-25-01 (see Attachment #2).

VI. Exceptions

1. County Payroll,
2. Obligations arising out of contractual and/or lease agreements previously approved by the Burleigh County Board of Commissioners,
3. The Burleigh County Commission on August 1, 2005 and annually at its first meeting of each year thereafter, shall by resolution authorize the County auditor/Treasurer to make payment upon demand all invoices and claims for utility services, gas, fuel and oil,
4. Witness fees,
5. Other obligations expressly exempted by this policy as per attachment #3 to this policy.

VII. Amendments

This policy will be reviewed on an annual basis. Any changes must be approved by the County Auditor/Treasurer and the Board of County Commissioners.

VIII. List of Attachments

1. Bill payment schedule,
2. Commission review schedule,
3. List of type of obligations exempt from policy.

ATTACHMENT #3 – LIST OF EXEMPT OBLIGATIONS

1. Public Administrator retainer
2. All obligations associated with Special Assessment Districts
3. Witness Fees
4. Contract Obligations
5. Equipment/Property Leases
6. Rental Agreements

333Burleigh County

Fund Balance Policy in Accordance with GASB Statement No. 54

Purpose: The following policy has been adopted by the Board of Burleigh County Commission in order to address the implications of Governmental Accounting Standards Board ("GASB") Statement No. 54, Fund Balance Reporting and Governmental Fund Definitions. The policy is created in consideration of unanticipated events that could adversely affect the financial condition of the County and jeopardize the continuation of necessary public services. This policy will ensure that Burleigh County maintains adequate fund balances and reserves in order to:

- a. Provide sufficient cash flow for daily financial needs,**
- b. Secure and maintain investment grade bond ratings,**
- c. Offset significant economic downturns or revenue shortfalls, and**
- d. Provide funds for unforeseen expenditures related to emergencies.**

This policy and the procedures promulgated under it supersede all previous regulations regarding the County's fund balance and reserve policies.

Fund type definitions: The following definitions will be used in reporting activity in governmental funds across the County. The County may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

The **general fund** is used to account for all financial resources not accounted for and reported in another fund.

Special revenue funds are used to account and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects.

Debt service funds are used to account for all financial resources restricted, committed or assigned to expenditure for principal and interest.

Capital projects funds are used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.

Permanent funds are used to account for resources restricted to the extent that only earnings, and not principal, may be used for purposes that support the County's purposes.

FUND BALANCE REPORTING IN GOVERNMENTAL FUNDS:

Classification: Fund balance classification shall be recorded in accordance with governmental accounting standards as promulgated by the Governmental Accounting Standards Board.

Spending: The order of spending and availability of the fund balance shall be to reduce funds from the listed areas in the following order: restricted, committed, assigned, and unassigned. Negative amounts shall not be reported for restricted, committed, or assigned funds.

Definition Fund Balance: shall mean the gross difference between governmental fund assets and liabilities reflected on the balance sheet. Governmental fund assets are those of the General Fund, Special Revenue Funds, Debt Service Funds, and Capital Project Funds.

General Fund: The fund balance of the general fund, one of the governmental fund types, is of primary significance because the general fund is the primary fund, which finances most functions in the County. The fund balance of the general fund shall mean the gross difference between general fund assets and liabilities reflected on the balance sheet.

Fund balance will be reported in governmental funds under the following categories using the definitions provided by GASB Statement No. 54:

The five classifications of fund balance of the governmental types are as follows:

1. ***Non-spendable fund balance*** shall mean the portion of the gross fund balance that is not expendable (such as inventories) or is legally earmarked for a specific use (such as the self-funded reserves program).

Examples of non-spendable fund balance reserves for which fund balance shall not be available for financing general operating expenditures include:

- Inventories;
- Prepaid items;
- Deferred expenditures;
- Long-term receivables; and
- Outstanding encumbrances.

2. ***Restricted fund balance*** shall include amounts constrained to a specific purpose by the provider, such as a grantor, by restricted tax levier by bond indenture.

Examples of restricted fund balances include:

- Tax levy funds;
- Construction programs(including related debt service funds restricted); and
- Resources from other granting agencies – restricted state and federal grants/reimbursements.

3. ***Committed fund balance*** shall mean that portion of the fund balance that is constrained to a specific purpose by the Board. Authority to Commit – Commitments will only be used for specific purposes pursuant to a formal action of the Board. A majority vote is required to approve a commitment and a two---thirds majority vote is required to remove a commitment.

Examples include:

- Potential litigation, claims, and judgments; and
- Board induced county approved projects
- Legislation induced restrictions

4. ***Assigned fund balance*** shall mean that portion of the fund balance that is spendable or available for appropriation but has been tentatively earmarked for some specific purpose by the Board. In current practice, such plans or intent may change and may never be budgeted, or may result in expenditures in future periods of time.

Examples include:

- Insurance deductibles;
- Program start-up costs; and
- Other legal uses.

5. ***Unassigned fund balance*** shall include amounts available for any legal purpose. This portion of the total fund balance in the **general fund** is available to finance operating expenditures.

The unassigned fund balance shall be the difference between the total fund balance and the total of the non-spendable fund balance, restricted fund balance, committed fund balance, and assigned fund balance.

Minimum Fund Balance – The County will maintain a minimum unassigned fund balance in its General Fund ranging from **[15]** percent to **[25]** percent of **the subsequent year's budgeted expenditures and outgoing transfers**. This minimum fund balance is to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain a budget stabilization commitment.

Replenishing deficiencies – when fund balance falls below the minimum **[25]** percent range, the County will replenish shortages/deficiencies using the budget strategies and time frames described below.

The following budgetary strategies shall be utilized by the County to replenish funding deficiencies:

- The County will reduce recurring expenditures to eliminate any structural deficit or,
- The County will increase revenues or pursue other funding sources, or,
- Some combination of the two options above.

Minimum fund balance deficiencies shall be replenished within the following time periods:

- Deficiency resulting in a minimum fund balance between **[15]** percent and **[25]** percent shall be replenished over a period not to exceed one year.
- Deficiency resulting in a minimum fund balance between **[10]** percent and **[15]** percent shall be replenished over a period not to exceed three years
- Deficiency resulting in a minimum fund balance of less than **[10]** percent shall be replenished over a period not to exceed five years

G. Compensated Absences

Vested or accumulated vacation leave is reported in the government-wide statement of net position. Compensation for unused vacation leave will be granted to all full-time employees upon termination of employment with the county. The employees may carry forward unused leave not to exceed 240 hours.

Compensation for unused sick leave will be granted to all full time employees upon termination of employment of 5 or more years. Employees may carry forward unlimited unused sick leave. The severance payment will be based on 25% of accumulated sick leave for employees hired prior to January 1, 1991 and 10% of accumulated sick leave for those hired on or after January 1, 1991.

H. Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the governmental activities statement of net position. Bond premiums, discounts and issuance costs are recognized in the current period since the amounts are not material.

In the fund financial statements, governmental fund types recognize bond premiums, discounts and issuance costs in the current period. The face amount of the debt is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs are reported as debt service expenditures.

I. Fund Balances/Net Position

Fund Balance Spending Policy:

It is the policy of Burleigh County to spend restricted resources first, followed by unrestricted resources. It is also the policy of the Board to spend unrestricted resources of funds in the following order: committed, assigned and then unassigned.

Minimum Fund Balance Policy:

Minimum Fund Balance – The County will maintain a minimum unassigned fund balance in its General Fund ranging from [15] percent to [25] percent of **the subsequent year's budgeted expenditures and outgoing transfers**. This minimum fund balance is to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain a budget stabilization commitment.

Replenishing deficiencies – when fund balance falls below the minimum [25] percent range, the County will replenish shortages/deficiencies using the budget strategies and time frames described below.

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Minimum fund balance deficiencies shall be replenished within the following time periods:

- Deficiency resulting in a minimum fund balance between [15] percent and [25] percent shall be replenished over a period not to exceed one year;
- Deficiency resulting in a minimum fund balance between [10] percent and [15] percent shall be replenished over a period not to exceed three years;
- Deficiency resulting in a minimum fund balance of less than [10] percent shall be replenished over a period not to exceed five years;

BURLEIGH COUNTY INVESTMENT POLICY

I. Governing Authority

Legality

The Burleigh County investment program shall be operated in conformance with federal, state, and other legal requirements, including NDCC 21-06-07.

II. Scope

This policy applies to the investment of all funds. Proceeds from certain bond issues may be covered by a separate policy.

1. *Pooling of Funds*

Except for cash in certain restricted and special funds, the County of Burleigh will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

III. General Objectives

The primary objectives, in priority order, of investment activities shall be safety, liquidity, and yield:

1. *Safety*

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

a. Credit Risk

The County of Burleigh will minimize credit risk, which is the risk of loss due to the failure of the security issuer or backer, by:

- Limiting investments to the types of securities listed in Section VII of this Investment Policy
- Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisers with which the County of Burleigh will do business in accordance with Section V
- Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.

b. Interest Rate Risk

The County of Burleigh will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity
- Investing operating funds primarily in shorter-term securities or similar investment pools and limiting the average maturity of the portfolio in accordance with this policy (see section VIII).

2. *Liquidity*

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity). Alternatively, a portion of the portfolio may be placed in local government investment pools which offer same-day liquidity for short-term funds.

3. *Yield*

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. **Return on investment is of secondary importance compared to the safety and liquidity objectives described above.** The core investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity with the following exceptions:

- A security swap would improve the quality, yield, or target duration in the portfolio.
- Liquidity needs of the portfolio require that the security be sold.

4. *Local Considerations*

The County of Burleigh seeks to promote local economic development through various programs and activities. Where possible, funds may be invested for the betterment of the local economy. The County of Burleigh may accept a proposal from an eligible institution which provides for a reduced rate of interest for community development projects. The Board of County Commissioner's recognizes that such investments might diminish investment yields in exchange for potential expansion of the tax base.

IV. Standards of Care

1. *Prudence*

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

The "prudent person" standard states that, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

2. *Ethics and Conflicts of Interest*

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the County of Burleigh.

3. *Delegation of Authority*

Authority to manage the investment program is granted to the County Auditor\Treasurer, hereinafter referred to as investment officer and derived from the following: NDCC 11-14-06 & 21-04-04. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with established written procedures and internal controls for the operation of the County of Burleigh investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer. The investment officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

V. Designated Depositories, Authorized Financial Institutions and Broker/Dealers

1. Designated Depositories, Authorized Financial Institutions, and Broker/Dealers

Pursuant to ND Century Code 21-04 public funds belonging to the County of Burleigh must be deposited in the Bank of North Dakota or in financial institutions which have been duly designated as depositories. The Board of Burleigh County Commissioners shall at its regular meeting in January of each even-numbered year, shall designate depositories of public funds and semiannually shall approve the acceptance of any securities as pledge for repayment of deposits.

In addition, a list will be maintained of approved security broker/dealers selected by creditworthiness (e.g., a minimum capital requirement of \$10,000,000 and at least five years of operation). These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule).

All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines.
- Proof of National Association of Securities Dealers (NASD) certification (not applicable to Certificate of Deposit counterparties).
- Proof of state registration.
- Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties).
- Certification of having read and understood and agreeing to comply with the County of Burleigh investment policy.
- Evidence of adequate insurance coverage.

An annual review of the financial condition and registration of all qualified financial institutions and broker/dealers will be conducted by the investment officer (or designee).

2. Minority and Community Financial Institutions

From time to time, the investment officer may choose to invest in instruments offered by minority and community financial institutions. In such situations, a waiver to certain parts of the criteria under Paragraph 1 may be granted. All terms and relationships will be fully disclosed prior to purchase and will be reported to and approved by the Board of Burleigh County Commissioners on a consistent basis in advance and shall be consistent with state law.

VI. Safekeeping and Custody

1. Delivery vs. Payment

All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds.

2. Safekeeping

Securities may be held by an independent third-party custodian selected by the Burleigh County as evidenced by safekeeping receipts in the County of Burleigh's name. The safekeeping institution shall annually provide a copy of their most recent report on internal controls (Statement of Auditing Standards No. 70, or SAS 70).

3. Internal Controls

The investment officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the County of Burleigh are protected from loss, theft or misuse. Details of the internal control system shall be documented and shall be reviewed and updated annually. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

The internal controls shall be designed to prevent the loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the County of Burleigh.

Internal control compliance should be assured through the Burleigh County annual independent audit.

VII. Suitable and Authorized Investments

1. Investment Types

Pursuant to North Dakota Century Code Chapter 21-06-07, the County of Burleigh may invest moneys in its general fund, or balances in any special or temporary fund, in:

- Bonds, treasury bills and notes, or other securities that are a direct obligation of, or an obligation insured or guaranteed by, the treasury of the United States, or its agencies, instrumentalities, or organization created by an act of Congress.
- Securities sold under agreements to repurchase written by a financial institution in which the underlying securities for the agreement to repurchase are of a type listed above. Repurchase agreements shall be consistent with GFOA Recommended Practices on Repurchase Agreements. (See GFOA Recommended Practices in Appendix.)
- Certificates of deposit fully insured by the federal deposit insurance corporation or by the state.
- Obligations of the state.
- Local government investment pools either state-administered or developed through joint powers statutes and other intergovernmental agreement legislation.
- State and local securities:
 - (1) Any security that is a general obligation of any state or local government with taxing powers and is rated in the highest three categories by a nationally recognized rating agency.
 - (2) An obligation of the state housing finance agency that is rated in the highest two categories by a nationally recognized rating agency.
 - (3) Any security that is a general obligation of a school district and is rated in the highest

two categories by a nationally recognized rating agency.

(4) Obligations of this state and general obligations of its political subdivisions.

- Commercial paper issued by a United States corporation rated in the highest quality category by at least two nationally recognized rating agencies and matures in two hundred seventy days or less.

Investment in derivatives of the above instruments shall require authorization by the Board of Burleigh County Commissioners.

2. Collateralization

Except as is otherwise provided in NDCC sections 21-04-16 and 21-04-17, and before any deposit is made in any depository other than the Bank of North Dakota, such depository shall furnish a bond payable to the County of Burleigh in an amount that at least equals the largest deposit that at any time may be in such depository.

The Board of Burleigh County Commissioners may accept from any financial institution, as security for repayment of deposits, a pledge of securities in lieu of a personal or surety bond. When securities are so pledged to the County of Burleigh, the Board of Burleigh County Commissioners shall require security in the amount of one hundred ten dollars for every one hundred dollars of deposits. Securities that are eligible for the pledge are bills, notes, or bonds issued by the United States government, its agencies or instrumentalities, all bonds and notes guaranteed by the United States government, irrevocable standby letters of credit issued by federal home loan banks of a rating of AA or better by Moody's Investor Service, Inc. or Standard & Poor's Corporation, federal land bank bonds, bonds, notes, warrants, certificates of indebtedness, insured certificates of deposit, shares of investment companies registered under the Investment Companies Act of 1940, letters of credit issued by the Bank of North Dakota, and all other forms of securities issued by the state of North Dakota, its boards, agencies or instrumentalities, or by any county, city township, school district, park district or other political subdivision of the state of North Dakota, whether payable from special revenues or supported by the full faith and credit of the issuing body, and bonds issued by any other state of the United States or such other securities approved by the banking board.

The Board of Burleigh County Commissioners semiannually shall approve the acceptance of any securities as pledge for repayment of deposits.

Where allowed by state law and in accordance with the GFOA Recommended Practices on the Collateralization of Public Deposits, full collateralization will be required on all demand deposit accounts, including checking accounts and non-negotiable certificates of deposit. (See GFOA Recommended Practices in Appendix.)

VIII. Investment Parameters

1. Diversification

It is the policy of the County of Burleigh to diversify its investment portfolios. To eliminate risk of loss resulting from the over-concentration of assets in a specific maturity, issuer, or class of securities, all cash and cash equivalent assets in all Burleigh County funds shall be diversified by maturity, issuer, and class of security. Diversification strategies shall be determined and revised periodically by the investment committee/investment officer for all funds except for the employee retirement fund.

In establishing specific diversification strategies, the following general policies and constraints

shall apply: Portfolio maturities shall be staggered to avoid undue concentration of assets in a specific maturity sector. Maturities selected shall provide for stability of income and reasonable liquidity.

For cash management funds:

- Liquidity shall be assured through practices ensuring that the next disbursement date and payroll date are covered through maturing investments or marketable U.S. Treasury bills.
- Risks of market price volatility shall be controlled through maturity diversification such that aggregate price losses on instruments with maturities exceeding one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.
- The investment committee/investment officer shall establish strategies and guidelines for the percentage of the total portfolio that may be invested in securities other than repurchase agreements, Treasury bills or collateralized certificates of deposit. The committee shall conduct a quarterly review of these guidelines and evaluate the probability of market and default risk in various investment sectors as part of its considerations.

2. Maximum Maturities

To the extent possible, the County of Burleigh shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the County of Burleigh will not directly invest in securities maturing more than five (5) years from the date of purchase or in accordance with state statutes. The County of Burleigh shall adopt weighted average maturity limitations (which often range from 90 days to 3 years), consistent with the investment objectives.

Reserve funds and other funds with longer-term investment horizons may be invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to the Board of County Commissioners. (See the GFOA Recommended Practice on "Maturities of Investments in a Portfolio" in Appendix.)

Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in readily available funds such as local government investment pools, money market funds, or overnight repurchase agreements to ensure that appropriate liquidity is maintained to meet ongoing obligations.

3. Competitive Bids

The investment officer shall obtain competitive bids from at least two brokers or financial institutions on all purchases of investment instruments purchased on the secondary market.

IX. Reporting

1. Methods

The investment officer shall submit quarterly an investment report that summarizes the quarter's total investment return. The report shall disclose all transactions during the past quarter. The report shall be in compliance with state law (if any) and shall be distributed to the Board of Burleigh County Commissioners and others as may be required by law.

Each quarterly report may indicate any areas of policy concern and suggested or planned revision of investment strategies.

Within 60 days of the end of the fiscal year, the investment officer shall present a comprehensive annual report on the investment program and investment activity. The annual report shall include 12-month and separate quarterly comparisons of return and suggest policies and improvements that might be made in the investment program. Alternatively, this report may be included within the County of Burleigh annual Comprehensive Annual Financial Report.

2. Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks should be established against which portfolio performance shall be compared on a regular basis. The benchmarks should be reflective of the actual investments being purchased.

3. Marking to Market

The market value of the portfolio shall be calculated at least quarterly and a statement of the market value of the portfolio shall be issued at least quarterly. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed. In defining market value, considerations should be given to the GASB Statement 31 pronouncement.

X. Policy Considerations

1. Exemption

Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

2. Amendments

This policy will be reviewed on an annual basis. Any changes must be approved by the Board of County Commissioners in consultation with the investment officer and the individuals charged with maintaining internal controls.

VII. Approval of Investment Policy

The investment policy shall be formally approved and adopted by the Board of Burleigh County Commissioners and reviewed annually.

VIII. List of Attachments

The following documents, as applicable, are attached to this policy:

- North Dakota century code
- Listing of authorized personnel
- Listing of authorized broker/dealers and financial institutions
- Internal Controls

XIII. Other Documentation

- Master Repurchase Agreement, other repurchase agreements and tri-party agreements,

- Broker/Dealer Questionnaire,
- Credit studies for securities purchased and financial institutions used,
- Safekeeping agreements,
- Wire transfer agreements,
- GFOA Recommended Policies.

AUTHORIZED PERSONNEL

Burleigh County Auditor/Treasurer

Mark Splonskowski

Deputy Auditor/Treasurer

Brandi Caya

Deputy Finance Director

Justin Schulz

-CERTIFICATION-

I hereby certify that I have personally read the investment policies of the County of Burleigh and have implemented reasonable procedures and controls designed to prohibit investment transactions inconsistent with your policies. Whenever we are notified in writing, we will inform our sales personnel of your investment objectives, outlook, strategy and risk constraints. We will notify you immediately by telephone and in writing in the event of a material adverse change in our financial condition. We pledge to exercise due diligence in informing you of fundamental risks associated with financial transactions conducted with our firm. Price markup will be consistent with prevailing institutional pricing at the time of each transaction. I attest to the accuracy of our responses to your questionnaire.

Signed: _____

(Countersigned by corporate officer responsible for compliance.)

COUNTY OF BURLEIGH INVESTMENT PROCEDURES and INTERNAL CONTROLS

A. Introduction:

The Burleigh County Auditor\Treasurer has the responsibility of conducting cash and investment transactions for all funds held by or for the benefit of the County of Burleigh. The responsibility for the management of the investments here and after in this document will be referred to as the investment officer. The investment program has been delegated to the investment officer who shall implement the investment policy by following the investment procedures and internal controls herein delineated.

B. Objective:

The Investment Procedures and Internal Controls Manual provides an outline for investment management. This manual shall be reviewed annually.

C. Internal Control:

The system of internal controls is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

D. Investment Decisions:

The investment officer shall adhere to the guidelines of the government's investment policy regarding all investment purchases or any other cash and investment transactions.

F. Delegation of Authority:

As established by the investment policy, certain specified individuals (i.e., the Deputy Auditor\Treasurer, Accountant) have authority to transact investments. In case of an absence of officer, procedures and specific alternate personnel should be delineated.

G. Segregation of Duties and Compensating Controls:

The government shall establish written internal controls, which should include:

1. Control of Collusion:

Collusion is a situation where two or more employees are working in conjunction to defraud their employer. Employee duties will be shifted periodically to reduce the opportunity for collusion.

2. Segregation of duties:

By separating the person who authorizes or performs the transaction from the people who record or otherwise account for the transaction, a good separation of duties is achieved.

3. Custodial safekeeping:
Securities purchased from any bank or dealer, including appropriate collateral, should be placed into an independent third-party institution for custodial safekeeping.
4. Avoidance of physical delivery securities:
Book entry securities are much easier to transfer and account for since actual delivery is never taken. Physical delivery securities must be properly safeguarded as are any valuable documents. The potential of fraud and loss increases with physical delivery securities.
Bearer form securities are much easier to convert to personal use than securities that are registered in the name of the government.
5. Clear delegation of authority to subordinate staff members:
Subordinate staff members must have a clear understanding of their authority and responsibilities to avoid any improper actions. Clear delegation of authority also preserves the internal control structure that is built around the various staff positions and their respective responsibilities.
6. Written confirmation of all transactions (transfer, fax, Internet) for investments and wire transfers:
Due to the potential for errors and improprieties arising from telephone/electronic transactions, all such transactions will be documented in writing and approved by the auditor\treasurer.
7. Development of an electronic funds transfer agreement with banks:
This agreement should outline the various controls and security provisions for making and receiving electronic funds transfers.
 - a) Dual authorization and signatures of the County Auditor\Treasurer and Deputy Auditor\Treasurer shall be required shall be required for all transfers.
 - b) Financial institutions will have written instructions regarding government authorizations for wire transfers, restrictions on accounts where funds can be wired, and other procedures that will mitigate unauthorized movement of funds (e.g., call-back to independent person, written confirmations, etc.)
8. All personnel will be required to take minimum planned vacations thereby requiring other personnel to temporarily assume their duties.
9. Insurance shall be secured at appropriate levels to bond employees charged with investment and cash handling responsibilities shall be acquired from the ND State Bond Fund.

H. Operations:

Procedures and duties recommended include:

1. Investment Procedures:

The following is a basic outline of routine daily procedures necessary to maintain proper documentation on cash and investment transactions;

Each morning, the daily bank balance report shall be obtained from the depository bank(s).

Overnight (sweep) repurchase agreements and/or money market accounts interest shall be verified and recorded. All incoming and maturing investments shall be verified with the custodial bank. All earned interest, maturing investments, and incoming funds should be verified and recorded.

Daily information regarding the cash requirements and required maturity dates shall be provided by the Deputy Auditor\Treasurer. All security purchases or sells must be recorded on a confirmation form.

On a daily basis, it is necessary to conduct cash and investment activity within specific

bank accounts, and all transactions within each account shall be recorded on a daily investment worksheet. All worksheets shall be maintained by the Deputy Auditor\Treasurer, and the worksheets shall be available for review upon request.

Proper documentation and authorization shall be required before any cash or investment transaction is executed. All investment documentation shall require the signature of the Auditor\Treasurer or the Deputy Auditor\Treasurer.

2. Authorized Wires:

Only the Auditor\Treasurer or Deputy Auditor\Treasurer shall be authorized to wire funds according to the approved wire transfer agreement for investment. Wire instructions and personal identification numbers (PIN's) shall be safeguarded. All bank transfer requests shall be in writing and require a second confirmation by another Burleigh County employee. The purpose of the bank transfer must be stated as part of the transfer information. ACH procedures shall also be delineated.

3. Securities Confirmations:

The processing of securities' confirmations, including filing and reconciling, shall be conducted by an individual not permitted to purchase and sell investments.

4. Safekeeping Procedures:

All securities purchased shall be received by "delivery vs. payment" (per the investment policy) to the custodian for safekeeping.

Certificates of deposit are permitted to be held at the issuing bank.

Collateral for certificates of deposit and purchased securities in connection with repurchase agreements may be delivered to the governments' designated custodian. Additional requirements and procedures should be outlined in a third-party custodial safekeeping agreement regarding safekeeping procedures.

21-06-07. Political subdivisions may invest funds.

1. Counties, cities, school districts, park districts, and townships in this state may invest moneys in their general fund, or balances in any special or temporary fund, in:
 - a. Bonds, treasury bills and notes, or other securities that are a direct obligation of, or an obligation insured or guaranteed by, the treasury of the United States, or its agencies, instrumentalities, or organizations created by an act of Congress.
 - b. Securities sold under agreements to repurchase written by a financial institution in which the underlying securities for the agreement to repurchase are of a type listed above.
 - c. Certificates of deposit fully insured by the federal deposit insurance corporation or by the state.
 - d. Certificates of deposit, savings deposits, or other deposits fully insured or guaranteed by the federal deposit insurance corporation and placed for the benefit of the public depositor by a public depository through an appropriate deposit placement service as determined by the commissioner of financial institutions.
 - e. State and local securities:
 - 1) Any security that is a general obligation of any state or local government with taxing powers and is rated in the highest three categories by a nationally recognized rating agency.
 - 2) An obligation of the state housing finance agency that is rated in the highest two categories by a nationally recognized rating agency.
 - 3) Any security that is a general obligation of a school district and is rated in the highest two categories by a nationally recognized rating agency.
 - 4) Obligations of this state and general obligations of its political subdivisions.
 - f. Commercial paper issued by a United States corporation rated in the highest quality category by at least two nationally recognized rating agencies and matures in two hundred seventy days or less.
2. Bonds, treasury bills and notes, or other securities so purchased must be taken into consideration in making levies for the ensuing year, and when funds are needed for current expenses, the governing board and authorities of such municipalities may convert those obligations into cash.

21-04-03. Funds of public corporations to be deposited in designated depository.

Public funds belonging to or in the custody of any public corporation must be deposited in the Bank of North Dakota or in financial institutions which have been duly designated as depositories in the manner prescribed in this chapter.

21-04-04. Money deposited promptly - Withdrawal - Penalty.

The treasurer of a public corporation and every other person legally charged with the custody of public funds, which, according to the provisions of this chapter, must be deposited in the Bank of North Dakota or in a depository duly designated as provided in this chapter, promptly upon receipt of such funds, shall deposit the same in such depository. All such public funds must be deposited in the name of the state, state institution, or public corporation to which the same belong. Checks or drafts on funds deposited as herein provided must be drawn by the legal custodian thereof in the legal custodian's official capacity only, and no checks or drafts on such deposits may be paid or honored by such depository unless so drawn.

21-04-05. Financial institution - Designation as depository.

Any financial institution duly incorporated in this state under and pursuant to the laws governing the incorporation of financial institutions, and any financial institution situated and

doing business within this state, and the Bank of North Dakota, may be designated a depository of public funds by the proper board as herein defined. The board may select two or more financial institutions in the same county as depositories, but if more than one financial institution is designated, the board shall deal with the financial institutions selected and designated impartially, both as to the deposit of funds and the withdrawal of funds and the requirement as to bonds. The board shall take into consideration, in selecting and designating the depository or depositories, the condition of each financial institution and the capital, surplus, and general credit thereof.

21-04-06. Designating public depositories where there is only one financial institution or no financial institution.

In a county where only one financial institution is located or functioning, the board may designate such financial institution as a depository, or it may designate another financial institution or financial institutions, within the state, or the Bank of North Dakota, as depository in the manner and upon the conditions provided in this chapter. In a county where no financial institution is in existence or functioning, the board may designate the Bank of North Dakota, or any financial institution, outside of such county and within the state, as depository in the manner and upon the conditions provided in this chapter for the selection of depositories of public funds. In case there is no financial institution within any city, township, or school district, the governing board thereof, if it deems it more advantageous and for the best public interest and convenience, may select as a depository a conveniently located financial institution in an adjoining county, which thereupon shall qualify as a depository by giving such bond as is required from a financial institution within said county. Said bond must be approved by such governing board as to sufficiency and by the state's attorney of the county in which such city, township, or school district is located as to form and must be deposited in the office of the county auditor of such county.

21-04-07. Limitation on county deposit in financial institution.

In no case may the amount of county funds deposited by the board of county commissioners in any one financial institution exceed the combined capital and surplus of such financial institution. In a county where the deposits to be made by the board of county commissioners of county funds exceed the combined capital and surplus of all the financial institutions in the county, qualified as depositories, the board of county commissioners nevertheless may deposit such county funds within the county upon the condition that such financial institutions furnish sufficient bonds as required in this chapter.

21-04-08. Bond of depository - Approval or disapproval - Term.

Except as is otherwise provided in sections 21-04-16 and 21-04-17, and before any deposit is made in any depository other than the Bank of North Dakota, by or in behalf of any public corporation, such depository shall furnish a bond payable to the public corporation making such deposit in an amount that at least equals the largest deposit that at any time may be in such depository. Such bond must be approved as to form by the state's attorney and as to amount and sufficiency by the board. If the board fails or refuses to approve any such bond, the same may be presented to the judge of the district court, upon three days' notice to the clerk of the public corporation to which such bond was submitted, and the judge shall proceed forthwith to hear and determine the sufficiency of such bond and may approve or disapprove the same as the facts warrant. If the judge approves such bond, the said financial institution must be declared a depository of the funds of such public corporation. The sureties on all bonds required by public corporations according to the provisions of this chapter shall justify as required by chapter 32-02. In lieu of such personal bond, the governing board of the public corporation involved may require the financial institution designated as a depository to file a surety bond for

a sum equal to the amount of funds such financial institution may receive according to the provisions of this chapter. Such bond, when approved, must be deposited with the county auditor. Such bond must be a continuing bond and must be binding until the proper board of the public corporation shall require a new or different bond, but in no case involving the deposit of funds of public corporations may such bond be continued without a renewal thereof for a longer period than four years

21-04-09. Pledge of security in place of depository bond.

The board of any public corporation may accept from any financial institution, as security for repayment of deposits, a pledge of securities in lieu of a personal or surety bond. When securities are so pledged to the board of any public corporation, the board shall require security in the amount of one hundred ten dollars for every one hundred dollars of public deposits. Securities that are eligible for the pledge are bills, notes, or bonds issued by the United States government, its agencies or instrumentalities, all bonds and notes guaranteed by the United States government, irrevocable standby letters of credit issued by federal home loan banks of a rating of AA or better by Moody's Investors Service, Inc. or Standard & Poor's Corporation, federal land bank bonds, bonds, notes, warrants, certificates of indebtedness, insured certificates of deposit, shares of investment companies registered under the Investment Companies Act of 1940, letters of credit issued by the Bank of North Dakota, and all other forms of securities issued by the state of North Dakota, its boards, agencies, or instrumentalities, or by any county, city, township, school district, park district, or other political subdivision of the state of North Dakota, whether payable from special revenues or supported by the full faith and credit of the issuing body, and bonds issued by any other state of the United States or such other securities approved by the banking board. The securities and securities sold under agreements to repurchase as described in section 21-06-07 must be delivered to and held for safekeeping by any financial institution, other than the depository, which the depository and the public corporation may agree upon. Whenever any securities are so deposited for safekeeping with any custodian, the custodian shall issue a receipt therefor jointly to the depository and the public corporation.

Any financial institution pledging securities, at any time it deems it advisable or desirable, and without the consent of the board of the public corporation, may substitute other eligible securities for all or any part of the securities pledged. The securities substituted must, at the time of the substitution, have a market value at least equal to the market value of the securities released and delivered to the depository.

In the event of the substitution the holder or custodian of the pledged securities shall, on the same day, forward by mail or electronic transmission to the public corporation and the depository financial institution a receipt specifically describing and identifying both the securities substituted and those released and returned to the depository financial institution.

A depository financial institution may fulfill the pledge of securities requirements of this section by maintaining a security pledge schedule that establishes the following:

1. The names of all public bodies maintaining deposits with the financial institution.
2. The amount of each deposit maintained by each public body.
3. The amount of federal deposit insurance corporation insurance applied to each account.
4. The net deposits exceeding federal deposit insurance corporation coverage for each account.
5. The amount of net deposit exceeding federal deposit insurance corporation deposit insurance multiplied by one hundred ten percent for each account.
6. The amount of securities needed to be pledged to fulfill the requirements of this section.

7. The total number of qualified securities pledged by the financial institution under the requirements of this section.

A financial institution is in compliance with this section as long as the security pledge schedule discloses the total qualified securities pledged in excess of the total pledges needed for a total amount of deposits maintained by all the public bodies with the financial institution as verified by the custodian of the securities every three months and copies thereof are provided to the custodian of the securities and to each of the public corporations maintaining deposits with the financial institution.

No pledge of security or bond may be required for any funds deposited with a financial institution directly or by a financial institution's participation as a member of a deposit placement service to the extent that the deposits are insured or guaranteed by the federal deposit insurance corporation or the national credit union administration as determined by the commissioner of financial institutions or an insurance company that is qualified to offer excess deposit insurance in this state and which has a rating of A- or better by A.M. Best Company Inc., or the equivalent rating by another recognized rating organization as determined by the insurance commissioner.

21-04-09.1. Letters of credit for public deposits - Security interest - Priority – Written agreement.

Letters of credit issued by the Bank of North Dakota in connection with section 21-04-09 must be secured by collateral. A security interest is created and attaches when the Bank issues a letter of credit in connection with section 21-04-09. Filing is not required for perfection of the security interest created and it is entitled to priority as to all creditors. The board of directors of a financial institution seeking a letter of credit from the Bank shall execute a written agreement with the Bank, reflect approval of the agreement in the board of director's minutes and, as of the date of execution of the agreement, keep a copy of the agreement as an official record.

21-04-10. Interest payable to financial institution - Sale of pledged securities on default.

All interest which becomes due and is paid on securities pledged to secure public deposits must be paid over to the depository financial institution until such time as it defaults in the repayment of the funds of the public corporation deposited as provided herein. After thirty days from such default, upon demand in writing made by the public corporation involved, the custodian shall deliver the securities to the public corporation with which pledged, and such securities may be sold as in the case of other pledges, and the proceeds thereof, or so much thereof as may be necessary, must be applied to the repayment of the public deposit.

21-04-11. Record of securities - Reapproval semiannually.

The board of the public corporation, upon the acceptance of any securities as a pledge for repayment of deposits, shall make a complete and detailed record of such acceptance and approval and shall preserve the same with its other records. Such securities must be reapproved by the board at least semiannually.

21-04-12. Termination of depository relationship.

Whenever any depository financial institution desires to terminate the liability for any deposits of any public corporation for which such depository has given a bond or pledged assets for the repayment, it shall notify the board of the public corporation affected of such desire. Thereupon such public corporation immediately shall withdraw such funds from such depository and upon withdrawal, immediately shall release and surrender to such depository financial institution, the bonds or securities which are pledged for the repayment of such deposit.

21-04-13. Board meetings - Designating depositories.

The governing board of any public corporation, except the board of supervisors of any township and the school board of any common school district, at its regular meeting in January of each even-numbered year, shall assemble and examine all outstanding bonds and require new bonds whenever necessary in order to comply with the provisions of this chapter. If no regular meeting of the board in January is required by any other law, the board shall assemble for said purpose not later than the third Tuesday in January. At such meeting, the board shall designate depositories of public funds in accordance with the provisions of this chapter.

21-04-14. Proposals for deposit.

A proposal for deposit must be sealed and delivered to the clerk and must have attached to it a statement showing the financial condition of the financial institution at that time and as disclosed in the several statements of financial condition made during the last preceding twelve months. The clerk shall lay the proposals before the board at the January meeting. Such proposals must be opened by the clerk in the presence of the board and the board, thereupon, shall proceed to designate a depository of public funds under its control.

21-04-15. Townships and public school districts - Selection of depositories at any time.

The board of supervisors of any township and the school board of any public school district may designate depositories at any meeting of such board and no notice to financial institutions need be given and no formal proposals need be received.

21-04-16. When no bonds are required.

Whenever it appears that a bank designated by a public corporation as depository of its funds has complied with the provisions of the act of Congress relating to the guaranty of deposits in state and national banks, no bond may be required of said bank to secure the deposits of any part of said public funds up to the amount the deposit is secured in said bank under said federal act.

21-04-17. When bonds are required.

If at any time it appears that the benefit of the federal act guarantying deposits in financial institutions has been withdrawn or is about to be withdrawn from the financial institution in which any public funds are deposited, the board having control of or supervision over such public funds immediately shall withdraw the full amount thereof from said financial institution, or forthwith shall require the usual bond required to secure the deposits of such public funds, and it is unlawful to continue any financial institution as a depository of public funds unless and until said bonds have been furnished.

21-04-18. Interest or dividend rates.

Depositories of public funds in this state shall pay substantially the same rate of interest or dividend thereon as such financial institutions pay upon individual deposits.

21-04-19. Itemized statements.

Each depository shall:

1. Furnish on the first day of each month to the public corporation, the state, or state institution, to the credit of which the deposit is held, an itemized statement of the amount in such deposit subject to check. Such statement must be verified whenever required by the state treasurer as to funds of the state institutions or by the treasurer of any public corporation as to funds of such corporation. All sums of interest accruing on funds so

deposited must be credited to said deposit on the first day of each month for the preceding month.

2. On July first of each year, furnish to the business manager of each school district, and to the county superintendent of schools of the county in which the school district is located, a statement showing the amount of deposits to the credit of each school district at the close of business on June thirtieth.

21-04-20. Report of the treasurer.

Repealed by S.L. 1967, ch. 193, § 1.

21-04-21. Public corporations with less than five hundred dollars.

This chapter does not apply to a public corporation unless the amount in the treasury of such corporation equals or exceeds the sum of five hundred dollars. The board of a public corporation having on hand less than five hundred dollars, and therefore not within the provisions of this chapter, shall deposit all the funds of such public corporation nevertheless in some financial institution selected by the board thereof under such conditions and restrictions as seem adequate to such board to protect the public interest.

21-04-22. Funds deposited - Custodian exonerated.

To the extent that public funds are deposited as provided in this chapter, the legal custodian thereof, and the sureties on the legal custodian's bond, are exempt from all liability by reason of loss of any such funds from failure or other act of any such depository.

21-04-23. Penalty.

Any person violating any of the provisions of this chapter is guilty of a class A misdemeanor.

21-04-24. All public funds are governed by provisions of chapter.

Any board, commission, bureau, or individual having the legal custody of any public funds that do not expressly or by name come within the provisions of the preceding sections of this chapter, nevertheless must be governed by the provisions of this chapter. They shall deposit such funds only in legal depositories and shall comply with the other provisions hereof as nearly as may be. They are subject to the penalties herein provided.

BIDDING POLICY

GENERAL

- A. It shall be the policy of the Burleigh County Commissioners to:
 - a. Require departments of Burleigh County to comply with all statutes regarding bidding of equipment and hiring of services.
 - i. A graph below outlines the “major” items noted in North Dakota Century Code.
- B. This policy shall be in effect for all departments receiving an annual appropriation from the county commission.

Bid Item	Bid Threshold	North Dakota Century Code	Newspaper Advertisement
Highway Road Construction Projects	\$50,000 - \$200,000	N/A	***Informal - seek at least 2 bids unless emergency then no bid required
Highway Road Construction Projects	\$200,000	24-05-04(1)	2 consecutive weeks; at least 15 days prior to bid opening
Public Improvement Architect and Engineering	\$200,000	48-01.2-04	3 consecutive weeks; at least 21 days prior to bid opening
Public Improvement Construction (Building)	\$200,000	48-01.2-02.1 & 48-01.2-02.04	3 consecutive weeks; at least 21 days prior to bid opening
New County Road Machinery	\$100,000	24-05-04(2)	2 consecutive weeks; at least 15 days prior to bid opening
Machinery Lease	Limited to 7 years	24-05-04(3)	2 consecutive weeks; at least 15 days prior to bid opening
Bridges	\$200,000	24-08-03.2 & 24-08-01	2 consecutive weeks; at least 15 days prior to bid opening
Bidding of Fuel	\$4,000	11-11-26	2 consecutive weeks OR at least 2 by telephone
Bid Bond requirement	N/A	11-11-28 & 48-01.2-05	Separate envelope: sum of 5% or a cashier's check

ND Office of Management and Budget (NDOMB)

Burleigh County is able to purchase under their State Contracts and Cooperative Purchasing. NDOMB does have “Emergency Purchasing” and “Urgent Non-Emergency Purchasing” guidelines and required documentation: <https://www.omb.nd.gov/doing-business-state/procurement>

Procurement Policy

Please reference Chapter 1, Procurement Policy, of the Finance Manual for specific internal requirements and approvals needed.

BURLEIGH COUNTY

NORTH DAKOTA

CAPITAL IMPROVEMENT PLAN
POLICY

INTRODUCTION

The Five-Year Capital Improvement Plan (CIP) is a long-range study of Burleigh County's capital spending requirements, needs, desires, and policy intention. Providing necessary information for annual budget recommendations, the CIP assesses the County's anticipated capital improvements over a period of five years anticipating revenues and expenditures for analytical purposes. The Plan does not have the legal standing of the annual budget, but it is a planning tool that provides a collection of facts, trends and suggestions that outline the fiscal requirements, priorities for the preservation of the County's assets. The adoption of the CIP as policy by the County Commission is a non-binding assertion of future intent only. Project appropriations for the upcoming planning year are considered and approved as part of the annual County budget process, representing the legally appropriated expenditures which will be used to implement the approved capital improvements.

CAPITAL PROJECTS DEFINED

Capital projects are defined as the acquisition, construction, improvement, or maintenance of assets with a cost greater than \$20,000. These include but are not limited to; land/buildings acquisitions, new construction or additions to existing public facilities, major equipment acquisitions, reconstruction or replacement of capital assets, and major remodeling/repairs.

CAPITAL PROJECTS FUNDING AND PLANNING PROCESS

All projects included in the CIP shall be consistent with the County Policies and Procedures. Anticipated expenditures and revenues that fund the County's capital projects are derived from the typical sources; property tax levy, Federal and State aid, grants, public fees for service, departmental reserves, and the Countywide capital and general fund reserves. All capital projects will be financed to the greatest extent possible through non-property tax levy sources. The capital projects included in the CIP are based on reliable and attainable expenditure and revenue estimates. When a proposed project is expected to impact ongoing operational costs, a reasonable estimate of the applicable salaries, benefits, maintenance, and other costs is required for inclusion in the County's operating budget upon completion of the project.

The status of all appropriated capital projects will be reviewed annually as part of the Capital Planning Process. Approved capital projects, which are not encumbered or completed during the budget year, will be included in the subsequent Capital Plan.

Each Department with anticipated capital projects occurring in the next five years shall submit a Capital Improvement Plan to the Finance Department by June 1st each year on the provided Capital Project Form. The Finance Committee consisting of: Deputy Finance Director, Auditor/Treasurer, Deputy Auditor/Treasurer, and Accountant II, will annually review proposed projects, with final approval from the County Commission.

In the case of an emergency need related to qualifying uses of the funds, the County Commission can, upon majority approval, delay an approved project for the year and approve the emergency project in its place. The project that was delayed would then fall to the top of the list for the next year's consideration.

Among the factors that are considered upon the review of the projects are the following:

- The funding sources for the project, tax levy requirements, use of undesignated reserves, and debt requirements.
- The overall return on the investment and associated operational costs.
- The impact on the County's capital budget.
- The amount of interdepartmental and intergovernmental coordination.
- The impact on economic development, employment, the County tax-base and the economy.
- The impact on community, recreation, and overall quality of life.
- The impact on public health and safety.
- The impact on addressing future infrastructure and organizational needs.
- The impact on the operating budget, including expenditure and revenue levels.
- Legal requirements, mandates, and assumed liability.
- The preservation of existing County assets.
- The demonstrated need and population served by the proposed project.

57-15-06.3. County road program of farm-to-market and federal-aid roads - Tax levy - Use of excess funds.

Repealed by S.L. 2015, ch. 439, § 104.

57-15-06.4. Levy authorized for county veterans' service officer's salary, traveling, and office expenses.

The county commissioners of each county may levy annually a tax not exceeding the limitation in subsection 7 of section 57-15-06.7 to provide a fund for the payment of the salary, traveling, and office expenses of the county veterans' service officer authorized to be appointed by section 37-14-18.

57-15-06.5. Tax levy for planning purposes.

Repealed by S.L. 2015, ch. 439, § 104.

57-15-06.6. County capital projects levy.

1. The board of county commissioners of each county may levy an annual tax not exceeding ten mills plus any voter-approved additional levy as provided in subsection 8 of section 57-15-06.7 for the purpose of the following capital projects:
 - a. Constructing, equipping, and maintaining structural and mechanical components of regional or county corrections centers or for the purpose of contracting for corrections center space capacity from another public or private entity.
 - b. Acquiring real estate as a site for public parks and construction, equipping, and maintaining structural and mechanical components of recreational facilities under section 11-28-06.
 - c. Acquiring real estate as a site for county buildings and operations and constructing, equipping, and maintaining structural and mechanical components of county buildings and property.
 - d. Acquiring real estate as a site for county fair buildings and operations and constructing, equipping, and maintaining structural and mechanical components of county fair buildings and property as provided in section 4-02-26.
 - e. Acquiring and developing real estate, capital improvements, buildings, pavement, equipment, and debt service associated with financing for county supported airports or airport authorities.
 - f. Expenditures for the cost of leasing as an alternative means of financing for any of the purposes for which expenditures are authorized under subdivisions a through e.
 - g. Improvement of the county road system, including the acquisition of land; construction of new paved and unpaved roads, bridges, or public places; replacement of existing paved and unpaved roads, bridges, or public places; and maintenance and repair of existing paved and unpaved roads, bridges, or public places.
2. Any voter-approved levy for the purposes specified in this section approved by the electors before January 1, 2015, remains effective through 2024 or the period of time for which it was approved by the electors, whichever is less, under the provisions of law in effect at the time it was approved. After January 1, 2015, approval or reauthorization by electors of increased levy authority under this section may not be effective for more than ten taxable years.

57-15-06.7. Additional levies - Exceptions to tax levy limitations in counties.

The tax levy limitations specified in section 57-15-06 do not apply to the following mill levies, which are expressed in mills per dollar of taxable valuation of property in the county:

1. A county supporting an airport or airport authority may levy a tax not exceeding four mills in accordance with section 2-06-15.
2. A county levying a tax for extension work as provided in section 11-38-01 may levy a tax not exceeding two mills and if a majority of the electors of the county have

