

COLUMBUS COUNTY BOARD OF COMMISSIONERS

Monday, February 5, 2024

6:30 P.M. – Regular Session

The Honorable Columbus County Commissioners met on the above stated date and time at the Columbus County Commissioners Chamber, 127 West Webster Street, Whiteville, North Carolina 28472, for the purpose of conducting a Regular Session.

COMMISSIONERS PRESENT:

Ricky Bullard, **Chairman**
 Giles E. Byrd, **Vice Chairman**
 Lavern Coleman,
 Scott Floyd
 Barbara Featherson
 Brent Watts
 Chris Smith

APPOINTEES PRESENT:

Eddie Madden, Jr., **County Manager**
 Amanda B. Prince, **Attorney**

APPOINTEES ABSENT:

Jana Nealey, **Clerk to the Board**

Agenda Item #1: MEETING CALLED to ORDER:

At 6:30 P.M. Chairman Ricky Bullard called the regular session meeting to order.

Agenda Item #2 & #3: INVOCATION and PLEDGE of ALLEGIANCE:

The invocation was delivered by Reverend Dave Flowers. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner Smith.

Agenda Items #4: APPROVAL OF AGENDA, TAX REFUNDS, and RELEASES:

MOTION:

Vice Chairman Byrd made a motion to approve the agenda with the **add-on #9a**, seconded by Commissioner Coleman. The motion unanimously passed.

<i>NAME Fee</i>	<i>Account # Late List</i>	<i>Date District</i>	<i>Amount Released Discount</i>	<i>Property Value TOTAL</i>	<i>Year</i>	<i>Bill#</i>	<i>Property #</i>	<i>User</i>
Bullard, Harry Lee & Hilda Gray Heirs 22 1489 Jordan Rd Clarkton, NC 28433	05-02451 99999	2/5/2024 00000	\$0.00 \$800.00	\$0.00 \$0.00	19- \$0.00		\$800.00	
Refund user fee. Dbilled Act#0502451.								
Gore, Jacob Allen 01343 00 4606 MM Ray Rd Clarendon, NC 28432 Rescuee(6.50)	09- 2/5/2024 \$0.00	\$261.63 \$287.63	\$0.00	2023	2326198	00000	\$0.00	\$0.00\$26.
Refund portion of value. Should have been in Land Use. Refund Williams Fire(19.50) Refund Columbus								

Waldron, Barbara 23 P.O. Box 2330 Whiteville, NC 28472	03-01006 99999	2/5/2024 00000	\$0.00 \$1,000.00	\$0.00 18- \$0.00 \$0.00	\$0.00	\$1,000.00	
	Refund user fee. Vacant						
Williamson Don Wayne&Helen 19180 \$0.00 2775 Reaves Ferry Rd Nakina, NC 28455	07- 2/5/2024 \$0.00	\$0.00 \$200.00	\$0.00	2023 2373800	00000	\$200.00	\$0.00
	Refund user fee. No trash can						

Agenda Item# 5: PUBLIC INPUT:

No Public Input at this time.

Agenda Item #6: BOARD MINUTES APPROVAL:

- a. **January 2nd Regular Session**
- b. **January 8th, 2024 Special Called**
- c. **January 12th, 2024 Special Called**

MOTION:

Commissioner Watts made a motion to approve seconded by Commissioner Floyd. The motion unanimously passed

Agenda Item #7: PROCLAMATION – TEEN VIOLENCE AWARENESS MONTH:

Lucy Byrd from Families First Inc. requested adoption of the Teen Violence Awareness Month proclamation for February 2024.

MOTION:

Vice Chairman Byrd made a motion to approve seconded by Commissioner Smith. The motion unanimously passed.

TEEN DATING VIOLENCE AWARENESS MONTH PROCLAMATION

FEBRUARY 2024

WHEREAS one in three adolescents is a victim of physical, sexual, emotional, or verbal abuse from a dating partner; and

WHEREAS the effects of dating violence impact youth in all communities and cuts across economic, racial, gender, and societal barriers; and

WHEREAS respectful, supportive, and non-violent relationships are key to safety, health, and academic success; and

WHEREAS, by providing teens and young adults with education about healthy relationships and relationship skills, and by changing attitudes that support violence, we recognize that dating violence can be prevented; and

WHEREAS, family, friends, teachers, coaches, faith leaders, community members, and other important people in young peoples’ lives have the power to influence youth in positive ways; and

WHEREAS, last year Families First, Inc. provided healthy relationships presentations to approximately 650 teens and young adults; and

WHEREAS, we must work together to raise awareness and promote healthy dating relationships with activities and conversations about mutually respectful and non-violent relationships in our homes, schools, and communities.

NOW, THEREFORE, Columbus County Board of Commissioners, do hereby proclaim February 2024 Teen Dating Violence Awareness Month throughout the county of Columbus and urge our community to work towards ending violence among teenagers.

Agenda Item #8: PROCLAMATION – BLACK HISTORY MONTH FEBRUARY 2024:

The Governing Body requested adoption of the proclamation for Black History Month February 2024.

MOTION:

Commissioner Coleman made a motion to approve seconded by Commissioner Smith. The motion unanimously passed.



Columbus County

PROCLAMATION

Black History Month

Whereas, Black History Month affords special opportunity to become more knowledgeable about black heritage, and to honor the many black leaders who have contributed to the progress of our nation; and

Whereas, such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers of equality for minority groups;

Now therefore; we urge our residents to join together in making this period of rededication to the principles of justice and equality for all people.

APPROVED and ADOPTED this the 5th day of February, 2024

Columbus County Commissioners

Agenda Item #9: PROCLAMATION – RECOGNIZING RALPH SPAULDING for his ACCOMPLISHMENTS:

The Governing body requested adoption of the proclamation of recognition for Ralph Spaulding.

MOTION:

Vice Chairman Byrd made a motion to approve, seconded by Commissioner Featherson. The motion unanimously passed.

Columbus County
Proclamation of Recognition
Ralph Spaulding 1915 - 1987

WHEREAS, in acknowledgment of exemplary leadership and dedicated service, we proudly recognize Ralph Spaulding, a true beacon of inspiration within our community, the black community and the nation; and

WHEREAS, Ralph Spaulding, a native of Columbus County, served the people in the community in many extraordinary ways. Known as a gentle giant by those around him, he fostered an environment where every voice was heard, valued, and respected, regardless of background or circumstance; and

WHEREAS, Ralph Spaulding served this community as a police officer in Chadbourn and Whiteville, North Carolina, and was a member of the Rising Sun Masonic Lodge No. 5 where his reach went all the way to Washington, D.C.



WHEREAS, we recognize the importance of remembering those who have made an unforgettable impact to the lives in our community; and

NOW, THEREFORE, BE IT RESOLVED, The Columbus County Commissioners, believe the legacy Ralph Spaulding has left behind will serve as an enduring source of inspiration for current and future leaders, in our county, Black History, and in the hearts of all who have known him. We hereby present this Proclamation to the family of Ralph Spaulding for the dedicated, devoted, and extraordinary services performed in his lifetime.

APPROVED and ADOPTED this the 5th day of February, 2024.

Columbus County Commissioners

ADD-ON #9a: PROCLAMATION – RECOGNIZING REVEREND FLOWERS:

MOTION:

Vice Chairman Byrd made a motion to approve, seconded by Commissioner Featherson. The motion unanimously passed.

Columbus County

PROCLAMATION IN RECOGNITION OF REVEREND DAVE FLOWERS

WHEREAS, Reverend Dave Flowers, a distinguished presence in Columbus County since the 1970s, stands as an example of unwavering commitment to community welfare, embodying principles that have fortified our collective spirit; and

WHEREAS, An alumnus of Moorehouse College in Atlanta, Reverend Flowers remains a symbol of intellectual pursuit, resilience, and lifelong learning, influencing the community through the power of education; and

WHEREAS, Reverend Flowers' notable service on the Whiteville City School Board reflects a profound dedication to advancing the educational landscape, contributing significantly to the development and prosperity of future generations; and

WHEREAS, As a devoted member of the Central Missionary Baptist Church, Reverend Flowers continues to provide spiritual guidance, fostering a sense of unity and moral fortitude within the congregation; and

NOW, THEREFORE, the Columbus County Board of Commissioners do hereby proclaim our deepest appreciation for Reverend Dave Flowers. In acknowledging his ongoing contributions to our county, we recognize Reverend Flowers not merely as a community leader, but as a distinguished and esteemed member of our community.

May Reverend Flowers' continued presence inspire us all toward excellence, fostering a community enriched by knowledge, compassion, and shared prosperity.

Agenda Item #10: EMERGENCY SERVICES – PRESENTATION from 911 regarding the “WHAT 3 WORDS” INITIATIVE:

A representative from 911 will presented the new “What 3 Words” initiative that has been successful in locating missing persons

Agenda Item #11: ADMINISTRATION – EMPLOYEE SPOTLIGHT:

County Manager Eddie Madden recognized Tyler Hodge from the Soil and Water Conservation District as the Employee Spotlight



Agenda Item #12: ADMINISTRATION – ACCEPTANCE of DONATION of a MOBILE OFFICE UNIT:

County Manager Eddie Madden requested acceptance of the donation of a mobile office unit for the QRV stationed in Bolton, NC

Attorney Amanda Prince stated that Vice Chairman Byrd should refrain from voting due to him being the one who donated the Mobile Office.

Vice Chairman Byrd responded that he was satisfied and happy to be a part of it and noticing the number of Senior Citizens in that area, identifying the great need in the eastern part of the county and being able to help.

MOTION:

Commissioner Floyd made a motion to approve, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #13: SOIL and WATER CONSERVATION DISTRICT – APPROVAL of the FUNDING OFFER and CAPITOL PROJECT ORDINANCE for the FARMLAND PRESERVATION CONTRACT:

Soil and Water Conservation District Director Morgan Hayes requested approval of the Funding Offer and the Capital Project Ordinance for the Farmland Preservation Contract.

MOTION:

Commissioner Byrd made a motion to approve, seconded by Commissioner Watts. The motion unanimously passed.



Steve Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services

N. David Smith
Chief Deputy Commissioner

December 6, 2023

Morgan P. Hayes, Director
Columbus Soil and Water Conservation District
45 B Government Complex Rd
Whiteville, NC 28472

NOTIFICATION OF FUNDING OFFER

Dear Morgan:

On behalf of Commissioner Steve Troxler and the North Carolina Department of Agriculture and Consumer Services - Farmland Preservation Division, I am pleased to inform you that \$73,869.36 for your project, _____, was approved under the Agricultural Development and Farmland Preservation Trust Fund.

The original contract packet must be completed and returned to the NCDA&CS, making sure that the contracts and certain forms have been signed, dated, and witnessed. Since this is a witness contract, there are two (2) options to complete the contract. It is acceptable to have everyone sign the contract electronically or submit two (2) original signed contracts. Depending on the method you choose, please return as shown below:

Electronic Signed Contract: Corey Hoilman, Assistant Director, corey.hoilman@ncagr.gov
Original signatures email: Veronica Jamison, Office Manager, N.C. Department of Agriculture & Consumer Services, Farmland Preservation Division, 2 W. Edenton St., Raleigh, NC 27601

By completing these documents, you are agreeing to the specific stipulations, the general terms and conditions and specific reporting requirements. All authorized representative signatures must be in blue or black ink. Please use the Contract Check Off List to ensure all attachments are included and are in the correct order for each contract packet.

One fully-executed, original contract will be returned to you for your records. If you have any questions about your contract or any of the forms contained in your offer packet, please call Corey Hoilman at 919-707-3069, or feel free to send an email to corey.hoilman@ncagr.gov.

I would like to take this opportunity to thank you for participating in the ADFP Trust Fund to conserve North Carolina's farmland and family farm operations.

Sincerely,

N. David Smith
Chief Deputy Commissioner

Enclosures

Email: David.Smith@ncagr.gov
1001 Mail Service Center, Raleigh, North Carolina, 27699-1001
(919) 707-3033 • Fax (919) 715-0026
An Equal Opportunity Affirmative Action Employer

COLUMBUS COUNTY, NORTH CAROLINA
Ordinance making appropriations to the Farmland
Preservation Grant Capital Project Fund
for the Fiscal Year beginning July 1, 2023

BE IT ORDAINED by the Board of Commissioners of Columbus County, North Carolina as follows:

Section 1: The following amounts are hereby made to the Farmland Preservation Grant Capital Project pursuant to G.S. 159 -13.2 for the fiscal year beginning July 1, 2023.

Source of Revenue		
53-3984-422035	Farmland Preservation Grant - GAS	\$ 73,870
Total Estimated Revenues – Farmland Preservation Grant		\$ 73,870
Project Appropriations		
53-4964-519001	Contracted Services - GAS	\$ 73,870
Total Project Appropriations – Farmland Preservation Grant		\$ 73,870

Description: The purpose of this Budget Ordinance is establishing a revenue and expenditure line item for the Farmland Preservation Contract, titled as "GAS". The purpose of the contract is to encourage the preservation of qualifying farmland and to foster the growth, development, and sustainability of family farms. The Grantee's Project "GAS" is a Perpetual Conservation Easement. This Contract is funded by State appropriations to the landowner of the Conservation Easement. The total amount of appropriations will be used to; pay the landowner for the easement amount, and complete a Land Survey, Baseline Documentation, and Environmental Assessment, and other fees associated to the Conservation Easement.

Section 2: The project undertaken pursuant to this ordinance is in accordance with the Recommended Budget and any changes made during the County Commissioners' budget work sessions.

Section 3: The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy all applicable regulations. The terms of any financing agreement also shall be met.

Section 4: The County desires to expend its own funds for the purpose of paying certain costs of various projects, for which expenditures the County reasonably expects to reimburse itself from the proceeds of debt to be incurred by the County.

Section 5: All expenditures relating to obtaining any bond referendum and or installment purchase will be reimbursed from bond proceeds and installment purchase proceeds in accordance with the requirements of the United States Treasury Regulations Section 1.150 -2.

Section 6: This declaration of official intent is made pursuant to Section 1.150-2 of the Treasury Regulations to expressly declare the official intent of the County to reimburse itself from the proceeds of debt to be hereinafter incurred by the County for certain expenditures paid by the County on or after the date which is sixty (60) days prior to the date hereof.

Section 7: The County intends to seek Federal, State, and/or other grant funding to reduce the amount of loan proceeds. The adoption of this ordinance authorizes the County Manager and/or his representative to apply for and accept such funding if awarded.

Section 8: This project ordinance shall be entered in the minutes of the Board of Commissioners of Columbus County. Within five days hereof, copies of this ordinance shall be filed with the finance office in Columbus County, and with the Clerk to the Board of Commissioners of Columbus County. Copies of the Capital Project Ordinance shall be made available to the Budget Officer, the Project Manager, and the Finance Officer for direction in carrying out this project.

This Capital Project shall become effective on February 5, 2024.
ADOPTED, this 5th day of February, 2024

Agenda Item #14: TRANSPORTATION – APPROVAL POLICY:

Transportation Director Joy Jacobs requested approval

MOTION:

Commissioner Coleman made a motion to approve the motion unanimously passed.

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Ricky Bullard, Chairman
Columbus County Board of Commissioners

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Jana Nealey, Clerk to the Board

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DRUG AND ALCOHOL TESTING POLICY
COLUMBUS COUNTY TRANSPORTATION

Adopted as of February 5, 2024

A. PURPOSE

1) The COLUMBUS COUNTY TRANSPORTATION provides public transit and paratransit services for the residents of Columbus County. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, COLUMBUS COUNTY TRANSPORTATION declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.

2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. Covered employees shall abide by the terms of this policy statement as a condition of employment. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates drug and alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result, or a refusal to test. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of specimens for drug and alcohol testing.

3) Any provisions set forth in this policy that are included under the sole authority of COLUMBUS COUNTY TRANSPORTATION and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of COLUMBUS COUNTY TRANSPORTATION will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. See Attachment A for a list of employees and the authority under which they are included.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, persons controlling the dispatch or movement of revenue service vehicles and any transit employee who operates a non-revenue service vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

C. DEFINITIONS

Accident: An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

- a. An individual dies;
- b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- c. One or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, disabling damage means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Adulterated specimen: A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

Aliquot: A fractional part of a specimen used for testing, It is taken as a sample representing the whole specimen.

Alternate specimen: An authorized specimen, other than the type of specimen previously collected or attempted to be collected.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

Collection Site: A place selected by the employer where employees present themselves for the purpose of providing a specimen for a drug test.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify a specific drug or drug metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

Covered Employee Under FTA Authority: An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees).

Cutoff: The analytical value (e.g., drug or drug metabolite concentration) used as the decision point to determine a result (e.g., negative, positive, adulterated, invalid, or substituted) or the need for further testing.

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

DOT, The Department, DOT Agency: These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Employee: Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of drug testing under 49 CFR Part 40, the term employee has the same meaning as the term “donor” as found on CCF and related guidance materials produced by the Department of Health and Human Services.

Evidential Breath Testing Device (EBT): A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations, and appears on ODAPC’s Web page for “Approved Evidential Breath Measurement Devices” because it conforms with the model specifications available from NHTSA.

Initial Drug Test: The first test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a specimen is adulterated, diluted, substituted, or invalid

Invalid Result: The result reported by an HHS-certified laboratory in accordance with the criteria established by the HHS when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of HHS; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under 49 CFR Part 40.

Limit of Detection (LOD): The lowest concentration at which the analyte (e.g., drug or drug metabolite) can be identified.

Limit of Quantification (LOQ): For quantitative assays, the lowest concentration at which the identity and concentration of the analyte (e.g., drug or drug metabolite) can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen. An alcohol concentration of less than 0.02 BAC is a negative test result.

Non-negative specimen: A specimen that is reported as adulterated, substituted, positive (for drug(s) or drug metabolite(s)), or invalid.

Oral Fluid Specimen: A specimen that is collected from an employee's oral cavity and is a combination of physiological fluids produced primarily by the salivary glands. An oral fluid specimen is considered to be a direct observation collection for all purposes of 49 CFR Part 40, as amended.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites, or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety-sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

Primary specimen: In drug testing, the specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of specimen validity testing. The primary specimen is the portion of the donor's subdivided specimen designated as the primary ("A") specimen by the collector to distinguish it from the split ("B") specimen, as defined in 49 CFR Part 40, as amended.

Prohibited drug: Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine as specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split (Bottle B) specimen when the second HHS-certified laboratory corroborates the original result reported for the primary (Bottle A) specimen.

Rejected for Testing: The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

Safety-sensitive functions: Employee duties identified as:

- (1) The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
- (2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling dispatch or movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

Specimen: Fluid, breath, or other material collected from an employee at the collection site for the purpose of a drug or alcohol test.

Specimen Bottle: The bottle that, after being sealed and labeled according to the procedures in 49 CFR Part 40, is used to hold a primary (“A”) or split (“B”) specimen during the transportation to the laboratory. In the context of oral fluid testing, it may be referred to as a “vial,” “tube,” or “bottle.”

Split Specimen: In drug testing, the specimen that is sent to a first laboratory and stored with its original seal intact, and which is transported to a second laboratory for retesting at the employee’s request following MRO verification of the primary specimen as positive, adulterated or substituted.

Split specimen collection: A collection in which the single specimen collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen: An employee’s specimen not consistent with a normal human specimen, as determined by HHS (e.g., a urine specimen, with creatinine and specific gravity values that are so diminished, or so divergent that they are not consistent with normal human urine).

Test Refusal: The following are considered a refusal to test if the employee:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.

- (2) Fail to remain at the collection site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a specimen. An employee who does not provide a specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of specimen without a valid medical explanation.
- (6) Fail or decline to take an additional test as directed by the collector or the employer for drug testing.
- (7) Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine collection .
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.
- (14) As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

Undiluted (neat) oral fluid: An oral fluid specimen to which no other solid or liquid has been added. For example: A collection device that uses a diluent (or other component, process, or method that modifies the volume of the testable specimen) must collect at least 1 mL of undiluted (neat) oral fluid.

Urine specimen: Urine collected from an employee at the collection site for the purpose of a drug test.

Vehicle: A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

Verified negative test: A drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use at or above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test: A drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use at or above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing: The evaluation of the specimen to determine if it is consistent with normal human urine. Specimen validity testing will be conducted on all specimens provided for testing under DOT authority. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the specimen, if the specimen was diluted, or if the specimen was altered.

D. EDUCATION AND TRAINING

1) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including

the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

2) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

E. PROHIBITED SUBSTANCES

1) Prohibited substances addressed by this policy include the following.

a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1308.11 through 1308.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. It is important to note that the use of marijuana in any circumstances remains completely prohibited for any safety-sensitive employee subject to drug testing under USDOT regulations. The use of marijuana in any circumstance (including under state recreational and/or medical marijuana laws) by a safety-sensitive employee is a violation of this policy and a violation of the USDOT regulation 49 CFR Part 40, as amended.

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a COLUMBUS COUNTY TRANSPORTATION supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.

c. Alcohol: The use of beverages containing alcohol (including mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited.

F. PROHIBITED CONDUCT

1) Illegal use of the drugs listed in this policy and as defined in 49 CFR Part 40, as amended is prohibited at all times. All covered employees are prohibited from reporting for duty or remaining on duty if they have used a prohibited drug as defined in 49 CFR Part 40, as amended.

2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed

alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.

- 3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol
- 4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
 - a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the USDOT-FTA drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the employee to be removed from the performance of safety-sensitive duties until:
 - i. The employee's alcohol concentration measures less than 0.02; or
 - ii. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.
- 5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
- 6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.
- 7) COLUMBUS COUNTY TRANSPORTATION, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
- 8) Consistent with the Drug-free Workplace Act of 1988, all COLUMBUS COUNTY TRANSPORTATION employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including transit system premises and transit vehicles.

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the COLUMBUS COUNTY TRANSPORTATION management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in this policy.

H. TESTING REQUIREMENTS

- 1) Drug testing and alcohol testing will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in this policy, and return to duty/follow-up.
- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under COLUMBUS COUNTY TRANSPORTATION authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

All covered employees will be subject to drug testing and alcohol testing as a condition of ongoing employment with COLUMBUS COUNTY TRANSPORTATION. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in this policy.

I. DRUG TESTING PROCEDURES

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine and/or oral fluid specimen will be collected as described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary specimen. For those specimens that are not negative, a confirmatory test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the confirmatory test are at or above the minimum thresholds established in 49 CFR Part 40, as amended.
- 3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer. A Medical Review Officer (MRO) is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will attempt to contact the employee to notify the employee of the non-negative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to COLUMBUS COUNTY TRANSPORTATION. If a legitimate explanation is found, the MRO will report the test result as negative.
- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.

5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. COLUMBUS COUNTY TRANSPORTATION will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however COLUMBUS COUNTY TRANSPORTATION will seek reimbursement for the split sample test from the employee.

6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.

7) Observed collections

a. Consistent with 49 CFR Part 40, as amended, collection under direct observation with no advance notice will occur if:

i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to COLUMBUS COUNTY TRANSPORTATION that there was not an adequate medical explanation for the result;

ii. The MRO reports to COLUMBUS COUNTY TRANSPORTATION that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;

iii. The laboratory reported to the MRO that the urine specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the urine specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).

iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;

v. The temperature on the original urine specimen was out of range (See §40.65(b)(5));

vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with (See §40.65(c)(1)).

vii. All follow-up-tests; or

viii. All return-to-duty tests

Urine collections that are required to be directly observed will be conducted by a person of the same gender as the donor as required by 49 CFR Part 40.67.

J. ALCOHOL TESTING PROCEDURES

1) Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). A list of approved EBTs can be found on ODAPC's Web page for "Approved Evidential Breath Measurement Devices". Alcohol screening tests may be performed using a non-evidential testing device (alcohol screening device (ASD)) which is also approved by NHTSA. A list of approved ASDs can be found on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids". If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted no sooner than fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHTSA-approved EBT operated by a trained BAT. The EBT will identify each test by a unique sequential identification number. This number, time, and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

2) A confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer and will be subject to the consequences described in this policy. An alcohol concentration of less than 0.02 will be considered a negative test.

3) COLUMBUS COUNTY TRANSPORTATION affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.

4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

1) All applicants for covered transit positions shall undergo drug testing prior to performance of a safety-sensitive function.

a. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.

- b. An employee shall not be placed, transferred or promoted into a position covered under FTA authority or company authority until the employee takes a drug test with verified negative results.
- c. If an applicant fails a pre employment drug test, the conditional offer of employment shall be rescinded and the applicant will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
- d. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with this policy.
- e. If a pre-employment test is canceled, COLUMBUS COUNTY TRANSPORTATION will require the applicant to take and pass another pre-employment drug test.
- f. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- h. Applicants are required (even if ultimately not hired) to provide COLUMBUS COUNTY TRANSPORTATION with signed written releases requesting USDOT drug and alcohol records from all previous, USDOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. COLUMBUS COUNTY TRANSPORTATION is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a USDOT covered employer, the applicant must provide COLUMBUS COUNTY TRANSPORTATION proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

L. REASONABLE SUSPICION TESTING

- 1) All COLUMBUS COUNTY TRANSPORTATION FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the

signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under COLUMBUS COUNTY TRANSPORTATION' authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.

2) COLUMBUS COUNTY TRANSPORTATION shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in this policy.

3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the COLUMBUS COUNTY TRANSPORTATION

4) When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in his/her chain of command, the employee shall be referred for assessment and treatment consistent with this policy. COLUMBUS COUNTY TRANSPORTATION shall place the employee on administrative leave in accordance with the provisions set forth under this policy. Testing in this circumstance would be performed under the direct authority of the COLUMBUS COUNTY TRANSPORTATION. Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority. However, self-referral does not exempt the covered employee from testing under Federal authority as specified in this policy or the associated consequences.

M. POST-ACCIDENT TESTING

1) FATAL ACCIDENTS – A covered employee will be required to undergo drug and alcohol testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident, that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.

2) NON-FATAL ACCIDENTS – A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:

a. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.

b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that COLUMBUS COUNTY TRANSPORTATION is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), COLUMBUS COUNTY TRANSPORTATION may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

N. RANDOM TESTING

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Individuals who may be covered under company authority will be selected from a pool of non-DOT-covered individuals.
- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA administrator. The current year testing rates can be viewed online at <https://www.transportation.gov/odapc/random-testing-rates>.

- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under COLUMBUS COUNTY TRANSPORTATION authority.
- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. However, under COLUMBUS COUNTY TRANSPORTATION' authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

O. RETURN-TO-DUTY TESTING

COLUMBUS COUNTY TRANSPORTATION will terminate the employment of any employee that tests positive or refuses a test as specified in this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

P. FOLLOW-UP TESTING

Covered employees that have returned to duty following a positive or refused test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was

not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

Q. RESULT OF DRUG/ALCOHOL TEST

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be immediately removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAP) for assessment, and will be terminated.
- 2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- 3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a list of USDOT qualified SAPs. A test refusal is defined as any of the following circumstances:
 - a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
 - b. Fail to remain at the collection site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
 - c. Fail to attempt to provide a specimen. An employee who does not provide a specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
 - d. In the case of a directly-observed or monitored urine collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
 - e. Fail to provide a sufficient quantity of specimen without a valid medical explanation.
 - f. Fail or decline to take an additional test as directed by the collector or the employer for drug testing.
 - g. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
 - h. Fail to cooperate with any part of the testing process.
 - i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine collection.
 - j. Possess or wear a prosthetic or other device used to tamper with the collection process.
 - k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
 - l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
 - m. Fail to remain readily available following an accident.
 - n. As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.
- 4) An alcohol test result of ≥ 0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours or the remainder of the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NONDOT alcohol test with a result of less than 0.02 BAC.
- 5) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:

- a. Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return-to-work agreement;
 - b. Failure to execute, or remain compliant with the return-to-work agreement shall result in termination from COLUMBUS COUNTY TRANSPORTATION _employment.
 - i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in this policy; however, all follow-up testing performed as part of a return-to-work agreement required under this policy is under the sole authority of COLUMBUS COUNTY TRANSPORTATION and will be performed using non-DOT testing forms.
 - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. All tests conducted as part of the return-to-work agreement will be conducted under company authority and will be performed using non-DOT testing forms.
 - d. A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in this policy.
 - e. Periodic unannounced follow-up drug/alcohol testing conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in this policy.
 - f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with COLUMBUS COUNTY TRANSPORTATION.
 - g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

R. GRIEVANCE AND APPEAL

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

S. PROPER APPLICATION OF THE POLICY

COLUMBUS COUNTY TRANSPORTATION is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

- 1) Drug/alcohol testing records shall be maintained by the COLUMBUS COUNTY TRANSPORTATION Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need-to-know basis.
- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.
- 6) Records will be released to the National Transportation Safety Board during an accident investigation.
- 7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.
- 8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
- 9) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over COLUMBUS COUNTY TRANSPORTATION or the employee.
- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the Columbus County Board of Commissioners on _____, 2024.

Chairman, Columbus County Commissioners

Attachment A

Job Title	Job Duties	Testing Authority
Director	Oversees the grant for Public Transportation for Columbus County Columbus County	
Manager	Oversees the operation of public transportation for Columbus County First Transit/USDOT-FTA	
Dispatcher/Office Manager	Controls the movement of the public transit vehicles First Transit/USDOT-FTA	
Safety Officer	Is in charge of all training and any safety related issues First Transit/USDOT-FTA	
Secretary	Assists the manager with reports and the office manager with dispatching and communicating with the drivers First Transit/USDOT-FTA	
Driver	Operates Public Transit Vehicles	First Transit/USDOT-FTA

Attachment B Contacts

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

COLUMBUS COUNTY TRANSPORTATION Drug and Alcohol Program Manager

Name: Anthony Rowell
Title: Manager
Address: 290 Legion Dr, Whiteville, NC 28472
Telephone Number: 910-642-7201

Medical Review Officer

Name: Dr T E Simo, MD
Title:
Address: 4600 Park Rd, Suite 500, Charlotte, NC 28209
Telephone Number: 704-364-7550

Substance Abuse Professional #1

Name: Allied Behavioral Mgt Inc
Title:
Address: 603 Pecan Ln, Whiteville, NC 28472
Telephone Number: 910-640-2021

Substance Abuse Professional #2

Name: LabCorp

Title:

Address: 1904 T W Alexander Dr, Research Triangle Park, NC 27709

Telephone Number: 800-833-3984

HHS Certified Laboratory Primary Specimen

Name: LabCorp

Address: 1904 T W Alexander Dr, Research Triangle Park, NC 27709

Telephone Number: 800-833-3984

Agenda Item #15: TRANSPORTATION – APPROVAL of the AMENDED LEASE AGREEMENT with FIRST TRANSIT:

Transportation Director Joy Jacobs requested approval of the amended lease agreement with First Transit updating the vehicle list

MOTION:

Vice Chairman Byrd made a motion to approve, seconded by Commissioner Feathersen. The motion unanimously passed.

VEHICLE LEASE AGREEMENT AMENDMENT #1

This Vehicle Lease Agreement Amendment #1 (hereinafter referred to as “Amendment”) made and entered into this ____ day of _____, 20__ between Columbus County (hereinafter referred to as “Lessor”), and First Transit, Inc. (hereinafter referred to as “Lessee”). This Amendment is amending Vehicle Lease Agreement (hereinafter referred to as “Agreement”), made and entered into the 1st day of July, 2023 between Columbus County and First Transit, Inc. This Amendment is a subcontract of the agreement(s) between the North Carolina Department of Transportation and the Lessor, for Project No.(s) 21-39-076S. All other provisions contained in the agreement(s) between the North Carolina Department of Transportation and the Lessor are herein incorporated by reference.

Witnesseth:

Addition to Article I

Leased Vehicles: The Lessor hereby leases to the Lessee the vehicle(s) described in Exhibit 1 attached hereto and made a part hereof (hereinafter referred to as vehicle(s)), upon the conditions and covenants set forth below. The Lessee shall utilize the project equipment in accordance with the procedures and guidelines set forth in Federal Transit Administration Circulars 5010.1C, dated October 1, 1998; 9040.1E, dated October 1, 1998; and 9070.1E, dated October 1, 1998, or any subsequent revisions or amendments thereto; the project

description set forth in the project application and the Transportation Development Plan or Community Transportation Service Plan for Columbus County.

Addition to Article II

Terms of Lease and Commencement Date: The terms and commencement date of the Agreement shall be incorporated herein by reference. In the event of noncompliance with this Amendment and/or the Agreement, the Lessor may terminate this Amendment and/or Agreement by giving the Lessee 30 days' advance written notice.

Addition to Article V

Repair of Fire Damage or Other Casualty-Replacement in Case of Theft or Other Loss: Lessee will assume full responsibility for any type of loss or damage to the vehicle(s) and it will be the sole responsibility of the Lessee to repair or replace the vehicle(s), if this becomes necessary. Lessor has no obligation for any loss in regard to the vehicle(s).

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed in their respective names, by their duly authorized officers.

LESSOR:

LESSEE:

COLUMBUS COUNTY

FIRST TRANSIT, INC.

By: _____ By: _____

Printed Name: Edwin H Madden, Jr

Printed Name:

Title: County Manager

Title:

Date: _____ Date: _____

Approved as to form:

Columbus County Attorney

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Contract Act.

Columbus County Finance Officer

EXHIBIT I

The vehicle(s) referred to in the preceding Agreement to which this exhibit is attached are described as follows:

Description of Vehicles

Model Year	Model	VIN Number	Vehicle Type
2020	MVAN	2C4RDGBG0LR175776	Minivan
2017	MVAN	2C4RDGBG2HR597684	Minivan
2019	STARLITE	1FDEE3FS2KDC59758	20ft LTV Lift
2020	U4XE	1FDVU4X86LKB17597	Lift Conversion Van
2017	E-350	1FDEE3FS9HDC31979	20 Ft LTV
2019	S4XE	1FTRS4XM8KKA77143	Lift Conversion Van
2022	X2CG	1FDAX2CG1NKA69808	Lift Conversion Van
2019	S4XE	1FTRS4XM4KKA53793	20ft LTV
2015	MINIVAN	2C4RDGCGXFR719509	Minivan
2024	Starlite	1FDEE3FN2RDD33636	20 Ft LTV
2018	Elkhart	1FDEE3FS3JDC18599	20Ft Lift
2018	Elkhart	1FDEE3FS6JDC18600	20 Ft Lift
2019	Starcraft	1FDEE3FS7KDV21507	20 Ft Lift
2021	Starcraft	1FDEE3FNXMDC20591	20 Ft Lift
2021	Starcraft	1FDEE3FN1MDC20592	20 Ft Lift
2021	E-250 Allstar	1FDEE3FN9MDC09825	22 Ft Lift
2022	K1CF	1FDZK1C85NKA69413	Lift Conversion Van
2022	K1CF	1FDZK1C8XNKA70024	Lift Conversion Van

THE VEHICLE(S) CANNOT BE LEASED TO A SUB-LESSEE WITHOUT WRITTEN AUTHORIZATION FROM THE LESSOR AND THE PUBLIC TRANSPORTATION DIVISION.

Agenda Item #16: ATTORNEY'S OFFICE – APPROVAL to TRANSFER OWNERSHIP of FAIR BLUFF SCHOOL to the TOWN of FAIR BLUFF and RETAIN USE:

Attorney Amanda Prince requested approval to transfer ownership of Fair Bluff School to the Town of Fair Bluff and retain use as The Department of Aging Senior Center.

MOTION:

Commissioner Featherson made a motion to approve, seconded by Commissioner Coleman. The motion unanimously passed.

Commissioner Byrd asked what would happen if years from now someone asks about rent or other things when this board is gone.

Attorney Amanda Prince said that the lease would be for 50 years and would also include that it is not to be used as a school.

Agenda Item #17: EMERGENCY SERVICES – APPROVAL to PURCHASE PULSE POINT APP to NOTIFY PROPER PERSONNEL when DEFIBRILLATORS are NEEDED:

Emergency Services Director David Ransom requested approval to purchase the Pulse Point App that will notify staff when the use of a defibrillator is needed.

MOTION:

Commissioner Byrd made a motion to approve, seconded by Vice Chairman Coleman. The motion unanimously passed.

PulsePoint

A Message from Our President

We are very excited to partner with you to help improve cardiac arrest outcomes in your community. Before we begin, I would like to share our unique and proven approach to building your CPR response network.

Achieving the goal of PulsePoint Responders routinely beginning CPR and retrieving a nearby AED, prior to the arrival of advanced care, requires a significant number of local app users. Communities with a high density of app users greatly improve the odds of having at least one responder nearby that can quickly walk to the incident and provide care.

While we are proud of being thought of as the "CPR app," our importance and utility to the community and your agency goes much deeper. PulsePoint keeps your community informed of emergency activity in real time. Residents use this information on a daily basis to know when there is an accident on their commute, or if the smoke they smell is an approaching wildfire. They'll share the routine usefulness of the app with neighbors, family and friends – and in turn they'll help build and sustain an engaged and reliable network of CPR-trained individuals. This combination is crucial to achieving broad community adoption and sustaining a lifesaving program.

In addition to providing a real time filtered incident feed and CPR alerts in public places, PulsePoint is committed to first responders and providing actionable information both on-duty and off. PulsePoint Verified Responder Pro® is the professional version of PulsePoint Respond, providing advanced functionality for agency personnel. Professional verified responders are shown all calls in the jurisdiction along with complete address information and routing for all incident types. These employees also receive CPR needed alerts for both public and private activations. Verified Responder is an option and your Project Lead will know if Verified Responder is part of this implementation.

Given this mission we encourage you to fully review this Statement of Work to understand how PulsePoint can best serve your agency and community.

Sincerely,

Richard Price, President

Agenda Item #18: FINANCE – APPROVAL of FINANCE ADMINISTRATIVE UPDATE for DECEMBER 2023 and BUDGET ADMENDMENTS:

Finance Director Lacie Jacobs requested approval of the monthly Finance Administrative Update for December 2023 and the following budget amendments.

- a. December 2023 report
- b. Airport - Terminal Building
- c. AA 719 – Bridge Access Program
- d. Facilities QRV
- e. EDC – Golden Leaf Grant
- f. Detention – SRF Fund 70

MOTION:

Commissioner Floyd made a motion to approve, seconded by Commissioner Smith. The motion unanimously passed.

COUNTY OF COLUMBUS FINANCIAL SUMMARY REPORT December 2023		Percent of Year Complete: 50.00%		
GENERAL FUND (Annual Operating Budget)	FY 23/24 BUDGET	ACTUAL YTD TOTALS	BALANCE REMAINING	% COLLECTED YTD
REVENUES				
AD VALOREM TAXES	39,356,952	27,759,910	11,597,042	70.5%
COURT	125,000	42,960	82,040	34.4%
SALES TAX	14,051,521	3,619,762	10,431,759	25.8%
TAX ADMINISTRATION REVENUES	37,675	295	37,380	0.8%
NC JCPC PROGRAM - TEEN COURT	77,477	38,306	39,171	49.4%
ELECTION FEES	120	2,315	(2,195)	1929.4%
REGISTER OF DEEDS	418,500	388,091	30,409	92.7%
SHERIFF	2,197,000	262,723	1,934,277	12.0%
DETENTION CENTER	802,000	146,412	655,588	18.3%
EMERGENCY MANAGEMENT	182,637	6,408	176,229	3.5%
INSPECTION	600,000	256,356	343,644	42.7%
ANIMAL CONTROL	35,000	20,053	14,947	57.3%
AIRPORT	523,400	263,852	259,548	50.4%
ECONOMIC DEVELOPMENT/PLANNING	46,000	5,255	40,745	11.4%
COOPERATIVE EXTENSION	1,200	2,207	(1,007)	183.9%
SOIL CONSERVATION	30,800	2,862	27,938	9.3%
DEPARTMENT OF AGING REVENUES	1,733,735	562,443	1,171,292	32.4%
HEALTH DEPARTMENT	3,854,845	1,503,842	2,351,003	39.0%
SOCIAL SERVICE	8,411,067	2,475,109	5,935,958	29.4%
VETERANS SERVICE	2,000	-	2,000	0.0%
PUBLIC SCHOOLS	21,000	8,625	12,375	41.1%
LIBRARY	228,848	74,221	154,627	32.4%
RECREATION	31,600	31,391	209	99.3%
MISCELLANEOUS REVENUES	1,265,940	1,242,367	23,573	98.1%
TRANSFER FROM REVENUES	689,751	-	689,751	0.0%
FUND BALANCE APPROPRIATED	2,588,020	-	2,588,020	0.0%
Total General Fund Revenues	77,312,088	38,715,766	38,596,322	50.1%

GENERAL FUND (Annual Operating Budget)	FY 23/24 BUDGET	ACTUAL YTD TOTALS	BALANCE REMAINING	% EXPENSED YTD
EXPENDITURES				
GOVERNING BODY	338,362	132,903	175,459	43.1%
ADMINISTRATION	1,042,861	1,027,855	14,926	98.6%
PERSONNEL	642,621	439,855	202,756	68.4%
FINANCE	904,804	307,634	597,170	34.0%
TAX DEPARTMENT	1,912,335	880,932	1,031,403	46.1%
LEGAL DEPARTMENT	578,685	481,394	97,291	83.2%
NC JOPC PROGRAM - TEEN COURT	77,477	32,471	45,006	41.9%
COURT FACILITIES	434,406	198,450	235,956	45.7%
ELECTIONS	527,987	217,062	310,925	41.1%
REGISTER OF DEEDS	567,141	294,732	272,409	52.0%
MANAGEMENT INFORMATION SYSTEM	492,864	255,637	237,227	51.9%
CENTRAL GARAGE	131,972	89,046	42,926	67.5%
PUBLIC BUILDINGS - ALL OTHER	2,402,478	808,024	1,594,454	33.6%
SHERIFFS DEPARTMENT	10,362,874	4,962,864	5,400,010	47.9%
LAW ENFORCEMENT CENTER	4,406,888	2,137,414	2,269,474	48.5%
EMS	31,250	15,000	16,250	48.0%
EMERGENCY SERVICES	3,755,674	1,351,260	2,404,414	36.0%
CORONER/MEDICAL EXAMINER	30,000	22,250	7,750	74.2%
ANIMAL CONTROL	708,548	319,732	388,816	45.1%
AIRPORT	685,979	322,248	363,731	47.0%
INSPECTIONS	470,789	205,645	265,144	43.7%
ECONOMIC DEVELOPMENT/PLANNING	541,845	188,013	353,832	34.7%
COOPERATIVE EXTENSION	613,749	139,170	474,579	22.7%
SOIL CONSERVATION	335,813	154,740	181,073	46.1%
DEPARTMENT OF AGING	2,832,292	1,269,642	1,562,650	44.8%
HEALTH DEPARTMENT	6,909,658	2,421,700	4,487,958	35.0%
SOCIAL SERVICES ADMINISTRATION	10,651,483	4,529,788	6,121,695	42.5%
PUBLIC ASSISTANCE PROGRAMS	2,424,103	1,246,682	1,177,421	51.4%
VETERANS SERVICE OFFICER	172,695	85,349	87,346	49.4%
EDUCATION	16,609,156	7,559,462	9,049,695	45.5%
LIBRARY	1,757,288	772,753	984,535	44.0%
RECREATION	588,201	254,591	333,610	43.3%
SPECIAL APPROPRIATIONS	853,846	560,198	303,648	54.8%
TRANSFER TO	2,535,944	-	2,535,944	0.0%
Total General Fund Expenditures	77,512,088	33,684,804	43,827,284	43.6%
Total Revenue over/(under) Expenditures	-	5,031,162		

WATER DISTRICTS I-V	FY 23/24 BUDGET	YTD TOTALS	BALANCE REMAINING	% Collected YTD
REVENUES				
WATER DISTRICT I	871,210	428,486	442,724	49%
WATER DISTRICT II	1,456,143	654,257	801,886	45%
WATER DISTRICT III	783,165	380,385	402,780	49%
WATER DISTRICT IV	927,325	431,394	495,931	47%
WATER DISTRICT V	843,416	501,594	341,822	59%
COMBINED WATER DISTRICT TOTALS	4,881,259	2,396,116	2,485,143	N/A
EXPENDITURES				
WATER DISTRICT I	871,210	249,590	621,620	29%
WATER DISTRICT II	1,456,143	319,975	1,136,168	22%
WATER DISTRICT III	783,165	210,254	572,911	27%
WATER DISTRICT IV	927,325	248,599	678,726	27%
WATER DISTRICT V	843,416	237,614	605,802	28%
COMBINED WATER DISTRICT TOTALS	4,881,259	1,266,033	3,615,226	N/A

SOLID WASTE	FY 23/24 BUDGET	YTD TOTALS	BALANCE REMAINING	% Collected YTD
REVENUES	6,750,052	3,798,676	2,951,376	56%
EXPENDITURES	6,750,052	2,236,978	4,513,074	33%
Excess revenue over/(under) expenditures	-	1,561,698		

FIRE DEPARTMENTS	FY 23/24 BUDGET	YTD TOTALS	BALANCE REMAINING	% Collected YTD
REVENUES	1,781,537	1,535,759	245,778	86%
EXPENDITURES	1,781,537	1,251,159	530,378	70%
Ad Valorem Taxes	1,781,537	1,251,159	530,378	70%

COURTHOUSE RENOVATION PROJECT	FY 23/24 BUDGET	YTD TOTALS	BALANCE REMAINING	% Collected YTD
REVENUES	7,917,194	7,917,485	(291)	100%
COURTHOUSE CAP PROJ REVENUES				
EXPENDITURES				
PRIOR YEAR EXPENDITURES		2,153,844		
COURTHOUSE CAP PROJ EXPENDITURES		3,009,273		
	7,767,194	5,163,117	2,604,077	66%

HUD SECTION 8 RENTAL ASSISTANCE	FY 23/24 BUDGET	YTD TOTALS	BALANCE REMAINING	% Collected YTD
REVENUES	1,953,324	1,047,411	791,669	54%
EXPENDITURES	1,953,324	1,121,200	832,124	57%

TRANSPORTATION	FY 23/24 BUDGET	YTD TOTALS	BALANCE REMAINING	% Collected YTD
REVENUES	1,260,186	307,160	953,026	24%
EXPENDITURES	1,260,186	364,596	895,588	29%

DEBT SERVICE	FY 23/24 BUDGET	YTD TOTALS	BALANCE REMAINING	% Collected YTD
REVENUES	32,642,244	-	32,642,244	0%
EXPENDITURES	32,642,244	653,024	31,989,220	2%

AMBULANCE AND RESCUE UNITS	FY 23/24 BUDGET	YTD TOTALS	BALANCE REMAINING	% Collected YTD
REVENUES	728,090	597,508	130,582	82%
EXPENDITURES				
Ad Valorem Taxes	728,090	125,302	602,788	17%

CASH & INVESTMENTS

Cash:	
Central Depository - Trust	11,961,246
Central Depository - NCCMT	29,748,889
Water Districts - \$8,204,070	
Solid Waste - \$9,361,464	

Investments:	
Trust	5,071,511
First Citizens Wealth Management	6,128,160
United Bank - CD	339,574
Dana Investments/TD Ameritrade	891,836
Multi Bank Securities	579,861
First Bank - CDs	2,144,980

FUND BALANCE

General Fund:	
Unavailable Fund Balance (per auditors)	7,223,150
Committed and Assigned Fund Balance	15,019,313
Unassigned Fund Balance	18,095,424
Total Fund Balance	40,337,887
General Fund Total Expenditure Budget	77,312,088
Unassigned fund balance as % of Gen. Fd. Expend.	23.4%

Note: The Fund Balance computation listed above is unaudited. Final computation will be submitted when verified by Auditors

Total Grants received year to date for fiscal year 2023-2024 1,409,223
Through date of last Board meeting

COLUMBUS COUNTY, NORTH CAROLINA
Ordinance making appropriations to the Columbus County Airport –
New Terminal Building and Apron Expansion
SCIF Project Fund
for the Fiscal Year beginning July 1, 2023

BE IT ORDAINED by the Board of Commissioners of Columbus County, North Carolina as follows:

Section 1: The following amounts are hereby made to the Columbus County Airport – New Terminal Building and Apron Expansion SCIF Capital Project pursuant to G.S. 159 -13.2 for the fiscal year beginning July 1, 2023.

Source of Revenue		
	Original Revenues	Change in Revenues
51-3457-431019 - State Budget Appropriations	\$ 7,000,000.00	--
Total Project Revenues as of February 6, 2024		
	\$ 7,000,000.00	

Current Project Appropriations		Proposed Project Appropriations	
51-4537-548002 Administration Costs Terminal	\$100,000.00	51-4537-548002 Administrative Expenses Terminal & Apron Expansion	\$0.00
51-4537-524000 Construction Terminal	\$1,800,000.00	51-4537-524000 Construction and Project Improvement Terminal & Apron Expansion	\$6,339,329.00
51-4537-999910 Contingency Terminal	\$200,000.00	51-4537-318012 Preliminary Engineering, Testing Terminal & Apron Expansion	\$23,650.00
51-4537-551010 Furniture/Fixtures/Equipment Terminal	\$200,000.00	51-4537-519034 Engineering Services, Basic Fees Terminal & Apron Expansion	\$441,377.00
51-4537-519902 Eng/Architect Fees Terminal	\$500,000.00	51-4537-519036 Project Inspection, Quality Assurance, Testing, Other Terminal & Apron Expansion	\$163,305.00
51-4539-999910 Contingency Hanger	\$500,000.00	51-4537-999910 Contingency Terminal & Apron Expansion	\$32,339.00
51-4539-548002 Administration Costs Hanger	\$200,000.00	Total Proposed Project Appropriations	\$7,000,000.00
51-4539-524000 Construction Hanger	\$2,200,000.00		
51-4539-519902 Eng/Architect Fees Hanger	\$300,000.00		
Total Original Project Appropriations	\$7,000,000.00		

Section 2: The project undertaken pursuant to this ordinance is in accordance with the Recommended Budget and any changes made during the County Commissioners' budget work sessions.

Section 3: The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy all applicable regulations. The terms of any financing agreement also shall be met.

Section 5: All expenditures relating to obtaining any bond referendum and/or installment purchase will be reimbursed from bond proceeds and installment purchase proceeds in accordance with the requirements of the United States Treasury Regulations Section 1.150 -2.

Section 6: This declaration of official intent is made pursuant to Section 1.150-2 of the Treasury Regulations to expressly declare the official intent of the County to reimburse itself from the proceeds of debt to be hereinafter incurred by the County for certain expenditures paid by the County on or after the date which is sixty (60) days prior to the date hereof.

Section 7: The County intends to seek Federal, State, and/or other grant funding to reduce the amount of loan proceeds. The adoption of this ordinance authorizes the County Manager and/or his representative to apply for and accept such funding if awarded.

Section 8: This project ordinance shall be entered in the minutes of the Board of Commissioners of Columbus County. Within five days hereof, copies of this ordinance shall be filed with the finance office in Columbus County, and with the Clerk to the Board of Commissioners of Columbus County. Copies of the Capital Project Ordinance shall be made available to the Budget Officer, the Project Manager, and the Finance Officer for direction in carrying out this project.

This Capital Project shall become effective on February 6, 2024.
 ADOPTED, this 6th day of February 2024.

Ricky Bullard, Chairman
 Columbus County Board of Commissioners

BUDGET AMENDMENT FY 23/24

Name of Department: Columbus County Health

Agency Head Signature: [Signature] 12/18/23

Date Prepared / Submitted to Admin: Date Received in Admin:

Budget Code	EXPENDITURES	Requested
Fund Dept. Category	Classification	Increase or (Decrease)
10 4213 612100	COVID Salaries	\$10,000
10 4213 612700	COVID Longevity	\$1,000
10 4213 618100	COVID FICA	\$2,500
10 4213 618200	COVID Retirement	\$2,500
10 4213 618300	COVID Insurance	\$2,500
10 4213 526001	COVID Departmental Supplies	\$40,004
Total Net Expense		\$68,504

Budget Code	REVENUES	Requested
Fund Dept. Category	Classification	Increase or (Decrease)
10 3581 430172	COVID Funding	\$68,504
Total Net Revenue		\$68,504

This budget revision has been approved by the Columbus County Finance Office:

This budget revision has been approved by the Columbus County County Manager:

This budget revision has been approved by the Board of Columbus County Commissioners on:

Signature Date

BUDGET AMENDMENT
 Columbus County, NC

Name of Department: Facilities Services/Emergency Services

Name of Capital Project (if applicable):

Agency Head Signature: Stuart Carroll/Nick West

Date Prepared: January 26, 2024 Date Received in Admin:

EXPENDITURE			
Budget Code	Classification	Requested	
Fund Dept. Object	Line Item	Increase or (Decrease)	
10 4262 532112	M & R/Emergency Services	40,000	
Total Net Expenditures		40,000	

REVENUE			
Budget Code	Classification	Requested	
Fund Dept. Object	Line Item	Increase or (Decrease)	
10 3591 499101	Fund Balance Appropriated	40,000	
Total Net Revenue		40,000	

This budget revision has been approved by the Board of Columbus County Commissioners on:

Signature Date

Explanation of Increase or Decrease:
 To increase availability of maintenance and repair for QRV/Bolton location uplift.

BUDGET AMENDMENT FY 23/24

Name of Department: EDC/Planning

Agency Head Signature: [Signature]

Date Prepare / Submitted to Admin: January 11, 2024 Date Received in Admin: _____

Budget Code	EXPENDITURES		Requested
Fund Dept Category	Classification		Increase or (Decrease)
10 4920 519000	Professional Services		\$50,000
Total Net Expense			\$50,000

Budget Code	REVENUES		Requested
Fund Dept Category	Classification		Increase or (Decrease)
10 3485 489125	Golden Leaf Grant Revenue		\$50,000
Total Net Revenue			\$50,000

This budget revision has been approved by the Columbus County Finance Office:

This budget revision has been approved by the Columbus County County Manager:

This budget revision has been approved by the Board of Columbus County Commissioners on: _____

Signature: _____ Date: _____

Explanation of Increase or Decrease:
Golden LEAF Grant awarded to complete due diligence items on 38 acre parcel in the Southeast Regional Park.

BUDGET AMENDMENT FY 23/24

Name of Department: FINANCE/DETENTION SPECIAL REVENUE FUND

Agency Head Signature: _____

Date Prepare / Submitted to Admin: January 31, 2024 Date Received in Admin: _____

Budget Code	EXPENDITURES		Requested
Fund Dept Category	Classification		Increase or (Decrease)
70 4354 549900	MISCELLANEOUS EXPENSE (DETENTION SRF*8336)		\$525,000
70 4358 549900	MISCELLANEOUS EXPENSE (INMATE TRUST*2359)		\$500,000
70 4320 549900	MISCELLANEOUS EXPENSE (COMBINED)		(\$525,000)
Total Net Expense			\$500,000

Budget Code	REVENUES		Requested
Fund Dept Category	Classification		Increase or (Decrease)
70 3448 589042	MISCELLANEOUS REVENUE (DETENTION SRF*8336)		\$525,000
70 3532 589042	MISCELLANEOUS REVENUE (INMATE TRUST*2359)		\$500,000
70 3432 589042	MISCELLANEOUS REVENUE (COMBINED)		(\$525,000)
Total Net Revenue			\$500,000

This budget revision has been approved by the Columbus County Finance Office:

This budget revision has been approved by the Columbus County County Manager:

This budget revision has been approved by the Board of Columbus County Commissioners on: _____

Signature: _____ Date: _____

Agenda Item #19: APPOINTMENTS/RE-APPOINTMENTS/REPLACEMENTS: STAFF is REQUESTING APPOINTMENTS, REAPPOINTMENTS or REPLACEMENTS to the FOLLOWING BOARDS, COMMITTEES AND COUNCILS.

Legend: EB =Entire Board
Listed Zone # =Individual Commissioner

- | | |
|-----------------------------------|-------------------------------|
| Zone I: Barbara Feathersen | Zone V: Brent Watts |
| Zone II: Chris Smith | Zone VI: Ricky Bullard |
| Zone III: Giles E. Byrd | Zone VII: Scott Floyd |
| Zone IV: Lavern Coleman | |

COMMITTEE	ZONE/EB	PERSON(S)	EXP. DATE	BOARD ACTION
Brunswick Planning and Zoning	ETJ	Caletta Faulk	06/30/2023	reappointed MOTION: 1-Byrd 2-Floyd

RECESS REGULAR SESSION and enter into COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV AND V.

MOTION:
 At 7:43 P.M. a Motion was made by Commissioner Coleman and second by Vice Chairman Byrd to recess regular session and enter into Columbus County Water and Sewer Districts I, II, III, IV and V.

Agenda Item #20: APPROVAL of WATER and SEWER COMBINATION MINUTES:

- January 2, 2024 (5 sets)

MOTION:

Vice Chairman Byrd made a motion to approve, seconded by Commissioner Smith. The motion unanimously passed.

ADJOURN COMBINATION MEETING of COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV AND V BOARD MEETING**MOTION:**

Commissioner Coleman made a motion to approve, seconded by Commissioner Watts. The motion unanimously passed.

Agenda Item #21: COMMENTS:**A. Board of Commissioners****Commissioner Coleman commented:**

- I'd like to thank Representative Jones and Superintendent of Public Instruction Katherine Truitt for the \$52-million-dollar grant awarded to build a school at the eastern end of the county. I also like to thank the commissioners for supporting me in this funding request. Ours schools are one of our top priorities.
- I also would like to encourage citizens to volunteer in emergency services and fire departments, they are very short staffed and we need volunteers to help.
- Thank you to the county staff for all you do.

Vice Chairman Byrd commented:

- I'd like to echo the same about the \$52 Million Dollar Grant for the East Columbus School. I personally thank Brenden Jones for his efforts to help this community. I understand that it only has a 10% match.
- I talked to the Sheriff from Brunswick County and he said they had something like 150 volunteers that help with the Sheriff's Office, like checking buildings at night and watching out for the community and they are 100% volunteers, they do not get paid. Maybe that is something we can look into to help keep the community safe and bring to Columbus County.

Commissioner Watts commented:

- I'd like to echo the same about the \$52 Million Dollar Grant for the East Columbus School and Representative Brenden Jones for his efforts, I think he has gotten like close to \$200 Million Dollars for our county.
- I also think it is great that we were able to help Fair Bluff and the Senior Citizens there as well
- I had another complaint about the trash on the side of the roads, it had gotten better and now it is getting bad again.

- *Chairman Bullard stated that maybe you could get the address of the area and send it to Mrs. Gail and she could help take care of it.*

Commissioner Smith commented:

I think it is great about the schools and for the children, I am thankful for all who worked to make that grant happen. Also, I am so thankful to get to remember Mr. Spaulding and see Reverend Flowers and I will never forget Mr. Cefus.

Commissioner Floyd commented:

They have previously thanked about everyone I plan to thank and It has been a good day and a pleasure to meet such wonderful people.

Commissioner Featherson commented:

- I am thankful as well and it has been a good day a very good day because I got to meet the Spaulding's son and the great talked that he gave us, I was enamored with your speech and thank you for that. Thank our Representative for making it possible to have that money for the school.
- Someone asked me why there was a county truck driving around looking for the meters.
 - *Assistant County Manager Gail Edwards responded by saying that as part of a project and awarded grant funds of approximately \$150,000, there is an engineering company that comes in and they just GPS our water lines, water main valves, hydrants, and meters and everything is put on paper and we have an inventory of what we have. Keep in mind all of our field staff have been here less than two years. All that information is then stored and kept in our public utilities department and MIS. This project should end around April and then we are applying for another one for another water district.*
 - *Commissioner Featherson also asked how often are the hydrants drained*
 - *Mrs. Gail said that It depends because they have a rotation schedule but I will get that schedule for you*
- Please remember the recent fallen soldiers in your prayers. Specialist Moffat and Sanders.

Chairman Bullard commented:

I am thankful for the grant funds that Representative Jones has graciously help us receive and it feels good to be able to upgrade all these schools. Also, thank you to the family of Mr. Spaulding and Reverend Flowers for coming out and sharing your stories, it has been a great day.

B. County Manager

County Manager Eddie Madden commented:

- It has been a really good day and I am also thankful for the efforts of our Representative Brenden Jones for the grant for the eastern end of the county.

- DH Griffin, a construction company, is in the workings of starting the demolition of the former Sheriff's Office Building, we were successful by working with them and identifying some of the more cost effective ways to handle things and reduced the total cost by \$16,000. I would like to thank Stuart Carrol for working on that.
- Remember the Budget retreat is February 28th
- You have all been invited to the raising the bell ceremony tomorrow at Southeastern Community College

Vice Chairman Byrd commented that the construction crew right in front of Hallsboro Baptist Church, there are ruts near the fire hydrant, it looks like log trucks have been going through there. Could we please fix that and maybe put some more soil there, if not it may mess up the water lines.

Agenda Item #22: ADJOURNMENT:

MOTION:

At 8:00 P.M., Commissioner Smith made a motion to adjourn; seconded by Commissioner Floyd The motion unanimously passed.

JANA NEALEY, Clerk to the Board

RICKY BULLARD, Chairman