

March 8, 2011

County of Greene, Virginia

THE BOARD OF SUPERVISORS MET ON TUESDAY, MARCH 8, 2011 AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Steve Catalano, Chairman
Clarence Peyton, Vice Chairman
Jim Frydl, Member
Carl Schmitt, Member
Mike Skeens, Member
Ray Clarke, County Attorney
Barry Clark, County Administrator
Patti Vogt, Deputy Clerk

RE: EXECUTIVE SESSION

Upon motion by Clarence Peyton and unanimous vote, the Board entered into Executive Session to discuss legal and personnel matters pursuant to Section 2.2-3711 Subsection (a, 1-7) of the Code of Virginia.

Contract Matters:

- Water and Sewer
- Maintenance

Land Acquisition:

- Water and Sewer

Legal:

- Pending litigation

Personnel:

- Administration
- Extension Office

Various Appointments:

- EDA

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

Upon motion by Clarence Peyton and unanimous vote, the Board returned to Open Session.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

By unanimous vote, all members certified that only public business matters lawfully exempted from the Open Meeting requirement and only such matters as identified by the motion to enter into Executive Session were discussed.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: ECONOMIC DEVELOPMENT AUTHORITY

Upon motion by Clarence Peyton and unanimous vote, the Board appointed Mr. Don Pamenter, Mr. William LoFiego, and Mr. Chad Kelley to the Economic Development Authority.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: RESOLUTION – AIR MAN FIRST CLASS CUDDEBACK

The Chairman read a resolution in honor of Airman First Class Zachary Cuddeback who was killed on March 2, 2011 in Germany.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the resolution in honor of Airman First Class Zachary Cuddeback. (See Attachment "A")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: PUBLIC MEETING

The Chairman opened the meeting with the Pledge of Allegiance followed by a moment of silence in honor of Airman First Class Zachary Cuddeback.

RE: PUBLIC HEARING – LEASE OF COUNTY PROPERTY TO PVCC

This public hearing was held pursuant to Section 15.2-1800B of the Code of Virginia, as amended, to consider the leasing of County property (the top floor of the Library/Senior Center Building at 222 Main Street, Stanardsville) to Piedmont Virginia Community College for use as a satellite campus.

Mr. Barry Clark, County Administrator, said representatives of the Fried Companies and PVCC have expressed interest in leasing this space for a satellite campus. This would benefit students who currently drive to PVCC for classes. The space is vacant and has never been finished. Space would be provided free of charge and PVCC would complete the space for classrooms.

Mr. Ken Lawson, Fried Companies, provided a term sheet. The actual lease will take time to draft. A public hearing is required as this will be a long term lease.

The Chairman opened the floor for public comment. Mr. Roy Dye, STAR, said this project will be “a real shot in the arm” for the Stanardsville revitalization effort. He enthusiastically endorsed the PVCC satellite campus project.

Dr. Frank Friedman, President of PVCC, said this will take the project one step closer to providing education opportunities for the citizens of Greene County.

The Chairman closed the public hearing.

Mr. Peyton thanked Mr. Lawson and Dr. Friedman for their efforts in this regard. He questioned renting the space to the general public to offset costs. Would the County have an opportunity to use space without charge? Dr. Friedman said the County would not be charged for use of space.

Mr. Peyton said the loan on the building is close to being paid off and asked if there is a problem with PVCC using the space. The County Administrator will verify.

Mr. Schmitt suggested a “sunset clause” if the County would need office space. Mr. Lawson said they would agree to such a clause if, for some reason, the space was not built out but the lease will be for the full 25 years.

Mr. Skeens noted there are high school seniors who are taking courses at PVCC. Dr. Friedman said once this happens they will be able to expand what is offered.

Mr. Frydl felt this is a great opportunity for the County and PVCC.

The Chairman read the last paragraph on the term sheet as follows: “Neither party shall have any obligation to proceed to the completion of a formal agreement. Until such time as a mutually acceptable Deed of Lease on a standard VCCS form has been executed and delivered by each of the parties, neither party may take any action based upon any assumption that an agreement or obligation exists, and each party shall have the right to terminate discussions at any time, with or without cause. Upon such termination, neither party shall have any further obligation to the other.”

Mr. Catalano said this will be great for the County. He said he couldn’t be more pleased as he always supported the space being used for the community and not government offices.

Dr. Friedman said their main focus right now is fund raising and curriculum will be determined later.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the proposed leasing of County property (top floor of the Library/Senior Center Building at 222 Main Street, Stanardsville) to Piedmont Virginia Community College for use as a satellite campus.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: PUBLIC HEARING – AMEND GREENE COUNTY CODE

This public hearing was to consider amending the Greene County Code, Chapter 35, Article II, Section 35-53 – Election Districts – to move Stanardsville Voting Precinct from the Stanardsville Fire House to the American Legion Hall located on Route 230.

Mrs. Ellen Deane, Chair of the Electoral Board, said the move is requested because of the problems experienced with parking at the fire house. The Electoral Board had to hire crossing guards for the presidential election to ensure safe crossing of Route 622 for citizens who had parked at the high school.

Mr. Skeens asked if the American Legion Hall site would meet parking requirements. Mr. Svoboda said the Building Official concurs with the Electoral Board’s findings as far as ADA accessibility. There will have to be upgrades to the parking surface to meet ADA requirements. Mrs. Deane said the building was inspected and there are a couple of minor things that need to be completed.

The Chairman noted the site must meet requirements of the State Electoral Board and also requirements for public occupancy.

Mrs. Deane said the Electoral Board would like to time this change with the redistricting to avoid duplicate mailings.

Mr. Peyton noted the entrance off Route 230 is still within the 55 mph zone and asked about the placement of signs on Election Day to alert drivers. Mr. Norman Slezak noted the fence row has been cleaned out and this has helped tremendously with site distance.

Mr. Frydl asked what options the County has if the improvements aren’t done. Mrs. Deane said the building must meet requirements and the owners of the building are interested in complying. Mr. Svoboda said there would be sufficient time to reverse this decision if necessary.

Mr. Schmitt asked about the redistricting process. Mrs. Deane said the State has not completed their redistricting. Mr. Svoboda said he will be meeting with the Registrar to discuss the redistricting process.

The Chairman opened and closed the public hearing as there were no comments from citizens.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the amendment to the Greene County Code as proposed. (See Attachment “B”)

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: REGION TEN COMMUNITY SERVICES BOARD

Mr. Steven Stern, Chairman of the Region Ten Community Services Board, and Mr. Morgan Lanier, Director of the Greene Counseling Center, were present.

Mr. Lanier reviewed services provided which include targeted case management, out patient therapy/counseling, substance abuse/addiction services, individual/group counseling, mental health support services, and crisis intervention.

Mr. Steven Stern said the Wounded Warrior Program, which provides services to veterans and their families for any stress related problem as well as traumatic brain injuries resulting from service in combat areas, is offered through Region Ten. Mr. Ben Shaw is the Veteran Peer Specialist for that program.

Mr. Stern spoke on public mental health care services. Medicaid reimbursements comprise 61% of Region Ten's overall funding. In response to National Healthcare Reform, the State is looking toward a managed care approach to administering Medicaid dollars. As experienced in other States, if Medicaid administration is privatized, this will likely lead to the fragmentation of the system of care and an immediate 15-20% decrease in available resources. If the Community Service Boards would be awarded a contract to self-manage Medicaid, there will be more dollars, flexibility, and cohesion in service provision.

The Region Ten Board requests the Board of Supervisors to help lobby State Legislature in favor of CSB self-management of Medicaid. Also asks the County to partner with local stakeholders to proactively plan a local system of care, including identifying solutions to funding shortfalls. The Board of Supervisors is also urged to support the VACSB proposal to manage the State Medicaid dollars which will prevent "for profit" HMOs from taking scarce resources from our community and leaving the localities to fund lost services out of local dollars.

Mr. Stern said the goal is to provide information so in the future everyone will be on the "same page" and able to make rational decisions.

The Chairman thanked Mr. Stern and Mr. Lanier for attending the meeting.

RE: MATTERS FROM THE PUBLIC

AIC CUDDEBACK

Mr. Norman Slezak said The American Legion will present a banner at the memorial service for AIC Cuddeback.

PARK

Mr. Slezak suggested renting porta potties with self-contained washing facilities for use at the Park.

TAX RELIEF FOR THE ELDERLY

Mrs. Patsy Morris asked the Board to consider raising the limits for tax relief for the elderly. There has not been a raise in Social Security for years and recipients must meet the deductible for Medicare coverage.

RE: CONSENT AGENDA

Upon motion by Mike Skeens and unanimous vote, the Board approved the following items on the consent agenda:

- Minutes of February 8, 2011 and February 22, 2011 meetings.

- Approval of revised Substance Abuse Policy for Greene County Transit, Inc. (See Attachment "C")
- Approval of amended bylaws for Parks and Recreation Advisory Committee. (See Attachment "D")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

Upon motion by Mike Skeens and unanimous vote, the Board approved the following items on the consent agenda with the condition that no additional local funds are required.

- Authorization for Sheriff's Office to apply for grant in the amount of \$25,377 from DMV for highway safety.
- Authorization for Sheriff's Office to apply for funding in the amount of \$28,920 from the Rescue Squad Assistance Fund (RSAF) Grant Program for Emergency Medical Dispatch (EMD) Software.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

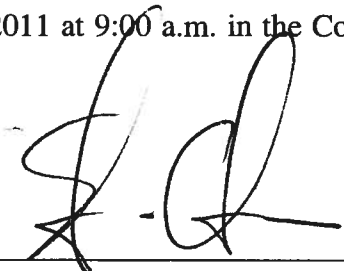
RE: OTHER MATTERS FROM THE BOARD

BUDGET WORKSHOP

The Chairman noted the Board will be holding budget workshops tomorrow starting at 9:00 a.m. in the County Meeting Room.

RE: CONTINUED MEETING

The meeting was continued to March 9, 2011 at 9:00 a.m. in the County Meeting Room for a budget workshop.



Steve Catalano, Chairman
Greene County Board of Supervisors

Board of Supervisors
March 8, 2011
Attachment "A"

RESOLUTION

WHEREAS, Airman First Class Zachary Ryan Cuddeback was a resident, along with his family, of Greene County; and

WHEREAS, Airman First Class Cuddeback enlisted in the United States Air Force in 2009 and was serving his nation in the Republic of Germany; and

WHEREAS, on Wednesday, March 2, 2011, Airman First Class Cuddeback was killed when a gunman opened fire on a bus at the Frankfurt airport in Germany,

NOW THEREFORE BE IT RESOLVED that the Greene County Board of Supervisors recognizes the sacrifices of the Cuddeback family and honors the memory of a young man who died while serving his nation. Airman First Class Cuddeback upheld the principles of duty, honor and courage, and died to protect our freedom.

Adopted in Open Meeting this 8th day of March, 2011.



A handwritten signature in black ink, appearing to read "S. Catalano", written over a horizontal line.

Steve Catalano, Chairman
Greene County Board of Supervisors

A handwritten signature in black ink, appearing to read "Barry J. Clark", written over a horizontal line.

Barry J. Clark
County Administrator

ELECTIONS

§ 35-54

ARTICLE I. IN GENERAL (RESERVED)

Secs. 35-1—35-50. Reserved.

ARTICLE II. BOUNDARY LINES OF ELECTION DISTRICTS

Sec. 35-51. Authority.

Pursuant to authority contained in Code of Virginia §§ 15.1-37.4 through 15.1-37.9, 15.1-571 and 15.1-571.1 and 24.1-37 through 24.1-40, the election districts and their respective polling places for Greene County, Virginia, are hereby created and established as set forth in this article.

(Ord. of 5-8-01)

Sec. 35-52. Magisterial districts.

The Magisterial Districts of Greene County, with boundary lines and names thereof respectively as constituted and known on the day before this article takes effect, shall remain the same, but representation of the governing body shall be by election districts hereinafter described.

(Ord. of 5-8-01)

Sec. 35-53. Election districts.

The election districts, with populations and polling places set forth are as follows:

<i>Name</i>	<i>Population</i>	<i>Polling Place</i>
Ruckersville	5280	Ruckersville Fire Station
Stanardsville	4985	American Legion Hall
Monroe - Swift Run Precinct	3338	Greene County Vo Tech Center
Monroe - Dyke Precinct	1641	Dyke Fire Station
<i>Monroe - (Total)</i>	4979	

(Ord. of 5-8-01)

Sec. 35-54. Boundaries of election districts.

The boundaries of the respective election districts are as set forth below:

Ruckersville Election District

Beginning at the intersection of the Rapidan River and U.S. Route 29 (Seminole Trail) and following U.S. Route 29 in a southern direction until its intersection with State Route 645 (Moore Road), following State Route 645 in a southern direction until its intersection with State Route 33 (Spotswood Trail), following State Route 33 in a western direction until its intersection with State Route 743 (Advance Mills Road), following State Route 743 in a

Board of Supervisors
March 8, 2011
Attachment "C"

Greene County Transit, Inc.

Substance Abuse Policy

February 25, 2011

Greene County Transit, Inc.
Substance Abuse Policy
February 25, 2011

1.0 Policy

The Greene County Transit, Inc. is dedicated to providing safe, dependable, and economical transportation services to our passengers. Our employees are our most valuable resource and it is our goal to establish a work environment that provides safety and personal opportunity for growth. In meeting these goals it is our policy to (1) insure that employees are not impaired in their ability to perform assigned duties in a safe, productive manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; (3) prohibit the unlawful manufacture, distribution, possession, or use of a controlled substance; (4) to encourage employees to seek professional assistance when their ability to perform their assigned duties is impaired by alcohol or drug dependency or other problems.

2.0 Purpose

The purpose of this policy is to insure worker fitness for duty and to protect our employees, passengers, and the public from the risks posed by the misuse of alcohol and the use of prohibited drugs. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. The Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655 that mandates urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performances of safety-sensitive functions when there is a positive test result. The U.S. Department of Transportation (DOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens. In addition, the Federal government published 49 CFR Part 29, "The Drug-Free Workplace Act of 1988," which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA. This policy incorporates those requirements for safety-sensitive employees and others when so noted.

3.0 Applicability

This policy applies to all safety sensitive and non-safety sensitive employees when they are on transit property or when performing any transit related business. This policy applies to off site lunch periods or breaks when an employee is scheduled to return to work. Visitors, vendors, and contractor employees are governed by this policy while on transit premises and will not be permitted to conduct transit business if found to be in violation of this policy. All safety sensitive employees are required to participate in the drug and alcohol-testing program. This is a condition of employment. Greene County Transit, Inc. institutes a "zero-tolerance" drug and alcohol policy.

A safety sensitive function is any duty related to the safe operation of mass transit service including the operation of a revenue service vehicle, dispatch, maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, and any other employee who holds a Commercial Driver's License. A list of safety sensitive positions is as follows:

Bus/Van Drivers
Dispatch
Operations Technician
Dispatch Coordinator

4.0 Prohibited Substances

"Prohibited substances" addressed by this policy include the following:

4.1 Illegally Used Controlled Substances or Drugs

The use of any illegal drug or substance is prohibited at all times. Safety sensitive employees will be tested for Marijuana (which includes hemp products), Amphetamines (which includes methamphetamines and ecstasy), Opiates (which includes heroin, morphine, and codeine), Phencyclidine (PCP), and Cocaine. Any drug that is not approved for medical use by the

U.S. Drug Enforcement Administration or the USDA is also included. Illegal use includes use of any illegal drug, misuse of a legally prescribed drug, and use of illegally obtained prescription drugs. Safety sensitive employees will be tested for Marijuana, Cocaine, Amphetamines, Opiates, and PCP.

4.2 Prescription / Over the Counter Medications

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 the Transit Director. The employee must also obtain a written release from an attending physician to resume their job duties any time they obtain a performance altering prescription.

A legally prescribed drug means that an individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing transit business is prohibited.

4.3 Alcohol

The use of beverages containing alcohol or substances including any medication, mouthwash, food, candy, or any other substance such that alcohol is present in the body while performing transit business is prohibited. The concentration of alcohol is expressed in terms of alcohol per 210 liters of breath as measured by an evidential breath-testing device. Alcohol has many adverse effects on individuals. It can cause a decrease in the accuracy of work that is done, slows response time, and creates dangerous working conditions. It can also impair a person's health and personal life in many different ways.

- A. Dulled mental processes
- B. Lack of coordination
- C. Odor of alcohol on breath
- D. Possible constricted pupils
- E. Sleepy or stuporous condition
- F. Slowed reaction rate
- G. Slurred speech

When an alcohol problem is suspected, there are several methods of intervention. They include:

- A. Inquire and observe
- B. Isolate and inform the employee
- C. Review Findings
- D. Make reasonable suspicion decision

4.3 Prescription/ Over the Counter Medication Reporting

Before beginning a work shift, an employee must report to his or her supervisor the use of prescription or over-the-counter drugs and other substances. It is the employee's responsibility to determine from the physician, practitioner, or pharmacist whether or not job performance would be impaired.

5.0 Prohibited Conduct

5.1 Manufacture, Trafficking, Possession, and Use

Transit system employees are prohibited from engaging in the unlawful manufacture, distribution, possession, or use of prohibited substances on transit authority premises, in transit vehicles, in uniform, or while on transit authority business. Employees who violate this provision will be discharged. Law enforcement shall be notified, as appropriate, where criminal activity is suspected.

5.2 Intoxication/Under the Influence

Any safety sensitive or non safety sensitive employee who is reasonably suspected of being intoxicated, impaired, under the influence of a prohibited substance, or is not fit for duty shall be suspended from job duties pending an investigation and verification of condition. Employees found to be under the influence of a prohibited substance or who fail to pass a drug or alcohol test shall be removed from duty and subject to disciplinary action. A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds or if an employee refuses to test.

5.3 Alcohol and Drug Use

No safety sensitive or non safety sensitive employee should report for duty or remain on duty when his/her ability to perform assigned safety sensitive functions is adversely affected by alcohol or when his/her breath alcohol concentration level is 0.02 or greater. No safety sensitive or non safety sensitive employee shall use alcohol while on duty, in uniform, while performing safety sensitive functions, or just before or just after performing these functions. No employee shall use alcohol within four hours of reporting for duty, up to eight hours following an accident, or during on call hours. Violation of these provisions is prohibited and punishable by disciplinary action up to and including termination.

All safety sensitive employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in 49 CFR Part 40, as amended. Violation of these provisions is prohibited and punishable by employee termination.

5.4 Compliance with Testing Requirements

All employees will be subject to urine drug testing and breath alcohol testing as a condition of employment. Any employee who refuses to comply with a request for testing shall be removed from duty and their employment terminated. Any employee who is suspected of providing false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination, adulteration, or substitution will be required to undergo an observed collection. Verification of falsifying test results will result in the employee's removal from duty and their employment terminated. Refusals can include the inability to provide sufficient urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test, leaving the scene of an accident without a valid reason before the tests have been conducted, and not reporting to the collection site in the allotted time. Drug tests can be performed any time a safety sensitive employee is on duty. An alcohol test can be performed just before, during, or just after an employee has performed a safety sensitive duty.

5.5 Treatment Requirements

- A) All employees are encouraged to make use of the available resources for treatment for alcohol misuse and illegal drug use problems. Under certain circumstances, employees may be required to undergo treatment for substance abuse or alcohol misuse. The cost of any treatment or rehabilitation services will be paid for directly by the employee or their insurance provider.

- B) The Greene County Transit will only release testing records and results under the following circumstances:
 - A) When an employee gives written instruction that the transit system may release information of copies of records regarding an employee's test results to a third party or subsequent employer.
 - B) When, due to a lawsuit, grievance, or proceeding initiated on behalf of the employee tested, the result must be released to the decision-maker in the case.
 - C) When an accident investigation is being performed by the National Transportation Safety Board and the post accident test results are needed for the investigation.
 - D) When records are requested by the DOT or any DOT agency with regulatory authority over the employer or any of its employees or to a state oversight agency authorized to oversee rail fixed guideway systems.

- E) When an employee provides a written request for copies of his/her records relating to the tests (can not be contingent on payment)

5.6 Notifying the Transit System of Criminal Drug Conviction

All employees are required to notify the transit system of any criminal drug statute conviction for a violation occurring in the workplace within five days after such a conviction. Failure to comply with this provision will result in disciplinary action up to and including termination.

5.7 Proper Application of the Policy

The Greene County Transit, Inc. 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.

5.8 Training and Education Requirements

Each employee must receive 60 minutes of training on drugs. Each supervisor must receive 60 minutes of training on drugs and alcohol for reasonable suspicion and signs and symptoms of misuse.

6.0 Testing Procedures

A) Analytical urine drug testing and breath testing for alcohol may be conducted when circumstances warrant or as required by Federal regulations. All employees shall be subject to testing prior to employment, for reasonable suspicion, following an accident, random draw, return to duty, and follow up testing as required.

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 Services. All testing will be conducted consistent with the procedures put forth in 49 CFR part 40, as amended. Employees will be informed on the day of their test that they are required to go for drug and/or alcohol testing. The employee must proceed to the collection site as soon as they are informed. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the testing procedure, and the validity of the test result.

The drugs that will be tested for include marijuana, cocaine, opiates, amphetamines, and phencyclidine. Urine specimens will be collected using the split specimen collection method described in 49 CFR part 40, as amended. Each specimen will be accompanied by a DOT Chain of Custody and Control Form and identified using a unique identification number that attributes the specimen to the correct individual. An initial drug screen will be conducted on the primary urine specimen. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR part 40, as amended. The test results from the laboratory will be reported to the Medical Review Officer (MRO). A MRO will contact the employee, notify the employee of the positive lab result, and provide the employee with an opportunity to explain the confirmed test result. The MRO will subsequently review the employee's medical history/medical records to determine whether there is a legitimate medical explanation for a positive lab result. If no explanation is found, the test will be verified positive and reported to the company program manager. If a legitimate explanation is found, the MRO will report the test result as negative.

The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary is positive, the split will be retained for testing if so requested by the employee through the Medical Review Officer. Employees do not have access to a test of their split specimen following an invalid result.

Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA) approved testing device operated by a trained technician. If the initial test indicated an alcohol concentration of 0.02 or greater, a second test will be performed using a NHTSA approved evidential breath testing device (EBT) which is operated by a Breath Alcohol Technician (BAT). 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.

A safety-sensitive employee who has a confirmed alcohol concentration of greater than 0.02 but less than 0.04 will be removed from his/her position for eight hours unless a retest results in a concentration measure of less than 0.02. The inability to perform safety-sensitive duties due to an alcohol test result of greater than 0.02 but less than 0.04 will be considered an unexcused miss out subject to transit system disciplinary procedures. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy and a violation of the requirements set forth in 49 CFR Part 655 for safety-sensitive employees. The employee will be terminated from his/her position, informed of educational and rehabilitation programs available, and referred to a Substance Abuse Professional for assessment. A positive drug and/or alcohol test will result in employee termination. The transit system affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. In addition, if at any time the integrity of the testing procedure or the validity of the test result is compromised, the test will be cancelled.

C) Testing Categories

- 1) **Pre-Employment Testing:** All safety-sensitive position applicants shall undergo urine drug testing prior to hire or transfer into a safety-sensitive position. Receipt by the transit system of a negative drug test result is required prior to employment. Failure of a pre-employment drug test will disqualify an applicant for a period of 120 days. Evidence of the absence of drug dependency from a Substance Abuse Professional that meets with the approval of the company and a negative pre-employment will be required prior to further consideration for employment. All cost for treatment will be the sole responsibility of the individual. A pre-employment test will also be performed anytime an employee's status changes from an inactive status in a safety-sensitive position.
- 2) **Reasonable Suspicion:** All safety-sensitive employees may be subject to a fitness for duty evaluation, and urine and/or breath testing when there are reasons to believe that drug or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with short-term effects of substance abuse or alcohol misuse. Examples of reasonable suspicion include, but are not limited to, the following:
 - A. Physical signs and symptoms consistent with prohibited substance use or alcohol misuse.
 - B. Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substance.
 - C. Occurrence of a serious or potentially serious accident that may have been caused by prohibited substance abuse or alcohol misuse.
 - D. Fights, assaults, and flagrant disregard or violations of established safety, security, or other operating procedures.
- 3) **Post Accident Testing:** All safety sensitive employees will be required to undergo urine and breath testing if they are involved in an accident with a Greene County Transit vehicle that results in a fatality. In addition, a post accident test will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility; or one or more vehicles incurs disabling damage; unless the employee can be completely discounted as a contributing factor to the accident. The accident definition may include some incidents where an individual is injured even though there is no vehicle collision. Following an accident, the employee will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing. Any employee involved in an accident must refrain from alcohol use for eight hours following the accident or until he/she undergoes a post accident alcohol test. Any employee who leaves the scene of the accident without justifiable explanation prior to submission to drug and alcohol testing will be considered to have refused the test and their employment terminated. If an employee is not readily available to test, this will be considered a refusal, and termination will occur. If, due to unforeseen problems, the transit system is unable to perform a FTA drug and alcohol test, the system may use drug and alcohol test results administered by state and local law enforcement officials.
- 4) **Random Testing:** Employees will be subjected to random, unannounced testing. The selection will be made using a scientifically valid method that ensures each employee the opportunity to be tested. The random tests are unannounced and spread throughout the day. Employees are required to proceed immediately to the

collection site upon notification of their random selection. Random testing rates are 25% for drug testing and 10% for alcohol testing.

- 5) **Return to Duty Testing:** All employees who previously tested positive on a drug or alcohol test must test negative on a return to duty test and be evaluated and released to duty by a Substance Abuse Professional before returning to work.
- 6) **Follow up Testing:** Employees will be required to undergo frequent, unannounced urine and/or breath testing following their return to duty. 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.

Observed Collections are required in the following circumstances:

- All return to duty tests
- All follow up tests
- Original specimen collected was out of accepted temperature range (90 – 100 f)
- Original specimen appeared to be tampered with
- Collector observes materials brought to collection site
- Laboratory reports to MRO that original specimen was invalid without a medical explanation
- MRO determines original specimen was positive, adulterated, or substituted, but had to be cancelled because the test of the split specimen could not be performed.

Test Refusals:

The following behaviors constitute a test refusal:

- Failure to appear for any test, except pre-employment, within a reasonable time
- Failure to remain at testing site until the testing process is complete
- Failure to provide a urine specimen for any required drug test
- Failure to permit the observation of the specimen collection when required to do so
- Failure to provide a sufficient amount of urine when directed, without a medical explanation
- Failure to take a second test when directed to do so by the MRO or employer
- Failure to cooperate with any part of the testing process
- Failure to follow the observer's instructions during an observed collection
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process
- Admit to the collector or MRO that you adulterated or substituted the specimen

Any employee who tests positive for the presence of illegal drugs or alcohol above the minimum thresholds set forth in 49 CFR Part 40, as amended, will be terminated and referred for evaluation by a SAP. The SAP will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited drug use or alcohol misuse. Assessment by a SAP or participation in the company's Employee Assistance Program does not shield an employee from disciplinary action or guarantee employment or reinstatement with the transit system. The Greene Co. Transit Disciplinary Code should be consulted to determine the penalty for performance based infractions and violation of policy provisions.

6.2 System Contact

Any questions regarding this policy or any other aspect of the drug free and alcohol free transit program should contact the following Greene County Transit, Inc. representative:

Program Manager (Contact Person):

Ginger Morris
Greene County Transit Director
434-985-5205

Drug and Alcohol Program Manager:

Ginger Morris
Greene County Transit, Inc.
434-985-5205

Kelly Forloines
Greene County Transit, Inc.
434-985-5205

Designated Employee Representatives:

Ginger Morris – (434) 985-5205
(434) 985-2546 after 4:00 p.m.
(434) 939-7192

Kelly Forloines – (434)985-5205
(434) 466-2476

Roger Morris – (434)985-5205
(434)985-2546
(434)962-5205

Medical Review Officer:

Dr. William G. Talbott, MD
First Med. Inc.
125 Riverbend Drive
Charlottesville, Va. 22911
434-984-4200

Substance Abuse Professionals:

First Step
105 S. Pantops Drive, Suite A-1
Charlottesville, Va. 22911
434-295-0334

Consortium:

First Med. Inc.
125 Riverbend Dr.
Charlottesville, Va. 22911
434-984-4200

Safety Sensitive Functions
Greene Co. Transit, Inc.

Full Time Bus Drivers
Part Time Bus Drivers
Operations Technician
Dispatch Coordinator
Dispatcher

*Or any others who operate a revenue service vehicle (whether or not the vehicle is in revenue service), dispatch (anyone who controls revenue service vehicles' movement), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, and any other employee who holds a Commercial Driver's License.

*All provisions set forth are consistent with requirements specifically set forth in 49 CFR Part 655 and part 40 as amended.

Transit Manager Approval: Henry M. Morris

Date Approved: 2/25/11

Board of Supervisors Approval: _____

Date Approved: _____



GREENE COUNTY TRANSIT, INC.

P.O. Box 437
Stanardsville, Virginia 22973

TRANSIT ADMINISTRATOR
Ginger M. Morris

Phone (434) 985-5205
Fax (434) 985-5218

Employee Drug and Alcohol Testing

Date of Notice: _____ **Time of Notice:** _____

Please proceed immediately to First Med, Inc. * 125 Riverbend Dr. * Charlottesville, Va. 22911

Arrival time at site: _____ **Receptionist Signature:** _____

For First Med, Inc. testing personnel:

If, at any time, during the testing procedure, a problem arises, please note the following Designated Employee Representatives that are available for contact:

1. **Ginger Morris**
434-985-5205
434-985-2546 (home, after 4:00 p.m.)
434-939-7192 (cell)
2. **Kelly Forloines**
434-985-5205
434-466-2476 (cell, after 4:00 p.m.)
3. **Roger Morris**
434-985-5205
434-985-2546 (home, after 4:00 p.m.)

Greene County Parks and Recreation

Advisory Committee Bylaws

The Greene County Parks and Recreation Advisory Committee has adopted the following articles in order to provide guidance to the members in the performance of their duties, and to inform other interested individuals about the purposes and activities of the Committee.

ARTICLE 1

That there is hereby created a Committee to be known as the Greene County Parks and Recreation Advisory Committee, hereinafter referred to as "the Committee".

ARTICLE 2

Purpose of the Committee

The Parks and Recreation Advisory Committee shall serve as the advisory body to the Parks and Recreation Department staff. The Committee shall serve as a liaison to the community to identify recreational needs and interests of County residents. It shall assist the Department in providing and promoting those programs in order to enrich the lives of Greene County residents. The Committee shall consult with and advise the Director of Parks and Recreation as well as the County Administrator, as appropriate, in matters affecting parks and recreation policies, programs, personnel, finances, capital improvements, park Master Plan, Site Plans and the acquisition, leasing, and disposition of lands and properties related to the community parks and recreation programs. This will include involvement in both short and long term planning for parks and recreation. Duties of the Committee are described further in Article 6.

ARTICLE 3

Membership

Section 1: The Committee shall consist of a minimum of five and not to exceed a maximum of fifteen members. Non-voting members to be one (1) representative of the Board of Supervisors and one or two (1 or 2) representatives of the Student Body Population/or Community Youth.

Members shall be recommended by the Greene County Department of Parks & Recreation as follows:

- All members shall serve at-large with the following exceptions:
- The School Board shall recommend a School System candidate to serve as school system representative, preferably the High School Athletic Director.
- The Director of Parks and Recreation shall serve as a member.

- The Board of Supervisors shall appoint a member to serve as a Board of Supervisors' representative.

The Board of Supervisors will make all official appointments to the Greene County Parks and Recreation Advisory Committee based on the above recommendations.

Section 2: Terms of office shall be for two years, staggered for continuity.

Section 3: At the discretion of the Chairman of the Parks and Recreation Advisory Committee, the Director of Parks & Recreation may remove any member of the Committee for failure to attend three consecutive meetings without prior notice.

Section 4: Vacancies occasioned by removal, resignation, or otherwise shall be reported to the Director of Parks & Recreation and shall be filled in like manner as original appointments, except that the term of office is restricted to the unexpired term of office.

Section 5: Committee members shall serve without monetary compensation. Members shall be reimbursed for travel and subsistence, professional recreation meetings, conferences and workshops, to the extent that such reimbursement is in compliance with the general policies of Greene County, included in the Department's budget, and is authorized by the Director of Parks and Recreation.

Section 6: Student Body/Youth Representative can serve a two year term and must be at least a sophomore.

ARTICLE 4

Officers:

Section 1: The officers of the Committee shall be a Chairperson and a Vice-Chairperson. The officers shall be elected at the organizational meeting in January to serve for one year or until a successor shall be elected.

Section 2: The Recording Secretary shall be an employee of the Department of Parks and Recreation or another County Department as appropriate.

Section 3: The Committee shall adopt Bylaws, rules, and regulations governing its procedure and not inconsistent with the provisions of the State laws and approved ordinances as set forth by the Greene County Board of Supervisors.

ARTICLE 5

Meetings:

Section 1: The time and place of regular meetings shall be designated by the Chairperson with concurrence of the Director of Parks and Recreation.

Section 2: Special meetings may be called by the Chairperson, the Director of Parks and Recreation, or on the written request of at least three members, the time and place to be designated in the notice of such a call.

Section 3: The first regular meeting in January of each year shall be called the organizational meeting. The purpose of this meeting shall be the election of officers, the presentation of the annual report, selection of time and place for meetings, and other business that may need to come before the Committee.

Section 4: A minimum of five voting members must be present at any duly constituted meeting in order to have the full authority of the Committee.

Section 5: All meetings are open to the public.

Section 6: Meetings shall be conducted in accordance with procedures prescribed in the Bylaws and decisions reached only after full consideration and debate on the issue(s) in question.

Section 7: The following shall be the order of business of the Committee, but the Rules of Order may be suspended and any matters considered or postponed by action of the Committee.

Section 8: Order of Business:

- a. Call to order.
- b. Roll call.
- c. Consideration of minutes of last regular meeting and of any special meetings held subsequently and their approval or amendment.
- d. Reports of the Committee Chairperson.
- e. Reports of the Director
- f. Petitions and communications
- g. Reports of standing committees.
- h. Reports of special committees.
- i. Unfinished business.
- j. New business.
- k. Adjournment.

ARTICLE 6

Duties and Responsibilities of the Committee

Section 1: The Parks and Recreation Advisory Committee shall make recommendations regarding the Master Plan for the current Community Park, as well as for future parks, playgrounds, recreation centers, water areas, or other recreation areas and structures. This will include construction, equipping,

operation, and maintenance of parks, playgrounds, recreation centers, and all buildings and structures necessary for the safe, useful and efficient functioning of the Department.

Section 2: The Committee shall assist with the research and application process of any grant request or donation, any personal or real property offered or made available for recreation purpose which is judged to be of present or possible future use for parks and recreational programming upon the approval of the County.

Section 3: Should the current Director vacate his/her position, the Committee will assist the County with the pre-selection of qualified applicants and make recommendations to the Greene County Board of Supervisors regarding candidates who possesses the necessary experience and training as demonstrated by their actual work history as it involves the organization and management of a community parks and recreation system. The Committee will provide a member who will be part of the County's Interview Team.

Section 4: The Committee shall act as a liaison between the community, the Parks and Recreation Department, and the Board of Supervisors.

Section 5: The Committee shall determine and establish the general policies to be followed in carrying out the purpose for which the Committee was established.

Section 6: Financial Duties and Responsibilities.

- a. The Committee shall have no authority to enter into any contract or incur any obligation binding the governing body of Greene County.
- b. The Committee and the Parks and Recreation Director shall work together to prepare and recommend to the County Administrator an annual budget sufficient to finance the programs of Parks and Recreation Department the Committee feels are necessary for the welfare of the residents of the County of Greene. The budget shall be submitted to the County Administrator and Finance Director. Actual financial operating results will be reviewed quarterly by the Committee and the Director.
- c. The Committee and the Parks and Recreation Director shall work together to annually recommend to the Board of Supervisors a budget for capital improvements (acquisition and development) in accordance with the Master plan for Parks and Recreation for the County.

Section 7: Planning Duties and Responsibilities:

- a. The Committee and the Parks and Recreation Director shall work together to prepare a Master Plan in cooperation with the Planning Department for the acquisition and development of an adequate system of parks, facilities, and recreation programs for the residents of the County of Greene and update same annually, consistent with the County's Master Plan.

- b. The Committee and the Parks and Recreation Director shall work together to investigate and determine the needs and interests of the entire community for recreation facilities, and programs, and to determine which of these needs are being met by other sources. They shall recommend a recreation program to meet these needs, which will avoid duplication of services and provide the widest possible range of programs to all the different segments of the community within the budget available.
- c. The Committee and Director shall work together each June to prepare a Planning Calendar for the Committee's functions, to guide its activities during the upcoming fiscal year.

ARTICLE 7

Section 1: Parks and Recreation Director's Relationship: The Director shall have a continuing responsibility to explain the organization, responsibilities, and working relations to the Committee, explain program objectives to them, assist them in details of organization, and assist in all matters related to a well functioning and effective organization. The Parks and Recreation Director shall work closely with the Committee in matters of interest to the operation of efficient programs. The Director is a voting ex-officio member (by virtue of his/her office) and attends Committee meetings. The Director keeps the Committee informed concerning interests, needs, objectives, progress, plans, and other factors of importance to them. The Parks and Recreation Director shall be the official medium of communication between employees of the Parks and Recreation Department and the Committee.

Section 2: Chairperson: The Chairperson shall preside at all meetings, sign official papers of the Committee, appoint committees, call special meetings when he/she deems it advisable, and perform all such duties as usually handled by a chairperson, except when such duties are properly delegated. The Chairperson may succeed himself/herself and shall be elected from among the members who have served on the Committee for more than one year.

Section 3: Vice-Chairperson: The Vice-Chairperson of the Committee in the absence of the Chairperson shall perform all the duties of the Chairperson. In the absence of both the Chairperson and the Vice-Chairperson, the Committee shall elect a Chairperson Pro Tempore who shall perform all duties of the Chairperson. The Vice-Chairperson shall be charged with the responsibility to see that all standing and temporary committees function as planned by the Committee.

Section 4: Recording Secretary: The Recording Secretary shall keep or cause to be kept a full and true permanent record of all meetings of the Committee. This includes regular and special meetings plus reports of standing committees and shall be the custodian of all documents committed to his/her care. The Recording Secretary shall issue or cause to be issued notices of regular and special

meetings. Also, the Recording Secretary must issue minutes of the previous meeting to the Committee members prior to the meetings.

ARTICLE 8

The Parks and Recreation Committee Chairman shall make reports to the Board of Supervisors quarterly, or at such times as may be requested. The planning cycle of the Committee shall conform to the fiscal year of Greene County.

ARTICLE 9

Amendments:

These Bylaws may be amended by the membership of the Committee at any meeting at which there is a quorum, held after reasonable notice to the members of the Committee and upon concurrence of the Greene County Board of Supervisors.

Approved by:

Date

Chairperson, Board of Supervisors

Date

Chairperson, Parks and Recreation Committee

Date

Director, Parks and Recreation Department