

# PUTNAM COUNTY BOARD OF COMMISSIONERS

1



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Agenda

**Tuesday, December 17, 2019 ♦ 6:30 PM**

Putnam County Administration Building – Room 203

### Opening

1. Welcome - Call to Order
2. Invocation - Rev. Pete Mattix
3. Pledge of Allegiance (staff)

### Zoning Public Hearing

4. Request by Gene Holder to rezone 10.23 acres at 341 Firetower Road from AG-1 to R-2 [Map 002, Parcel 014003, District 1] (staff-P&D)

### Regular Business Meeting

5. Approval of Agenda
6. Public Comments
7. Consent Agenda
  - a. Approval of Minutes - December 6, 2019 Regular Meeting (staff-CC)
  - b. Approval of Minutes - December 6, 2019 Executive Session (staff-CC)
  - c. Approval of Minutes - December 6, 2019 Work Session (staff-CC)
  - d. Approval of 2020 Alcohol Licenses (staff-CC)
8. Request from EMS to purchase five Stryker Lifepack 15 Monitors and three Lucas 3 devices (staff-EMS)
9. Approval of Changes to the Putnam County Personnel Policy (staff-HR)
10. Approval of GDOT Drug and Alcohol Policy (staff-HR/Transit)
11. Authorization for Chairman to sign Resolution for Putnam General Hospital Referendum
12. Approval of First Amendment to the By-Laws of Eatonton-Putnam Water and Sewer Authority (BW)
13. Surplus Fixed Assets for Sale (staff-Finance)
14. Approval of 2020 BOC Meeting Schedule (staff-CC)

### Reports/Announcements

15. County Manager Report
16. County Attorney Report
17. Commissioner Announcements

### Executive Session

18. Enter Executive Session as allowed by O.C.G.A. 50-14-4 for Personnel, Litigation, or Real Estate
19. Reopen meeting and execute Affidavit concerning the subject matter of the closed portion of the meeting
20. Action, if any, resulting from the Executive Session

### Closing

21. Adjournment

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item Attachment Documents:**

- 4. Request by Gene Holder to rezone 10.23 acres at 341 Firetower Road from AG-1 to R-2 [Map 002, Parcel 014003, District 1] (staff-P&D)

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance by calling the ADA Compliance Officer at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item #4.**

**Request by Gene Holder to rezone 10.23 acres at 341 Firetower Road from AG-1 to R-2. [Map 002 Parcel 014003, District 1]. \***

**PLANNING & DEVELOPMENT-LISA JACKSON STAFF RECOMMENDATION:**

The applicant is requesting to rezone 10.23 acres in order to cut out 2 acres. This is a nonconforming AG-1 lot and it must be rezoned in order to subdivide the parcel. Mr. Holder stated that he and his son currently share a home on the 10.23-acre lot. He would like to cut out 2 acres with the existing home for his son and place a home on the remaining 8.23 acres for himself. The Putnam County Code of Ordinances Section 66-73(a) states that the minimum lot size for AG-1 zoning district is 20 acres. The proposed R-2 zoning district will allow the applicant to cut out 2 acres for residential use. Although the Future Land Use Comprehensive Plan has this area designated for Park/Recreation/Conservation, this is a rural residential area with a combination of agricultural and residential parcels. Therefore, the proposed rezoning is consistent with the current use of the adjacent parcels and poses no adverse effect to this community. Moreover, this rezoning to R-2 will not adversely impact the use of public facilities or services. Likewise, the proposed use is consistent with the stated purpose of the R-2 district and will not adversely affect the existing use, value or usability of adjacent or nearby properties.

**Staff recommendation is for approval to rezone 10.23 acres at 341 Firetower Road [Map 002, Parcel 014003, District 1] from AG-1 to R-2. Request by Joe and Teresa Huey to rezone 14.81 acres at 169 Denham Road from AG-1 to AG-2. [Map 074, Parcel 044, District 2].**

**PLANNING & ZONING COMMISSION RECOMMENDATION:**

*Planning & Zoning Commission’s recommendation is for approval to rezone 10.23 acres at 341 Firetower Road [Map 002, Parcel 014003, District 1] from AG-1 to R-2.*

**PLANNING & ZONING COMMISSION MINUTES:**

The Putnam County Planning & Zoning Commission conducted a public hearing on Thursday, December 5, 2019 at 6:30 p.m. in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

PRESENT: Member Joel Hardie, Member Maurice Hill, Jr. (not eligible for voting due to training requirements), Member Martha Farley, Member Tim Pierson

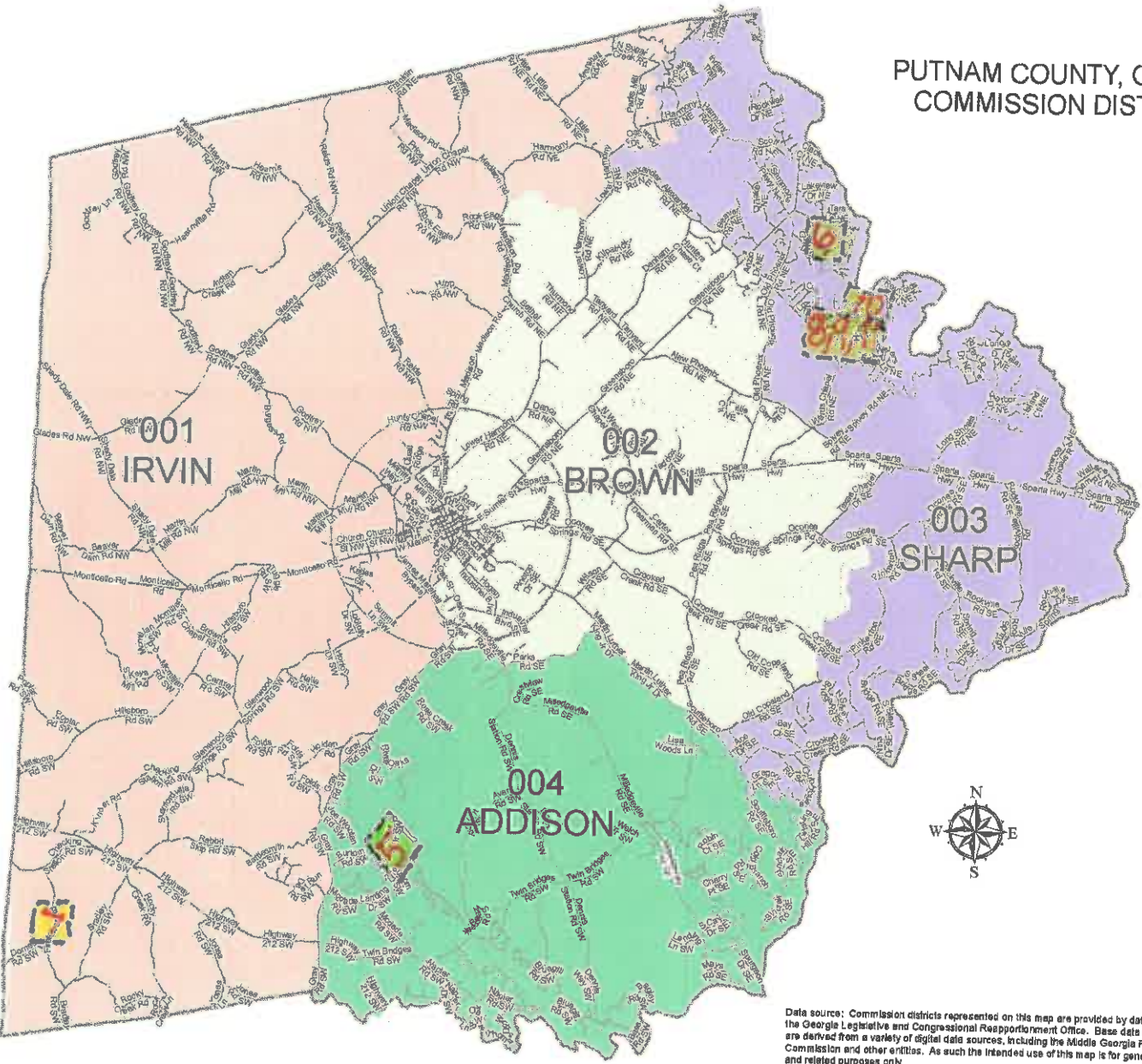
STAFF: Lisa Jackson, Courtney Andrews, Lynn Butterworth, Larry Kaiser

Request by **Gene Holder** to rezone 10.23 acres at 341 Firetower Road from AG-1 to R-2. **[Map 002 Parcel 014003, District 1].** \* Mr. Holder represented this request. He stated that he is currently living with his son and his son’s wife on the subject property. Mr. Holder added that he would like to have the property rezoned

in order to add a home on the property for himself. No one spoke in opposition of this request.

**Staff recommendation is for approval to rezone 10.23 acres at 341 Firetower Road [Map 002, Parcel 014003, District 1] from AG-1 to R-2.**

Motion to approve the request by **Gene Holder** to rezone 10.23 acres from AG-1 to R-2 at 341 Firetower Road made by Member Pierson, Seconded by Member Hardie  
Voting Yea: Member Farley, Member Pierson, Member Hardie



Data source: Commission districts represented on this map are provided by data from the Georgia Legislative and Congressional Reapportionment Office. Base data features are derived from a variety of digital data sources, including the Middle Georgia Regional Commission and other entities. As such the intended use of this map is for general planning and related purposes only.

MAP SCALE: 1" = 5,097.28' SCALE RATIO: 1:88,367.34 DATE: JUNE 2010

- 5. Request by **Chad & Meghan Shaw** for a side yard setback variance at 260 Anchor Pointe Drive. Presently zoned R-2. [Map 053B, Parcel 004, District 4].
- 6. Request by **Jonathan Hill**, agent for **Yancy & Angela Houston** for a side yard setback variance at 236 Eagles Way. Presently zoned RM-3. [Map 103B, Parcel 043026, District 3].
- 7. Request by **Gene Holder** to rezone 10.23 acres at 341 Firetower Road from AG-1 to R-2. [Map 002 Parcel 014003, District 1]. \*
- 8. Request by **Howard McMichael, Jr.** agent for **Millicent Arnold & Lawrence A. Copelan Jr.** to rezone 2.14 acres on Collis Road from R-1 to RM-3. [Map 104, Parcel 030, District 3]. \*
- 9. Request by **Howard McMichael, Jr.**, agent for **HJR Oconee, LLC** to rezone 50.8 acres on Collis Road from AG-1 to RM-3. [Map 104, Parcel 032, District 3]. \*
- 10. Request by **Howard McMichael, Jr.**, agent for **Millicent Arnold & L.A. Copelan Jr.** to rezone 0.63 acres on Doug Lane from R-1 to RM-3. [Map 104B, Parcel 001, District 3]. \*
- 11. Request by **Howard McMichael, Jr.**, agent for **Millicent Arnold & L.A. Copelan Jr.** to rezone 3.5 acres on Collis Road from R-1 to RM-3. [Map 104, Parcel 033, District 3]. \*

Item #4.



# PUTNAM COUNTY PLANNING & DEVELOPMENT

117 Putnam Drive, Suite B ♦ Eatonton, GA 31024

Tel: 706-485-2776 ♦ 706-485-0552 fax ♦ www.putnamcountyga.us

## APPLICATION FOR REZONING

APPLICATION NO. \_\_\_\_\_ DATE: 10/27/19

MAP 002 PARCEL 014003 DISTRICT 1

1. Name of Applicant: Gene Allen Holder

2. Mailing Address: 341 Fire tower Rd Hillsboro Ga.

3. Phone: (home) \_\_\_\_\_ (office) \_\_\_\_\_ (cell) 706-816-1229

4. The location of the subject property, including street number, if any: 341 Fire tower Rd. Hillsboro Ga. 31038

5. The area of land proposed to be rezoned (stated in square feet if less than one acre): 10.23 Acres

6. The proposed zoning district desired: R-2

7. The purpose of this rezoning is (Attach Letter of Intent) Out out 2 Acres For my son

8. Present use of property: residential Desired use of property: residential

9. Existing zoning district classification of the property and adjacent properties:

Existing: AG-1 Ga  
North: AG-1 Ga South: AG-2 Ga East: AG-1 Ga West: AG-1 Ga

10. Copy of warranty deed for proof of ownership and if not owned by applicant, please attach a signed and notarized letter of agency from each property owner for all property sought to be rezoned. ✓

11. Legal description and recorded plat of the property to be rezoned. ✓

12. The Comprehensive Plan Future Land Use Map category in which the property is located. (If more than one category applies, the areas in each category are to be illustrated on the concept plan. See concept plan insert.): \_\_\_\_\_

13. A detailed description of existing land uses: farm



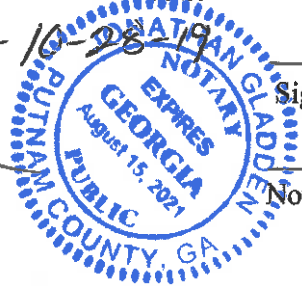
14. Source of domestic water supply: well ✓, community water \_\_\_\_\_, or private provider ✗. If source is not an existing system, please provide a letter from provider.

- 15. Provision for sanitary sewage disposal: septic system ✓, or sewer \_\_\_\_\_. If sewer, please provide name of company providing same, or, if new development, provide a letter from sewer provider.
- 16. Complete attachment of Disclosure of Campaign Contributions Form by the applicant and/or the applicant's attorney as required by the Georgia Conflict of Interest in Zoning Act (O.C.G.A. 36-67A).
- 17. The application designation, date of application and action taken on all prior applications filed for rezoning for all or part of the subject property. (Please attach on separate sheet.)
- 18. Proof that property taxes for the parcel(s) in question have been paid.
- 19. Concept plan.
  - If the application is for less than 25 single-family residential lots, a concept plan need not be submitted. (See attachment.)
  - A concept plan may be required for commercial development at director's discretion
- 20. Impact analysis.
  - If the application is for less than 25 single-family residential lots, an impact analysis need not be submitted. (See attachment.)
  - An Impact analysis (including a traffic study) is required when rezoning from residential zoned or used property to commercial or industrial districts.

THE ABOVE STATEMENTS AND ACCOMPANYING MATERIALS ARE COMPLETE AND ACCURATE. APPLICANT HEREBY GRANTS PERMISSION FOR PLANNING AND DEVELOPMENT PERSONNEL OR ANY LEGAL REPRESENTATIVE OF PUTNAM COUNTY TO ENTER UPON AND INSPECT THE PROPERTY FOR ALL PURPOSES ALLOWED AND REQUIRED BY THE PUTNAM COUNTY CODE OF ORDINANCES.

Gene Allen Holder - 10-28-19 \_\_\_\_\_  
 Signature (Property Owner) (Date) Signature (Applicant) (Date)

[Signature] \_\_\_\_\_  
 Notary Public Notary Public



**Office Use**

Paid: \$ 250<sup>00</sup> (cash) \_\_\_\_\_ (check) \_\_\_\_\_ (credit card) \_\_\_\_\_

Receipt No. 033362 Date Paid: 10-28-19

Date Application Received: 10-28-19

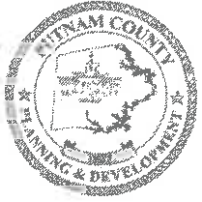
Reviewed for completeness by: CJA

Submitted to TRC: \_\_\_\_\_ Return date: \_\_\_\_\_

Date of BOC hearing: \_\_\_\_\_ Date submitted to newspaper: \_\_\_\_\_

Date sign posted on property: \_\_\_\_\_ Picture attached: yes \_\_\_\_\_ no \_\_\_\_\_

**RECEIVED**  
 OCT 28 2019  
[Signature]



# PUTNAM COUNTY PLANNING & DEVELOPMENT

117 Putnam Drive, Suite B ♦ Eatonton, GA 31024

Tel: 706-485-2776 ♦ 706-485-0552 fax ♦ [www.putnamcountyga.us](http://www.putnamcountyga.us)

## DISCLOSURE OF APPLICANT'S CAMPAIGN CONTRIBUTION

The *Putnam County Code of Ordinances*, Section 66-167(c) states as follows:

“When any applicant or his attorney for a rezoning action has made, within two years immediately preceding the filing of that applicant’s application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

a. The name and official position of the local government official to whom the campaign contribution was made; and

b. The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution. The disclosures required by this section shall be filed within ten days after an application for the rezoning action is first filed.”

1. Name: None

2. Address: \_\_\_\_\_

3. Have you given contributions that aggregated \$250.00 or more within two years immediately preceding the filing of the attached application to a candidate that will hear the proposed application?  Yes  No If yes, who did you make the contributions to? \_\_\_\_\_

Signature of Applicant: Gene Allen Holder

Date: 10 / 28 / 19





Notice to Clerk: After filing, please return to Hugh D. RIDGWAY at LAW OFFICE, Hugh D. Ridgway, III, P.C., 120 West Marion Street, Eatonton, Georgia 31024; Phone (706)485-5552

This is to certify that this is a true and accurate copy of the original

that appears of Record in the office of the Clerk of Superior Court of Putnam County, Georgia

Clerk's Deputy Clerk of Court:

Date 9/18/10  
State of Georgia  
County of Putnam

*1 of 2 pages*

DOC# 002627  
FILED IN OFFICE  
07/23/2010 03:16 PM  
BK: 702 PG: 399-400  
SHEILA H. PERRY  
CLERK OF COURT  
PUTNAM COUNTY

*Sheila H. Perry*

REAL ESTATE TRANSFER TAX  
PAID: \$0.00

**QUITCLAIM DEED** *PT-61 117-2010-000864*

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 2010, between

**BRANDY MICHELE HOLDER**  
*n/k/a BRANDY MICHELE HOLT*

as party or parties of the first part, hereinafter called Grantor, to

**GENE ALLEN HOLDER**

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors, and assigns where the context requires or permits).

**WITNESSETH:** THAT Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable consideration in hand paid at or before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, by these presents does hereby remise, convey, and forever **QUITCLAIM** unto the said grantee all right, title, and interest to and in the following described property, to-wit:

All that tract or parcel of land lying and being in Land Lot 1 of the 14<sup>th</sup> Land District of Putnam County, Georgia, and being designated as TRACT 2B, containing 10.23 acres, more or less, as shown on a plat of a property survey for Jack Colter, made by Thomas A. Smith, Jr., Georgia Registered Land Surveyor No. 2408, dated October 25, 2004, revised March 15, 2005 and recorded in Plat Book 29, Page 246, Clerk's Office, Putnam Superior Court, which plat by this reference thereto is incorporated herein for a more particular and accurate description of said property

Item #4.

RECEIVED  
OCT 28 2010

*1 of 2 pages*

Prior Deed Reference: This is the same property conveyed by Jarrell J. Colter, Jr. and Sylbie Yon to Gene Allen Holder and Brandy Michelle Holder dated April 21, 2005 and recorded in Deed Book 516, Pages 620-621, records of the Clerk of the Superior Court, Putnam County, Georgia.

TO HAVE AND TO HOLD the said tract or parcel of land so that neither grantor nor his heirs, executors, nor assigns, nor any other person claiming under grantor, shall at any time hereafter, by any way or means, claim or demand any right or title or interest in or to the aforesaid property.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

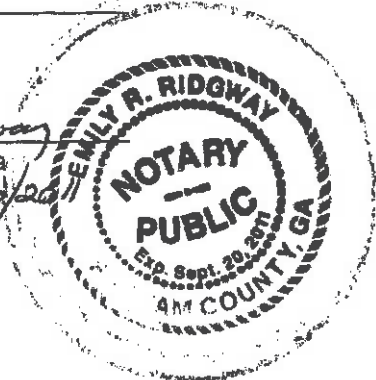
*Brandy Michele Holt* [seal]  
Brandy Michele Holder  
n/k/a Brandy Michele Holt

Signed, sealed and delivered in the presence of:

*H. O. P. H.*

*Emily R. Ridgway*  
Notary Public, State of Georgia  
My commission expires: *9/20/2011*

0720r1027



LAW OFFICE, HUGH D. RIDGWAY, III, P.C., Attorney at Law  
120 West Marion Street, Eatonton, Georgia 31024  
Telephone: (706)485-5552; Telefacsimile: (706)485-2384

Item #4.



*2 of 2 pages*

My name is Gene Holder. I own 10.23 acres of AG-1 property located at 341 Firetower Rd. Hillsboro, Ga. I would like to rezone the 10.23 acres from AG-1 to R-2 so that I can deed 2 acres to my son. I want to keep the 8.23 acres for myself and place a home there.

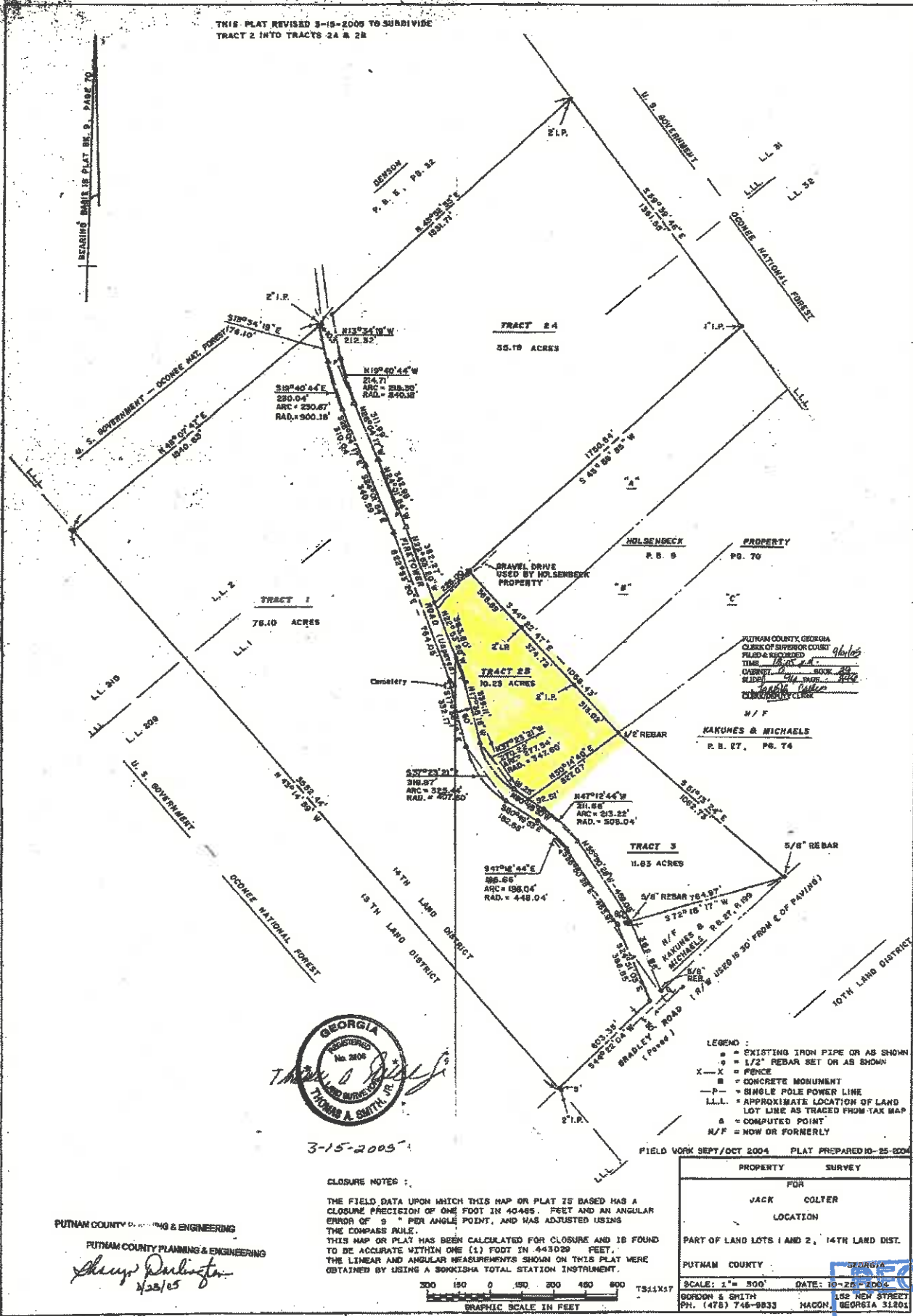
*Gene Allen Holder*

Item #4.



THIS PLAT REVISED 3-15-2005 TO SUBDIVIDE TRACT 2 INTO TRACTS 2A & 2B

READING STARTS AT PLAT BK. 9 - PAGE 70



PUTNAM COUNTY GEORGIA  
 CLERK OF SUPERIOR COURT  
 FILED & RECORDED  
 TIME: 10:21 A.M. 9/6/05  
 INSTRUMENT: BOOK 24  
 PAGE: 416  
 4026  
 CLERK OF SUPERIOR COURT

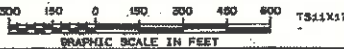
KAKUNES & MICHAELS  
 P. B. 27. PG. 74

- LEGEND :
- = EXISTING IRON PIPE OR AS SHOWN
  - = 1/2" REBAR SET OR AS SHOWN
  - X = FENCE
  - = CONCRETE MONUMENT
  - P- = SINGLE POLE POWER LINE
  - LLL = APPROXIMATE LOCATION OF LAND LOT LINE AS TRACED FROM TAX MAP
  - Δ = COMPUTED POINT
  - N/F = NOW OR FORMERLY

GEORGIA  
 REGISTERED  
 No. 2806  
 LAND SURVEYOR  
 THOMAS A. SMITH, JR.  
 3-15-2005

CLOSURE NOTES :

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 40485. FEET AND AN ANGULAR ERROR OF 9" PER ANGLE POINT, AND HAS ADJUSTED USING THE COMPASS RULE. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE (1) FOOT IN 443029 FEET. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE OBTAINED BY USING A SOKKISHA TOTAL STATION INSTRUMENT.



FIELD WORK SEPT/OCT 2004 PLAT PREPARED 10-25-2004

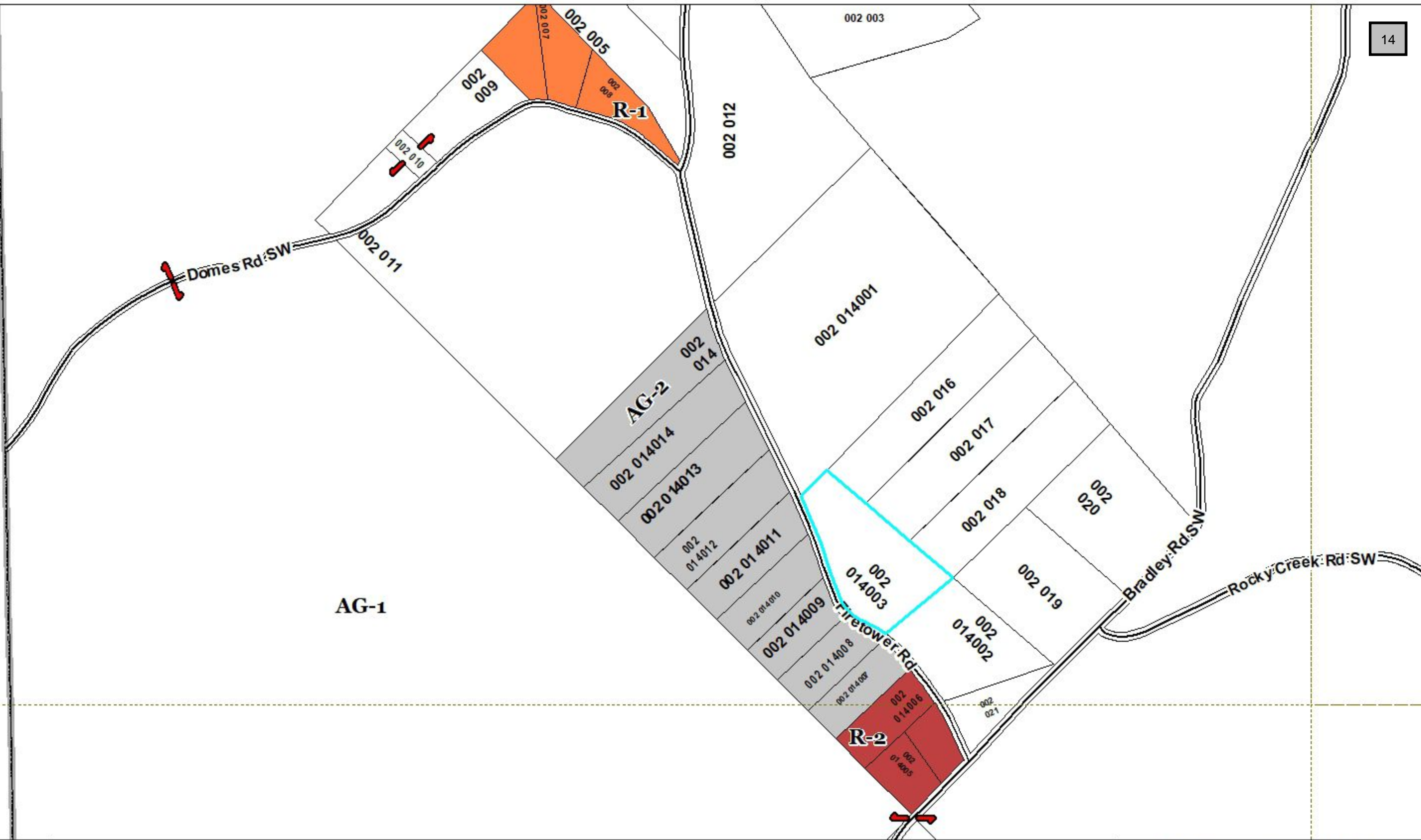
PROPERTY	SURVEY
FOR	
JACK COLTER	
LOCATION	
PART OF LAND LOTS 1 AND 2, 14TH LAND DIST.	
PUTNAM COUNTY	
SCALE: 1" = 500' DATE: 10-25-2004	
GORDON & SMITH 152 NEW STREET	
PH. (478) 746-9833 MDCON, GEORGIA 31201	

PUTNAM COUNTY PLANNING & ENGINEERING  
 PUTNAM COUNTY PLANNING & ENGINEERING  
 Sherry Darlington  
 1/23/05

Item #4.

RECEIVED  
 OCT 28 2019





**GEOGRAPHIC FEATURE LEGEND**

Eatonton Limits	County Boundary	Roads	Parcels	Parcel_Hooks
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Zoning					
Overlay District	AG-2	C-2 CITY	IND-2 CITY	R - 1 CITY	R-1
No Code	C-1	I-M	MHP	R - 2 CITY	R-1R
AG-1	C-1 CITY	IND-1 CITY	PUBLI	R - 3 CITY	R-2
AG-1 CITY	C-2	IND-2	PUBLI	R - 4 CITY	RM-1
					RM-2
					RM-3
					VLLAGE

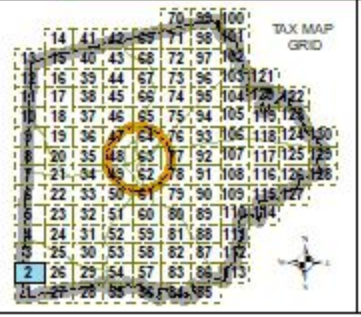
Item #4.

**MGRC**  
IT GIS Services  
Middle Georgia Regional Commission  
175 Emery Hwy  
Suite C  
Macon, Georgia 31217  
(478) 751-8180  
Web:  
www.middlegeorgiarc.org

PUTNAM COUNTY, GEORGIA  
ZONING MAPS

**MAP 002**

MAP SCALE: 1" = 666.67' SCALE RATIO: 1:8,000 DATE: NOVEMBER 2019



### GEOGRAPHIC FEATURE LEGEND

<ul style="list-style-type: none"> <li> Eatonton Limits</li> <li> County Boundary</li> <li> Roads</li> <li> Parcels</li> <li> Parcel_Hooks</li> </ul>	<ul style="list-style-type: none"> <li> Agriculture/Forestry</li> <li> Commercial</li> <li> Industrial</li> <li> Park/Recreation/Conservation</li> <li> Public/Institutional</li> </ul>	<ul style="list-style-type: none"> <li> Mixed Use</li> <li> Park/Recreation/Conservation</li> <li> Public/Institutional</li> </ul>	<ul style="list-style-type: none"> <li> Residential</li> <li> Transportation/Communication/Utilities</li> <li> <i>Item #4.</i> Developed/Vacant</li> </ul>
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Middle Georgia Regional Commission  
 175 Emery Hwy  
 Suite C  
 Macon, Georgia 31217  
 (478) 751-8180  
 Web:  
[www.middlegeorgiarc.org](http://www.middlegeorgiarc.org)

PUTNAM COUNTY, GEORGIA  
 FUTURE LAND USE MAPS

# MAP 002

MAP SCALE: 1" = 666.67'    SCALE RATIO: 1:8,000    DATE: NOVEMBER 2019

**Item Attachment Documents:**

- 7. Consent Agenda
  - a. Approval of Minutes - December 6, 2019 Regular Meeting (staff-CC)
  - b. Approval of Minutes - December 6, 2019 Executive Session (staff-CC)
  - c. Approval of Minutes - December 6, 2019 Work Session (staff-CC)
  - d. Approval of 2020 Alcohol Licenses (staff-CC)

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance by calling at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item #7.**



# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Minutes

**Friday, December 6, 2019 ♦ 9:00 AM**

Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met on Friday, December 6, 2019 at approximately 9:00 AM in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

### *PRESENT*

Chairman Billy Webster  
Commissioner Daniel Brown  
Commissioner Bill Sharp

### *ABSENT*

Commissioner Kelvin Irvin  
Commissioner Trevor Addison

### *STAFF PRESENT*

County Attorney Barry Fleming  
County Manager Paul Van Haute  
Deputy County Manager Lisa Jackson  
County Clerk Lynn Butterworth

### **Opening**

#### 1. Welcome - Call to Order

Chairman Webster called the meeting to order at approximately 9:00 a.m.  
(Copy of agenda made a part of the minutes on minute book page \_\_\_\_\_.)

#### 2. Invocation - Rev. Ford G'Segner

Rev. Ford G'Segner gave the invocation.

#### 3. Pledge of Allegiance (staff)

County Manager Paul Van Haute led the Pledge of Allegiance.

Item #7.

#### 4. Special Presentations

##### a. Finance Department

The Finance Department: Linda Cook, Barbara Vargo, Donna Todd, and Shannon Allen, were recognized for recent accomplishments. The department recently received the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting (CAFR) and the Award for Outstanding Achievement in Popular Annual Financial Reporting (PAFR). In addition, Finance Director Cook received the President's Award and Accountant Vargo earned her Level One Government Finance Officer Certification.

##### b. Recreation Departmental Report

Recreation Director Scott Haley shared information about the growing number of participants in the different sports programs and about new activities that the department is implementing, highlighting the new Pickleball program that they have started. He also discussed their new utility trailer and explained the various ways it is being utilized.

##### c. Transit Departmental Report

Transit Director Dianne Pounds shared information about transit data such as trips and mileage. She introduced the Transit Staff as well including Transit Drivers Linda Grandt and Louvenia Thomas. Transit Driver Sharon Brown was not present at the meeting; however, she is a dedicated member of the staff as well. Transit patron Angela Mazhari gave a wonderful testimonial about the customer service that she receives from the Transit Department.

### **Regular Business Meeting**

#### 5. Public Comments

Mr. Don Cottrell asked the board to advertise for his position on the Board of Assessors. He explained that his certification expires early next year and he can't go to school due to the health of his wife.

#### 6. Approval of Agenda

##### **Motion to approve the Agenda.**

**Motion made by Commissioner Brown, Seconded by Commissioner Sharp.**

**Voting Yea: Chairman Webster, Commissioner Brown, Commissioner Sharp**

#### 7. Consent Agenda

a. Approval of Minutes - November 19, 2019 Regular Meeting (staff-CC)

b. Approval of Minutes - November 19, 2019 Executive Session (staff-CC)

c. Authorization for Chairman to sign GDOT FTA Section 5311 Program FY2021 Grant Application (staff-Transit)

##### **Motion to approve the Consent Agenda.**

**Motion made by Commissioner Sharp, Seconded by Commissioner Brown.**

**Voting Yea: Chairman Webster, Commissioner Brown, Commissioner Sharp**

(Copy of GDOT application made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

8. Surplus Fixed Assets for Sale (staff-Finance)

County Manager Van Haute requested that the board declare surplus a piece of property obtained through a tax sale. The property is located at 233 Glenwood Springs Road.

**Motion to declare the property at 233 Glenwood Springs Road surplus, identified as parcel 050B025.**

**Motion made by Commissioner Brown, Seconded by Commissioner Sharp.**

**Voting Yea: Chairman Webster, Commissioner Brown, Commissioner Sharp**

9. Authorization for Chairman to sign Defined Benefit/Defined Contribution Plan documents (staff-CM)

a. Resolution to Amend ACCG Defined Benefit Plan for Putnam County Employees

b. Amendment #3 to ACCG Defined Benefit Plan for Putnam County Employees Adoption Agreement

c. Resolution to amend the ACCG 401(a) Defined Contribution Plan for Putnam County Employees

d. ACCG 401(a) Defined Contribution Plan for Putnam County Employees - Adoption Agreement Amendment #1

**Motion to authorize the Chairman to sign Defined Benefit/Defined Contribution Plan documents.**

**Motion made by Commissioner Sharp, Seconded by Commissioner Brown.**

**Voting Yea: Chairman Webster, Commissioner Brown, Commissioner Sharp**

(Copy of documents made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

10. Authorization for Chairman to sign Resolution Supporting Locally-Established Building Design Standards for Residential Dwellings (staff-CM)

**Motion to authorize the Chairman to sign a Resolution supporting Locally-Established Building Design Standards for Residential Dwellings.**

**Motion made by Commissioner Brown, Seconded by Commissioner Sharp.**

**Voting Yea: Chairman Webster, Commissioner Brown, Commissioner Sharp**

(Copy of resolution made a part of the minutes on minute book page \_\_\_\_\_.)

11. Appointments to the Putnam County Department of Family and Children Services Board (staff-CC)

**Nomination for Linda Cook, Georgia Benjamin-Smith, and Deck Jackson to be appointed to the Department of Family and Children Services Board.**

**Nomination made by Commissioner Sharp, Seconded by Commissioner Brown.**

**Voting for Linda Cook, Georgia Benjamin-Smith and Deck Jackson: Chairman Webster, Commissioner Brown, Commissioner Sharp**

**Reports/Announcements**

12. County Manager Report

County Manager Van Haute thanked the board for allowing all the departments to make presentations at meetings throughout the year and for their support.

Item #7.

13. County Attorney Report

County Attorney Fleming advised that he has two matters to discuss in Executive Session.

14. Commissioner Announcements

Commissioner Irvin: absent

Commissioner Brown: none

Commissioner Sharp: invited everyone to Christmas on the Avenue this Sunday at 5:00 PM at the Plaza Arts Center.

Commissioner Addison: absent

Chairman Webster: none

**Executive Session**

15. Enter Executive Session as allowed by O.C.G.A. 50-14-4 for Personnel, Litigation, or Real Estate

**Motion to enter Executive Session as allowed by O.C.G.A. 50-14-4 for Real Estate and Litigation.**

**Motion made by Commissioner Sharp, Seconded by Commissioner Brown.**

**Voting Yea: Chairman Webster, Commissioner Brown, Commissioner Sharp**

Meeting closed at approximately 9:47 a.m.

16. Reopen meeting and execute Affidavit concerning the subject matter of the closed portion of the meeting

**Motion to reopen the meeting and execute the Affidavit concerning the subject matter of the closed portion of the meeting.**

**Motion made by Commissioner Sharp, Seconded by Commissioner Brown.**

**Voting Yea: Chairman Webster, Commissioner Brown, Commissioner Sharp**

(Copy of affidavit made a part of the minutes on minute book page \_\_\_\_\_.)

Meeting reconvened at approximately 11:10 a.m.

17. Action, if any, resulting from the Executive Session

County Attorney Fleming advised that two matters were discussed with no final action being taken.

**Closing**

18. Adjournment

**Motion to adjourn the meeting.****Motion made by Commissioner Sharp, Seconded by Commissioner Brown.****Voting Yea: Chairman Webster, Commissioner Brown, Commissioner Sharp**

Meeting adjourned at approximately 11:11 a.m.

ATTEST:

Lynn Butterworth  
County ClerkBilly Webster  
Chairman

# PUTNAM COUNTY BOARD OF COMMISSIONERS

22



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Office of the County Clerk  
117 Putnam Drive, Suite A ♦ Eatonton, GA 31024  
706-485-5826 (main office) ♦ 706-485-1877 (direct line) ♦ 706-923-2345 (fax)  
[lbutterworth@putnamcountyga.us](mailto:lbutterworth@putnamcountyga.us) ♦ [www.putnamcountyga.us](http://www.putnamcountyga.us)

The draft minutes of the December 6, 2019 Executive Session are available for Commissioner review in the Clerk's office.

# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## Work Session

### Minutes

Friday, December 6, 2019 ♦ 10:30 AM (approximate)

Putnam County Administration Building – Room 203

The Putnam County Board of Commissioners met for a Work Session on Friday, December 6, 2019 at approximately 11:16 AM in the Putnam County Administration Building, 117 Putnam Drive, Room 203, Eatonton, Georgia.

#### *PRESENT*

Chairman Billy Webster  
Commissioner Daniel Brown  
Commissioner Bill Sharp

#### *ABSENT*

Commissioner Kelvin Irvin  
Commissioner Trevor Addison

#### *STAFF PRESENT*

County Manager Paul Van Haute  
Deputy County Manager Lisa Jackson  
County Clerk Lynn Butterworth

#### *OTHERS PRESENT*

Councilmember Janie Reid  
City Administrator Gary Sanders  
City Clerk Maria Jimenez

#### **Opening**

##### 1. Call to Order

Chairman Webster called the work session to order at approximately 11:16 a.m.  
(Copy of agenda made a part of the minutes on minute book page \_\_\_\_\_.)

Item #7.

**Work Session**

## 2. Proposed New Flood Maps (staff-P&amp;D)

Mr. Joe Martinenza with the Department of Natural Resources presented a Power Point and brought draft flood plain maps. He explained that this study has been identified as the Upper Oconee Watershed Project. They are studying approximately 1700 miles, with 232 miles being studied in detail. The new flood maps are expected to be effective Winter 2022. No action was taken.

(Copy of presentation made a part of the minutes on minute book pages \_\_\_\_\_ to \_\_\_\_\_.)

**Closing**

## 3. Adjournment

Chairman Webster adjourned the work session at approximately 12:05 p.m.

ATTEST:

Lynn Butterworth  
County Clerk

Billy Webster  
Chairman





Office of the County Clerk  
117 Putnam Drive, Suite A ♦ Eatonton, GA 31024  
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## Approval of 2020 Alcohol Licenses

The following alcohol license applications (which are available for review in the County Clerk’s office) have been approved by the Sheriff, Fire Marshal, Building Inspector, and Tax Commissioner and are ready for BOC approval:

<b>Individual Name</b>	<b>Business Name</b>	<b>Address</b>	<b>License Type</b>
Timothy Conrad Hong	Daniel Clubhouse Management LLC dba/Great Waters Clubhouse	112 Great Waters Drive	Retail Consumption on Premises: Malt Beverages and/or Wine and Distilled Spirits
Rajesh Arora	Keshavji Trading LLC dba/Citgo Express	1660 Madison Road	Retail Package: Malt Beverages and Wine

**Item Attachment Documents:**

8. Request from EMS to purchase five Stryker Lifepack 15 Monitors and three Lucas 3 devices (staff-EMS)

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance by calling the ADA Compliance Officer at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item #8.**



**Putnam County Board of Commissioners  
Agenda Item Request Form**

DATE OF MEETING REQUESTED: December 17, 2019

REQUEST BY: Brad Murphey EMS

AGENDA ITEM: Stryker Lifepack 15 Monitors and Lucas 3 purchase.  
Show new Ambulances

AGENDA ITEM TYPE:

Presentation                       Discussion                       Action\*

Other (Please Specify) \_\_\_\_\_

\*ACTION REQUESTED: Approval to purchase 5-Stryker Lifepack 15 Monitors and 3-Lucas 3.

SUPPORTING DOCUMENTATION PROVIDED:  Yes                       No

BUDGET/FUNDING INFORMATION: SPLOST 9

FACTS AND/OR ISSUES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10/07/2019

**PUTNAM COUNTY BOARD OF COMMISSIONERS**

**Equipment:** See proposal for detailed equipment descriptions and pricing.

**Finance structure:** \$1 out and FMV end of term option

**\$1 out end of term option:** Purchase the equipment for \$1.00

**FMV end of term options:**

- Return the equipment and upgrade to current technology
- Continue to rent the equipment on a month-to-month basis
- Purchase the equipment at its fair market value

**Payment terms:**

\$1out	36 monthly payments	48 monthly payments
<b>Proposal total</b>	\$229,482.00	\$229,482.00
<b>Total payment</b>	\$6,910.80	\$5,313.96

FMV	36 monthly payments	48 monthly payments
<b>Proposal total</b>	\$229,482.00	\$229,482.00
<b>Total payment</b>	\$6,098.03	\$4,868.76

*Payments are exclusive of all applicable taxes and freight unless otherwise noted.*

**Contract commencement:** Upon delivery, installation and acceptance

**First payment due:** Net 30

**Payment adjustment:** The payments quoted herein were calculated based, in part, on an interest rate equivalent as quoted on the Intercontinental Exchange website, at <https://www.theice.com/marketdata/reports/180>, under the USD Rates 1100 Series. Stryker's Flex Financial business reserves the right to adjust the payments prior to contract commencement in order to maintain current economics of this proposed transaction.

**Deal consummation:** This proposal is subject to final credit, pricing, and documentation approval. Legal documents must be signed before your equipment can be delivered.

Please note that this proposal is subject to change if documents are not signed prior to **10/31/2019**.

10/07/2019

**PUTNAM COUNTY BOARD OF COMMISSIONERS**

**Equipment:** See proposal for detailed equipment descriptions and pricing.

**Finance structure:** \$1 out and FMV end of term option

**\$1 out end of term option:** Purchase the equipment for \$1.00

**FMV end of term options:**

- Return the equipment and upgrade to current technology
- Continue to rent the equipment on a month-to-month basis
- Purchase the equipment at its fair market value

**Payment terms:**

\$1out	36 monthly payments	48 monthly payments
<b>Proposal total</b>	\$63,659.73	\$63,659.73
<b>Total payment</b>	\$1,930.03	\$1,487.18

FMV	36 monthly payments	48 monthly payments
<b>Proposal total</b>	\$63,659.73	\$63,659.73
<b>Total payment</b>	\$1,726.03	\$1,375.71

*Payments are exclusive of all applicable taxes and freight unless otherwise noted.*

**Contract commencement:** Upon delivery, installation and acceptance

**First payment due:** Net 30

**Payment adjustment:** The payments quoted herein were calculated based, in part, on an interest rate equivalent as quoted on the Intercontinental Exchange website, at <https://www.theice.com/marketdata/reports/180>, under the USD Rates 1100 Series. Stryker's Flex Financial business reserves the right to adjust the payments prior to contract commencement in order to maintain current economics of this proposed transaction.

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Please note that this proposal is subject to change if documents are not signed prior to **10/31/2019**.

## Putnam County EMS LUCAS

Quote Number: 10059718  
 Version: 1  
 Prepared For: Putnam County EMS  
 Attn:

Remit to: P.O. Box 93308  
 Chicago, IL 60673-3308  
 Rep: Preston Willis  
 Email: preston.willis@stryker.com  
 Phone Number:

Quote Date: 10/04/2019  
 Expiration Date: 01/02/2020

Delivery Address	End User - Shipping - Billing	Bill To Account
Name: Putnam County EMS	Name: Putnam County EMS	Name: Putnam County EMS
Account #:	Account #:	Account #:
Address:	Address:	Address:
Eatonton	Eatonton	Eatonton
Georgia 31024	Georgia 31024	Georgia 31024

### Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	99576-000063	LUCAS 3, v3.1 Chest Compression System INCLUDES HARD SHELL CASE, SLIM BACK PLATE, TWO (2) PATIENT STRAPS, (1) STABILIZATION STRAP, (2) SUCTION CUPS, (1) RECHARGEABLE BATTERY, AND INSTRUCTIONS FOR USE WITH EACH DEVICE.	3	\$14,409.10	\$43,227.30
2.0	11576-000060	LUCAS Desk-Top Battery Charger	3	\$1,099.15	\$3,297.45
3.0	11576-000071	LUCAS External Power Supply	3	\$347.99	\$1,043.97
4.0	11576-000080	LUCAS 3 Battery - Dark Grey - Rechargeable LiPo	3	\$671.95	\$2,015.85
5.0	11576-000046	LUCAS Disposable Suction Cup (3 pack)	3	\$131.72	\$395.16
				Equipment Total:	\$49,979.73

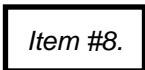
### Price Totals:

Grand Total: \$49,979.73

Prices: In effect for 60 days.

Terms: Net 30 Days

Ask your Stryker Sales Rep about our flexible financing options.



**Putnam County EMS LUCAS**

Quote Number: 10059718  
Version: 1  
Prepared For: Putnam County EMS  
Attn:

Remit to: P.O. Box 93308  
Chicago, IL 60673-3308  
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Email: preston.willis@stryker.com  
Phone Number:

Quote Date: 10/04/2019  
Expiration Date: 01/02/2020

---

AUTHORIZED CUSTOMER SIGNATURE

Item #8.

**Deal Consummation:** This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule.

**Confidentiality Notice:** Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency.

**Terms:** Net 30 days. FOB origin. A copy of Stryker Medical's standard terms and conditions can be obtained by calling Stryker Medical's Customer Service at 1-800-Stryker.

In the event of any conflict between Stryker Medical's Standard Terms and Conditions and any other terms and conditions, as may be included in any purchase order or purchase contract, Stryker's terms and conditions shall govern.

**Cancellation and Return Policy:** In the event of damaged or defective shipments, please notify Stryker within 30 days and we will remedy the situation. Cancellation of orders must be received 30 days prior to the agreed upon delivery date. If the order is cancelled within the 30 day window, a fee of 25% of the total purchase order price and return shipping charges will apply.



## LP12 to LP15 Upgrade

Quote Number: 10056641  
 Version: 1  
 Prepared For: Putnam County EMS  
 Attn:

Remit to: P.O. Box 93308  
 Chicago, IL 60673-3308  
 Rep: Preston Willis  
 Email: preston.willis@stryker.com  
 Phone Number:

Quote Date: 10/04/2019  
 Expiration Date: 01/02/2020

Delivery Address	End User - Shipping - Billing	Bill To Account
Name: Putnam County EMS	Name: Putnam County EMS	Name: PUTNAM COUNTY BOARD OF COMMISSIONERS
Account #:	Account #:	Account #: 1281422
Address:	Address:	Address: 117 PUTNAM DR
Eatonton	Eatonton	EATONTON
Georgia 31024	Georgia 31024	Georgia 31024-6527

### Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	99577-001955	LIFEPAK 15 V4 Monitor/Defib - Manual & AED, Trending, Noninvasive Pacing, SpO2, NIBP, 12-Lead ECG, EtCO2, BT.	5	\$28,912.50	\$144,562.50
2.0	21330-001176	LP 15 Lithium-ion Battery 5.7 amp hrs	15	\$431.10	\$6,466.50
3.0	11140-000072	LP15 AC Power Adapter (power cord not included)	5	\$1,548.00	\$7,740.00
4.0	11140-000080	Extension Cable (5ft 3 in)	5	\$279.00	\$1,395.00
5.0	11140-000015	AC power cord	5	\$74.70	\$373.50
6.0	11577-000002	LIFEPAK 15 Basic carry case w/right & left pouches; shoulder strap (11577-000001) included at no additional charge when case ordered with a LIFEPAK 15 device	5	\$294.30	\$1,471.50
7.0	11220-000028	LIFEPAK 15 Carry case top pouch	5	\$53.10	\$265.50
8.0	11260-000039	LIFEPAK 15 Carry case back pouch	5	\$75.60	\$378.00
9.0	11171-000046	Masimo™ M-LNCS® DCI, Adult Reusable SpO2 only Sensor. For use with RC Patient Cable.	5	\$270.90	\$1,354.50
10.0	11996-000163	SmartCapnoLine Plus w/O2 delivery - Adult/Intermediate patients >44lbs, 25/box	1	\$321.30	\$321.30
11.0	11996-000164	FilterLine Set Long Adult/Pediatric (box of 25)	1	\$288.90	\$288.90
12.0	11160-000019	NIBP Cuff-Reusable, Adult X Large	5	\$44.10	\$220.50
13.0	11160-000017	NIBP Cuff -Reusable, Large Adult	5	\$30.60	\$153.00
14.0	11160-000013	NIBP Cuff-Reusable, Child	5	\$22.50	\$112.50
15.0	21996-000109	Titan III ♦ WiFi Gateway	5	\$931.50	\$4,657.50
16.0	50994-000107	LP12 Biphasic (3+ features) Trade-In	5	-\$4,500.00	-\$22,500.00
Equipment Total:					\$169,760.70

Item #8.



### LP12 to LP15 Upgrade

Quote Number: 10056641  
 Version: 1  
 Prepared For: Putnam County EMS  
 Attn:

Remit to: P.O. Box 93308  
 Chicago, IL 60673-3308  
 Rep: Preston Willis  
 Email: preston.willis@stryker.com  
 Phone Number:

Quote Date: 10/04/2019  
 Expiration Date: 01/02/2020

#### Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$0.00
<b>Grand Total:</b>	<b>\$147,260.70</b>

Prices: In effect for 60 days.

Terms: Net 30 Days

Ask your Stryker Sales Rep about our flexible financing options.

---

AUTHORIZED CUSTOMER SIGNATURE

Item #8.

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## LP12 to LP15 Upgrade

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 Chicago, IL 60673-3308  
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 Email: preston.willis@stryker.com  
 Phone Number:

Quote Date: 10/04/2019  
 Expiration Date: 01/02/2020

Delivery Address	End User - Shipping - Billing	Bill To Account
Name: Putnam County EMS	Name: Putnam County EMS	Name: PUTNAM COUNTY BOARD OF COMMISSIONERS
Account #:	Account #:	Account #: 1281422
Address:	Address:	Address: 117 PUTNAM DR
Eatonton	Eatonton	EATONTON
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Item #8.

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 Phone Number:

Quote Date: 10/04/2019  
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#	Product	Description	Qty	Sell Price	Total
16.0	99576-000063	LUCAS 3, v3.1 Chest Compression System INCLUDES HARD SHELL CASE, SLIM BACK PLATE, TWO (2) PATIENT STRAPS, (1) STABILIZATION STRAP, (2) SUCTION CUPS, (1) RECHARGEABLE BATTERY, AND INSTRUCTIONS FOR USE WITH EACH DEVICE.	3	\$14,362.20	\$43,086.60
17.0	11576-000080	LUCAS 3 Battery - Dark Grey - Rechargeable LiPo	3	\$657.75	\$1,973.25
18.0	11576-000071	LUCAS External Power Supply	3	\$341.46	\$1,024.38
19.0	11576-000089	LUCAS Grip Tape for Slim Back Plate	3	\$26.13	\$78.39
20.0	50994-000107	LP12 Biphasic (3+ features) Trade-In	5	-\$4,500.00	-\$22,500.00
Equipment Total:					\$215,923.32

**Price Totals:**

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$0.00
<b>Grand Total:</b>	<b>\$193,423.32</b>

Prices: In effect for 60 days.

Terms: Net 30 Days

Ask your Stryker Sales Rep about our flexible financing options.

---

AUTHORIZED CUSTOMER SIGNATURE

Item #8.

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**Cancellation and Return Policy:** In the event of damaged or defective shipments, please notify Stryker within 30 days and we will remedy the situation. Cancellation of orders must be received 30 days prior to the agreed upon delivery date. If the order is cancelled within the 30 day window, a fee of 25% of the total purchase order price and return shipping charges will apply.

**Item Attachment Documents:**

- 9. Approval of Changes to the Putnam County Personnel Policy (staff-HR)

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance by calling the County at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item #9.**

**EXPLANATION OF DOCUMENTS:****Red language equals added text.****Struck through language equals deleted text.****VI. CONDITIONS OF EMPLOYMENT****A. WORK HOURS**

The workweek for full-time employees, except for firefighters will be forty (40) hours. Firefighters will be paid in accordance with the Fair Labor Standards Act (FLSA 29 USC 207).

**B. WORKWEEK**

The workweek shall be established by the Department Heads, with approval from the County Manager, and shall be in accordance with the needs of the service provided. The workweek shall be the same for all persons occupying full-time positions in the same class under the same conditions.

**C. ATTENDANCE**

Employees are required to be punctual. Repetitive tardiness must be documented by the Department Head and placed in the employee's file. An employee who is on twenty-four (24) hour call and/or has a County vehicle at his/her residence is considered on the job when he/she leaves his/her residence/domicile in response to a call. Each Department Head is responsible for a complete attendance record for each departmental employee. Attendance records shall be submitted to the Payroll office, including attendance, leave time and unauthorized absence, on the Monday after the payroll week ends.

Employees must notify their respective Department Head within thirty (30) minutes prior to the regularly scheduled workday if they do not intend to be on the job for that day, including the reason for the absence. Employees who are absent from work for three (3) consecutive 8-hour periods without leave approval (or without having called in to report the absence) will be considered as having voluntarily abandoned his/her job. Insufficient notice, as stated above, is considered no notice. In some circumstances a doctor's excuse may be necessary prior to return to work. Anyone absent three consecutive 8-hour periods will be required to bring a doctors excuse prior to their return to work. The absence of an employee from duty, including any absence for a day or part of a day that is not authorized by a specific grant or leave request will be deemed to be an absence without leave and any such absence shall be deemed to be an absence without leave. Any such absence shall be without pay and may be cause for disciplinary action, including and up to termination. Absences of three consecutive 8-hour periods or longer or absences of leave without pay must be reported to the Human Resources Supervisor in writing.



D. BREAKS

Employees shall be given the opportunity to take one fifteen (15)-minute break within a continuous four-hour work period. Each Department Head shall schedule these breaks so that normal department operations are not jeopardized. Employees shall be given the opportunity to take a meal break for at least one-half hour, but not to exceed one (1) hour as close to the middle of the employee's shift as possible. Each Department Head shall schedule the meal breaks so that normal department operations are not jeopardized. Public Safety breaks will be determined by their supervisors.

Employees shall be given the opportunity to take an additional meal break should the shift be scheduled over eight (8) hours in a given twenty-four (24) hour period. Hours are under the same restrictions as the meal break. Any and all break time cannot be accumulated and in no instance can be saved for the purpose of leaving work early or accumulating sick or vacation time.

E. OVERTIME

The employee categories of executive personnel, administrative personnel, contract personnel and professional personnel, are exempt from the following overtime rules and will not be compensated for overtime. All other employees will be paid at one-and-one-half times their hourly rate in accordance with the provisions of the Fair Labor Standards Act (FLSA 29 USC 207). Hours worked will not include hours off the work site (i.e., sick time, vacation, holiday, etc.), except for time physically worked on a regularly scheduled holiday. Department Heads shall arrange work schedules to minimize overtime pay and allow an equitable distribution of the workload to current employees.

F. TESTING

Putnam County is a drug-free and alcohol-free workplace. The improper use of alcohol and controlled substances by Putnam County employees constitutes a direct threat to property and the safety of others. The work involved in many positions is inherently dangerous, and the safety of citizens and fellow employees depends upon the ability of employees to think clearly with unimpaired faculties.

It is the objective of Putnam County to provide safe and effective public service. To meet this objective, the problem of alcohol and controlled substance abuse must be identified, confronted, and defeated. In order to achieve this, Putnam County has developed a comprehensive alcohol and controlled substance policy. As used in this Manual, the term "controlled substance" shall have the meaning and include the substances defined as "controlled substances" in the Georgia Controlled Substance Act, O.C.G.A., S16-13-20, et seq., and especially O.C.G.A., S16-12-21(4) as said Section and said Act shall appear from time to time.

The Putnam County Board of Commissioners public transit employees and employees who work with public transit vehicles are provided an additional policy\* that adheres to the

established 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.

\*Second Chance Drug And Alcohol Testing Policy Putnam County Transit Adopted as March 2, 2018

**H TESTING REQUIREMENTS**

- 1) Analytical urine drug testing and breath testing for alcohol 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 Section K, L, M, and N of this policy, and return to duty/follow-up.

Employees may be required and subject to periodic testing for job competency, physical ability to perform job, substance abuse, or other tests deemed appropriate by the County Manager.

An annual physical may be required for those positions that affect public welfare and safety. These positions are Firefighters, Emergency Medical Service personnel, Law Enforcement personnel, County vehicle operators, Transit System drivers, and personnel that perform maintenance on those vehicles.

Substance abuse testing is required for each of the following circumstances:

1. *Pre-Employment Testing*

A pre-employment drug screening shall be conducted when an individual applies for an employment position with Putnam County. Any job applicant who refuses to submit to a pre-employment drug test or who has a confirmed positive test shall not be hired. An employee who transfers from one position covered by this manual to another position covered by this manual does not require pre-employment testing. Potential hires must go for testing at the specified time and place as directed. Once they are at the testing facility, they may not leave for any reason until testing is complete.

2. *Post-Accident Testing*

Following any accident that involves damage to property or personal injury, Putnam County will promptly test each surviving employee for alcohol and/or drugs.

Any employee who is involved in an accident while on duty or on County business in their personal vehicle must remain available for alcohol and drug testing. Each employee who is requested to submit to testing shall do so within two hours of the accident. Employees who have been involved in an accident may not consume

alcohol for eight hours following the accident or until an alcohol test has been conducted.

An employee who is subject to post-accident testing and who fails to remain readily available for such testing may be deemed to have refused to submit to testing. An employee who leaves the scene of the accident prior to submission to an alcohol and drug test without first notifying his or her supervisor shall be deemed to have refused to submit to testing unless the employee left the scene to seek emergency medical attention or assistance in responding to the accident. If an employee who is subject to post-accident testing is hospitalized, the hospital or medical facility shall be asked to obtain samples for alcohol and/or drug testing.

If an alcohol test is required pursuant to this section and is not administered within two hours following the accident, the supervisor for the employee shall prepare a written report explaining why the test was not promptly administered and shall forward that report to the County Manager. If an alcohol test is required pursuant to this section and is not administered within eight hours following an accident, the County shall discontinue efforts to administer an alcohol test and the supervisor for that employee shall prepare a written report explaining why the alcohol test was not conducted. The written report shall be sent to the County Manager.

If a drug test is required pursuant to this section and is not administered within thirty-two (32) hours following an accident, the County shall discontinue efforts to administer a drug test, and the supervisor for that employee shall prepare a written report explaining why the drug test was not conducted. The written report shall be sent to the County Manager.

3. *Reasonable Suspicion Testing*

Reasonable suspicion testing is designed to identify alcohol or drug-affected employees who may pose a danger to themselves or to others in their job performance.

The decision to test an employee for alcohol or drugs pursuant to this section must be based on a reasonable and articulable suspicion of alcohol or drug use by the employee on the basis of specific contemporaneous physical, behavioral, or performance indicators. In addition, an employee's close association with law enforcement identified drug dealers and/or drug users may be used as "reasonable suspicion" for a decision to test. The observations which underlie the decision to test on the basis of reasonable suspicion for alcohol must be made during, just before, or just after the performance of covered functions by the employee.

If a reasonable suspicion test is not administered within two hours following the determination that testing is appropriate, the supervisor shall prepare a written report explaining why the test was not promptly administered and forward the report to the County Manager. If the test is not performed within eight hours of the

determination, then the County will discontinue efforts to administer a test, and the supervisor shall prepare a written report explaining why the test was not administered and forward the report to the County Manager. Failure of the employee to have the test conducted could result in adverse action, up to and including dismissal.

Putnam County will not permit an employee to report for duty or to remain on duty requiring the performance of covered functions while the employee is under the influence of or impaired by alcohol or drugs, as shown by the behavioral, speech, or performance indicators of alcohol or drug misuse.

4. *Random Testing*

All employees who work in a position which is covered by this manual shall be subject to unannounced drug testing based on a random selection process. To insure that the selections are random, employees shall be placed in a common pool via their employee numbers, and the selections shall be computer-generated. Employees shall be tested at a rate to be determined by the County Manager. Test dates shall also be randomly selected. A person may be selected for drug testing more than once or not at all during the course of random testing.

G. ~~ZERO TOLERANCE~~ **SECOND CHANCE**

Any ~~Putnam County~~ employee that has a verified positive drug or alcohol test, **or test refusal**, will be ~~removed from his/her position~~, informed of educational and rehabilitation programs available, **and** referred to a Substance Abuse Professional (SAP) for assessment.; ~~and will be terminated.~~

**Item Attachment Documents:**

10. Approval of GDOT Drug and Alcohol Policy (staff-HR/Transit)

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance by calling at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item #10.**

**SECOND CHANCE  
DRUG AND ALCOHOL TESTING POLICY  
PUTNAM COUNTY TRANSIT  
Adopted as of March 2, 2018**

**A. PURPOSE**

- 1) The Putnam County Board of Commissioners provides public transit and paratransit services for the residents of Putnam 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, Putnam County 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. 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 urine drug testing and breath 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 urine and breath specimens.
- 3) Any provisions set forth in this policy that are included under the sole authority of Putnam County and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of Putnam County 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, dispatchers or persons controlling the movement of revenue service vehicles and any transit employee who operates a 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.

***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.

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

***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.

***Evidentiary 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: (Screening Drug Test)** The 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 urine 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 Mandatory Guidelines 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 standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

**Limit of Detection (LOD):** The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

**Limit of Quantitation:** For quantitative assays, the lowest concentration at which the identity and concentration of the measurand 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 a specific gravity value 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 test result:** A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

**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.

**Prohibited drug:** Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

**Reconfirmed:** The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary 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 the movement of a revenue service vehicle.
- (5) Carrying a firearm for security purposes.

**Split Specimen Collection:** A collection in which the urine collected is divided into two separate 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:** 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) Fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
- (2) Fails to remain at the testing 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) Fails to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath 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 drug collection, fails to permit monitoring or observation of your provision of a specimen.
- (5) Fails to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fails or declines to take a second test as directed by the collector or the employer for drug testing.
- (7) Fails to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- (8) Fails to cooperate with any part of the testing process.
- (9) Fails to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- (10) Possesses or wears a prosthetic or other device used to tamper with the collection process.
- (11) Admits to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuses to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fails 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.

**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 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 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 urine 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 urine, if the urine was diluted, or if the specimen was substituted.

#### **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 1300.11 through 1300.15 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. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy  
  
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 Section H of 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 Putnam County 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 any mouthwash, medication, food, candy) or any other substances such that alcohol is present in the body while performing safety-sensitive job functions is prohibited.

## **F. PROHIBITED CONDUCT**

- 1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds 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) Putnam County, 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 Putnam County 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 Putnam County 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 Section Q of this policy.

#### **H. TESTING REQUIREMENTS**

- 1) Analytical urine drug testing and breath testing for alcohol 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 Section K, L, M, and N of 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 or random alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under Putnam County authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.
- 3) All covered employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with Putnam County. 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 Section Q of 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 specimen 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 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 urine specimen. 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 of the drug(s) and/or its metabolites identified by the GC/MS test are 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 Putnam County. 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 under paragraphs L through P of this policy 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. Putnam County will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however Putnam County 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) 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 specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.
- 8) Observed collections
  - a. Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:
    - i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Putnam County that there was not an adequate medical explanation for the result;
    - ii. The MRO reports to Putnam County 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 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 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 specimen was out of range;
- vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with;
- vii. All follow-up-tests; or
- viii. All return-to-duty tests.

## **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 Section Q. of 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 Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) Putnam County 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 urine 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 Section Q herein.
  - e. If a pre-employment test is canceled, Putnam County 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 Putnam County 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. Putnam County 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 Putnam County 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 Putnam County 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 Putnam County's 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) Putnam County 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 Section Q of 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 Section Q of 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 Putnam County.
- 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 Section Q of this policy. Putnam County shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of Putnam County. 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 Sections L through N of this policy or the associated consequences as specified in Section Q.

#### **M. POST-ACCIDENT TESTING**

- 1) **FATAL ACCIDENTS** – A covered employee will be required to undergo urine and breath 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, and the covered employee may have contributed 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, and the covered employee may have contributed 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 Putnam County is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Putnam County 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. Employees who may be covered under company authority will be selected from a pool of non-DOT-covered employees.

- 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 Putnam County 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 Putnam County's 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**

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. For an initial positive drug test a Return-to-Duty drug test is required and an alcohol test is allowed. For an initial positive alcohol test a Return-to-Duty alcohol test is required and a drug test is allowed. 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.

## **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 removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, referred to a Substance Abuse Professional (SAP) for assessment. No employee will be allowed to return to duty requiring the performance of safety-sensitive job functions without the approval of the SAP and the employer.
- 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 list of USDOT qualified SAPs. A test refusal includes 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 testing 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 breath or urine specimen. An employee who does not provide a urine or breath 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 drug collection, fail to permit monitoring or observation of your provision of a specimen.
- e) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- f) Fail or decline to take a second 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 test.
- 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.

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) For the first instance of a verified positive test from a sample submitted as the result of a random drug/alcohol test, disciplinary action against the employee shall include:
- a. Mandatory referral to Substance Abuse Professional for assessment, formulation of a treatment plan, and execution of a return to duty agreement.
  - b. Failure to execute, or remain compliant with the return-to-duty agreement shall result in termination from Putnam County employment.
    - i. Compliance with the return-to-duty 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; in the judgment of the SAP the employee is cooperating with his/her SAP recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as defined in Section P of this policy.
  - 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.
  - d. A periodic unannounced follow-up drug/alcohol test which results in a verified positive shall result in termination from Putnam County employment.



- 5) The first instance of a verified positive post-accident or reasonable suspicion drug and/or alcohol test shall result in termination.
- 6) The second instance of a verified positive drug or alcohol test result for any category of testing shall result in termination from Putnam County employment.
- 7) An alcohol test result of  $\geq 0.02$  to  $\leq 0.039$  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 NON-DOT alcohol test with a result of less than 0.02 BAC.
- 8) 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 Putnam County 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 Section P of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section Q of this policy is under the sole authority of Putnam County 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 Section Q of 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 Section Q of this policy.
  - f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Putnam County.

- g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 9) 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**

Putnam County 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 Putnam County 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 Putnam County 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 *Putnam County Board of Commissioners* on March 2, 2018.

  
Chairman Stephen Hersey

ATTEST:   
Lynn Butterworth, County Clerk

## Attachment A

Job Title	Job Duties	Testing Authority
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**Transit System Supervisor**-- Hires, supervises, evaluates, and schedules the work of PTS employees engaged in operating passenger vans or buses to transport county residents to various locations inside and outside of the county; disciplines and counsels' subordinates.

- o Logs incoming calls; communicates passenger information to drivers; dispatches drivers to calls; operates two-way radio to communicate with drivers on assigned routes or assignments.
- o Prepares bus routes.
- o Receipts fees from drivers.
- o Oversees the maintenance of department vehicles.
- o Prepares and administers the transportation budget.
- o Completes required reports.
- o Maintains department inventory.
- o Trains employees in vehicle operations, related clerical work, and customer service.
- o Reviews and approves time-sheets.
- o Performs other related duties as assigned.

**Testing Authority: FTA/DOT**

**Transit System Driver**-- Drives a PTS van or mini-bus to transport clients to medical appointments and other locations.

- o Assists the disabled and elderly with packages such as groceries, etc.; helps patrons on and off the bus when needed.
- o Communicates with dispatcher for additional or added work load.
- o Records client pick-up and drop-off times; records vehicle mileage.
- o Completes pre-trip safety inspections of vehicles; performs minor vehicle maintenance; reports vehicle maintenance issues to supervisor.
- o Operates a lift van to load and unload clients.
- o Accepts money from patrons; maintains records of some.
- o Assists clients by scheduling transportation times.
- o Performs other related duties as assigned.

**Testing Authority: FTA/DOT**

**Mechanic**--- Assists in small and large engine repair work; repairs weed-eaters, lawnmowers, cars, trucks, and construction equipment.

- o Assists in servicing county vehicles and equipment; checks and changes fluids.
- o Checks and replaces belts, hoses, and brakes.
- o Assists in performing road service and repairs as needed.
- o Transports personnel to and from equipment as needed.
- o Repairs and replaces tires.
- o Performs other related duties as assigned.

**Testing Authority: FTA/DOT**

**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).

**Putnam County Drug and Alcohol Program Manager**

Name: Cynthia Miller

Title: Human Resources Director

Address: 117 Putnam Drive, Suite A, Eatonton, GA 30124

Telephone Number: 706-485-5826

**Medical Review Officer**

Name: Dr. Tom Le M.D.

Title: AAMRO

Address: 2315 Palmdale Blvd. Suite G, Palmdale, CA 93550

Telephone Number: 661-274-0127

**Substance Abuse Professional**

Name: Dawn Dreiger

Title: SRS-SAP Referral Services LLC

Address: 8831 Satyr Hill Rd. Baltimore, MD 21234

Telephone Number: 410-688-8110

**HHS Certified Laboratory Primary Specimen**

Name: National Toxicology Lab

Address: 1100 California Ave. Bakersfield, CA 93304

Telephone Number: 661-322-4250

**HHS Certified Laboratory Split Specimen**

Name: MEDTOX Lab

Address: 402 W. Country Rd. St. Paul, MN 55112

Telephone Number: 800-832-3244

01/2018

**DRUG AND ALCOHOL TESTING POLICY  
[PUTNAM COUNTY]**

**Adopted as of December 17, 2019**

**A. PURPOSE**

- 1) The Putnam County Board of Commissioners provides public transit and paratransit services for the residents of Putnam 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, Putnam County 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. 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 urine drug testing and breath 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 urine and breath specimens.
- 3) Any provisions set forth in this policy that are included under the sole authority of Putnam County and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of Putnam County 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

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service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or persons controlling the movement of revenue service vehicles and any transit employee who operates a 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 evidence 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.

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

*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.

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

*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



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available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

*Evidentiary 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: (Screening Drug Test)* The 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 urine 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 Mandatory Guidelines 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 standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

*Limit of Detection (LOD):* The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

*Limit of Quantitation:* For quantitative assays, the lowest concentration at which the identity and concentration of the measurand 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 a specific gravity value 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

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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 test result:* A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites.

*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.

*Prohibited drug:* Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

*Reconfirmed:* The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary 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 the movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

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**Split Specimen Collection:** A collection in which the urine collected is divided into two separate 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:** 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 testing 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 breath or urine specimen. An employee who does not provide a urine or breath 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 drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second 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 test.
- (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.

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- (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.

*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 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 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 urine 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 urine, if the urine was diluted, or if the specimen was substituted.

**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.

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- 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 1300.11 through 1300.15 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. Also, the medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy

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 Section H of 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 Putnam County 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 any mouthwash, medication, food, candy) or any other substances such that alcohol is present in the body while performing safety-sensitive job functions is prohibited.

**F. PROHIBITED CONDUCT**

- 1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.

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- 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) Putnam County, 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 Putnam County employees are prohibited from engaging in the unlawful manufacture,

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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 Putnam County 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 Section Q of this policy.

**H. TESTING REQUIREMENTS**

- 1) Analytical urine drug testing and breath testing for alcohol 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 Section K, L, M, and N of 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 or random alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under Putnam County authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.
- 3) All covered employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with Putnam County. 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 Section Q of 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

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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 specimen 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 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 urine specimen. 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 of the drug(s) and/or its metabolites identified by the GC/MS test are 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 Putnam County. 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 under paragraphs L through P of this policy 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



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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. Putnam County will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however Putnam County 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) 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 specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so requested by the employee through the Medical Review Officer, or by the employer, by the MRO, or by the relevant DOT agency.
- 8) Observed collections
  - a. Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:
    - i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Putnam County that there was not an adequate medical explanation for the result;
    - ii. The MRO reports to Putnam County 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 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 specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).

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- 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 specimen was out of range;
- vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.
- vii. All follow-up-tests; or
- viii. All return-to-duty tests

**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

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positive alcohol test are described in Section Q. of 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 Section Q of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.

- 3) Putnam County 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 urine 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.

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- 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 Section Q herein.
- e. If a pre-employment test is canceled, Putnam County 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 Putnam County 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. Putnam County 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 Putnam County 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 Putnam County 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

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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 Putnam County 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) Putnam County 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 Section Q of 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 Section Q of 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 Putnam County
- 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 Section Q of this policy. Putnam County shall place the employee on administrative leave in accordance with the provisions set forth under Section Q of this policy. Testing in this circumstance would be performed under the direct authority of the Putnam County **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 Sections L through N of this policy or the associated consequences as specified in Section Q.

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**M. POST-ACCIDENT TESTING**

- 1) FATAL ACCIDENTS – A covered employee will be required to undergo urine and breath 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, and the covered employee may have contributed 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, and the covered employee may have contributed 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.

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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 Putnam County is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Putnam County 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. Employees who may be covered under company authority will be selected from a pool of non-DOT-covered employees.
- 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.

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- 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 Putnam County 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 Putnam County’ 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**

Putnam County will terminate the employment of any employee that tests positive or refuses a test as specified in section Q of 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. For an initial positive drug test a Return-to-Duty drug test is required and an alcohol test is allowed. For an initial positive alcohol test a Return-to-Duty alcohol test is required and a drug test is allowed. 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.

**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



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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 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 includes 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 testing 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 breath or urine specimen. An employee who does not provide a urine or breath 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 drug collection, fail to permit monitoring or observation of your provision of a specimen.

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- e. Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- f. Fail or decline to take a second 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 test.
- 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.

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  $\geq 0.02$  to  $\leq 0.039$  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 Putnam County 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 Section P of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section Q of this

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policy is under the sole authority of Putnam County 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 Section Q of 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 Section Q of this policy.
  - f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Putnam County.
  - 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**

Putnam County 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 Putnam County 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 Putnam County 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 *Putnam County Board of Commissioners* on *December 17, 2019*.

\_\_\_\_\_  
Chairman Billy Webster

ATTEST: \_\_\_\_\_  
Lynn Butterworth, County Clerk

## Attachment A

<u>Job Title</u>	<u>Job Duties</u>	<u>Testing Authority</u>
<b>Transit System Supervisor</b>	<p>Hires, supervises, evaluates, and schedules the work of PTS employees engaged in operating passenger vans or buses to transport county residents to various locations inside and outside of the county; disciplines and counsels' subordinates.</p> <ul style="list-style-type: none"> <li>0 Logs incoming calls; communicates passenger information to drivers; dispatches drivers to calls; operates two-way radio to communicate with drivers on assigned routes or assignments.</li> <li>0 Prepares bus routes.</li> <li>0 Receipts fees from drivers.</li> <li>0 Oversees the maintenance of department vehicles.</li> <li>0 Prepares and administers the transportation budget.</li> <li>0 Completes required reports.</li> <li>0 Maintains department inventory.</li> <li>0 Trains employees in vehicle operations, related clerical work, and customer service.</li> <li>0 Reviews and approves time sheets.</li> <li>0 Performs other related duties as assigned.</li> </ul>	

**Testing Authority: FTA/DOT**

<b>Transit System Driver</b>	<p>Drives a PTS van or mini-bus to transport clients to medical appointments and other locations.</p> <ul style="list-style-type: none"> <li>0 Assists the disabled and elderly with packages such as groceries, etc.; helps patrons on and off the bus when needed.</li> <li>0 Communicates with dispatcher for additional or added work load.</li> <li>0 Records client pick-up and drop-off times; records vehicle mileage.</li> <li>0 Completes pre-trip safety inspections of vehicles; performs minor vehicle maintenance; reports vehicle maintenance issues to supervisor.</li> <li>0 Operates a lift van to load and unload clients.</li> <li>0 Accepts money from patrons; maintains records of some.</li> <li>0 Assists clients by scheduling transportation times.</li> <li>0 Performs other related duties as assigned.</li> </ul>	
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Testing Authority: FTA/DOT

<b>Mechanic</b>	<p>Assists in small and large engine repair work; repairs weed-eaters, lawnmowers, cars, trucks, and construction equipment.</p> <ul style="list-style-type: none"> <li>0 Assists in servicing county vehicles and equipment; checks and changes fluids.</li> <li>0 Checks and replaces belts, hoses, and brakes.</li> <li>0 Assists in performing road service and repairs as needed.</li> <li>0 Transports personnel to and from equipment as needed.</li> <li>0 Repairs and replaces tires.</li> <li>0 Performs other related duties as assigned.</li> </ul>	
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Testing Authority: FTA/DOT

**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).

[PUTNAM COUNTY] Drug and Alcohol Program Manager

Name: Cynthia Miller

Title: Human Resources Director

Address: 117 Putnam Drive, Suite A, Eatonton, GA 31024

Telephone Number: 706-485-5826

Medical Review Officer

Name: Dr. Tom Le M.D.

Title: AAMRO

Address: 2315 Palmdale Blvd., Suite G, Palmdale, CA 93550

Telephone Number: 661-274-0127

Substance Abuse Professional

Name: Dawn Dreiger

Title: SRS-SAP Referral Services LLC

Address: 8831 Satyr Hill Rd. Baltimore, MD 21234

Telephone Number: 410-688-8110

HHS Certified Laboratory Primary Specimen

Name: National Toxicology Lab

Address: 1100 California Ave., Bakersfield, CA 93304

Telephone Number: 661-322-4250

HHS Certified Laboratory Split Specimen

Name: MEDTOX Lab

Address: 402 W. Country Rd., St. Paul, MN 55112

Telephone Number: 800-832-3244

12. Approval of First Amendment to the By-Laws of Eatonton-Putnam Water and Sewer Authority (BW)

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance by calling at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item #12.**



FIRST AMENDMENT TO THE BY-LAWS OF  
EATONTON-PUTNAM WATER AND SEWER AUTHORITY

This Amendment to the By-Laws of the Eatonton-Putnam Water and Sewer Authority is made and adopted on this 10 day of November, 2019 ('By-Laws'). This is the First Amendment to the By-Laws adopted the 22<sup>nd</sup> day of September, 2005.

The following amendments to the By-Laws are hereby adopted as follows:

Article Three entitled MEETINGS OF THE EPWSA BOARD is amended by the deletion of Paragraph 3.2 and the substitution of the following new language:

'3.2 Special Meetings. Special meetings of the EPWSA Board may be called by or at the request of the Chairperson or any two members of the Board.'

Article Three entitled MEETINGS OF THE EPWSA BOARD is amended by the addition of Paragraph 3.3.1 as follows:

'3.3.1 Agenda. The agenda for a regular meeting of the EPWSA Board shall be set by the Chairperson with the exception that any two members of the EPWSA Board may place a matter or item on the agenda independently of the Chairperson by notifying the Chairperson in writing and the matter or item shall be placed on the agenda. For special meetings the agenda shall be set as provided by the terms of Paragraph 3.4 of these by laws.'

The second paragraph of Paragraph 3.5 of Article Three shall be amended by the deletion of the words '*and the employment or removal of the EPWS Water and Sewer Dept. Director*' and the substitution of the following words at the conclusion of said paragraph:

'and the employment or removal of any employee serving in the capacity of Director or similar title or entering into or the termination of any operations, management and/or maintenance agreement with a third party.'

Paragraph 7.1 of Article 7 entitled ADOPTION & AMENDMENTS shall be amended by the deletion of the existing Paragraph 7.1 and the substitution of the following:

'Paragraph 7.1. The EPWSA Board shall have the power to alter, amend or repeal these By-Laws or adopt new by-laws without the approval of the governing

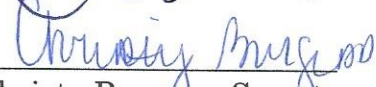
authorities of the City of Eatonton or Putnam County. Any such alteration, amendment or repeal may not be in conflict with the Act, as amended.'

All other terms and conditions of the By-Laws shall remain in full force and effect.

Adopted this 10 day of November, 2019.

Eatonton-Putnam Water and Sewer Authority

By:   
Tommy Jefferson, Chairperson

Attest:   
Christy Burgess, Secretary

**Item Attachment Documents:**

13. Surplus Fixed Assets for Sale (staff-Finance)

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance by calling at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item #13.**

6. **Transfers of Assets.** Transfers are defined as any movement of an asset by virtue of change in location, either by account or department. Fixed asset transfers must be approved by both the sending and receiving departments and must be reported on the "Transfer of Asset" form to the Finance Department.
7. **Leased Assets.** The Putnam County Board of Commissioners shall approve all capital lease agreements. The Finance Director will examine all lease agreements to determine if the capital asset should be recorded on the Fixed Asset Accounting system under the criteria established by the Federal Accounting Standards Board.
8. **Control and Disposal.** All assets determined to be no longer usable by departments are transferred to surplus or obsolete assets on the record keeping system. All departments have an opportunity to examine assets declared surplus for possible use before the assets are disposed of. The purpose of maintaining surplus is to give other departments within the government an opportunity to use existing equipment and possibly eliminate unnecessary purchases. Notification will take place before the physical movement of the assets. **Disposal of all surplus assets must be approved by the Putnam County Board of Commissioners prior to disposal.** All disposals must be reported on the "Transfer of Asset" form to the Finance Department. All assets purchased by the Putnam County Board of Commissioners shall be disposed of by the Putnam County Board of Commissioners.
9. **Assets may be disposed of as follows:**
  - a. **Auction.** Periodically, the Finance Department in coordination with Department Heads and the County Manager will prepare a list of surplus assets to be sold for approval by the Board of Commissioners. Once approved, an auction will be organized under the direction of the County Manager. The Finance Department will accept and record all revenues from the surplus sale and allocate them to the appropriate fund.
  - b. **Donation.** Donation of assets to other persons or agencies must be coordinated with the County Manager and Finance Department, and authorized by the Board of Commissioners. Completed transactions shall be reported in writing to the Finance Department.
  - c. **Sale other than Auction.** Putnam County Board of Commissioner's approval is required prior to the individual sale of any asset. The Finance Department shall accept and record all revenues from sales of assets and allocate them to the appropriate fund.
  - d. **Dismantling.** The breakdown of fixed assets for alternate use should be approved by the Department Head prior to dismantling. Assets that cannot be restored to serviceability without excessive repairs and determined to be no longer operational may be stripped of parts for use in other areas. This must be approved by the Department Head and reported in writing to the Finance Department.
  - e. **Trade-In.** The trade-in of a fixed asset must be approved by the department head or elected official and the County Manager and reported in writing to the Finance Department.
10. **Reports.** Reports listing all fixed assets of a department will be compiled annually by the Finance Department. More frequent reports may be requested as needed by the County Manager.
11. **Missing Assets.** If an asset is determined to be missing, departments should notify the Finance Department or County Manager immediately. Fixed assets that have been removed from any location without permission of the appropriate County official and considered to be stolen should be reported to the Putnam County Sheriff's Department without delay. A copy of the incident report shall be forwarded to the Finance Department.

**PUTNAM COUNTY**  
**Fixed Asset Disposal Request**  
**For December 17, 2019 BOC Meeting**

<b>Asset ID</b>	<b>Description</b>	<b>Serial Number</b>	<b>Acquisition Date</b>	<b>Original Cost</b>	<b>Location</b>
0193	1984 GMC	1GDJK34W5EV526869	01/02/1987	4,000.00	Fire Station - EMS Center
0082	1984 International Van (Tanker)	1HTLDTVP1EHA36111	02/26/1993	35,000.00	Fire Station - EMS Center
0175	1985 Chevrolet Utility Flatbed Truck	1GBE6D1A4FV107653	07/16/1987	3,000.00	Fire Station - EMS Center
0172	1986 International C&CHAS PU	1HTLDUXM3GHA17488	09/19/1989	12,000.00	Fire Station - Flat Rock
0151	1996 Ford Truck	1FTHW25F7TEA95187	09/13/1999	21,500.00	Public Works Shop
0073	1996 GMC PU SIERRA	1GTEK14M4TZ503033	01/26/1999	14,000.00	Public Works Shop
0045	1997 FORD Crown Victoria	2FALP71W9VX169078	02/08/2000	9,750.00	Public Works Shop
0048	1997 Ford F-150 Truck	2FTEX17L5VCA86509	02/21/2000	18,185.00	Public Works Shop
0598	1999 Chevrolet Silverado 1500 Pickup Truck	1GCEK19T0XE153591	04/22/2005	12,000.00	Public Works Shop
0135	1999 Ford F-150 4X4 Truck	2FTRX18L1XCA68303	04/20/2001	19,000.00	Public Works Shop
0506	2003 Chevrolet Venture	1GNDX03E33D110064	12/07/2004	12,900.00	Public Works Shop
0727	2007 FORD Crown Victoria	2FAFP73VX7X147076	03/23/2007	19,537.00	Public Works Shop
0655	1999 FORD Crown Victoria	2FAFP71WXXX228963	09/30/2005	6,000.00	Sheriff's Office
1005	2000 FORD Crown Victoria	2FAFP71W9YX188621	03/28/2011	2,366.67	Sheriff's Office
0684	2001 FORD Crown Victoria	2FAFP71W41X176706	02/10/2006	5,215.50	Sheriff's Office
01059	2009 FORD Crown Victoria	2FAHP71V49X147993	08/04/2011	19,805.00	Sheriff's Office
0864	2010 FORD Crown Victoria	2FABP7BV2AX143613	7/30/2010	22,985.34	Sheriff's Office

*Item #13.*

**Item Attachment Documents:**

14. Approval of 2020 BOC Meeting Schedule (staff-CC)

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance by calling at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item #14.**

# PUTNAM COUNTY BOARD OF COMMISSIONERS



117 Putnam Drive, Suite A ♦ Eatonton, GA 31024  
706-485-5826 ♦ 706-923-2345 fax ♦ www.putnamcountyga.us

## 2020 BOC MEETING SCHEDULE

DATE	DAY	TIME
January 3, 2020	Friday	6:30 pm
January 21, 2020	Tuesday	6:30 pm
February 7, 2020	Friday	9:00 am
February 18, 2020	Tuesday	6:30 pm
March 6, 2020	Friday	9:00 am
March 17, 2020	Tuesday	6:30 pm
April 3, 2020	Friday	9:00 am
April 21, 2020	Tuesday	6:30 pm
May 1, 2020	Friday	9:00 am
May 19, 2020	Tuesday	6:30 pm
June 5, 2020	Friday	9:00 am
June 16, 2020	Tuesday	6:30 pm
July 10, 2020 <b>*July 3 is a Holiday</b>	Friday	9:00 am
July 21, 2020	Tuesday	6:30 pm
August 7, 2020	Friday	9:00 am
August 18, 2020	Tuesday	6:30 pm
September 4, 2020	Friday	9:00 am
September 15, 2020	Tuesday	6:30 pm
October 2, 2020	Friday	9:00 am
October 20, 2020	Tuesday	6:30 pm
November 6, 2020	Friday	9:00 am
November 17, 2020	Tuesday	6:30 pm
December 4, 2020	Friday	9:00 am
December 15, 2020	Tuesday	6:30 pm