

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

1. CALL TO ORDER - CHAIRMAN

2. APPROVAL OF WORK SESSION AGENDA - CHAIRMAN

2.1. BOC - Changes to the Agenda

3. DISCUSSION ITEMS - NO ACTION

3.1. 2019 Child Protection and Fatality Team Report

3.2. Presentation by Early Childhood Task Force Advisory Board

3.3. Infrastructure and Asset Management - Courthouse Expansion Project Update

3.4. Innovation and Technology - Innovation Report

4. DISCUSSION ITEMS FOR ACTION

4.1. County Manager - Required Road Improvements West Cabarrus High School

4.2. Appointments - Transportation Advisory Committee (TAC)

4.3. BOC - Appointments to Boards and Committees

4.4. BOC - Resolution Amending the Board of Commissioners' 2020 Meeting Schedule

4.5. County Manager - County/CVB Interlocal Agreement

4.6. County Manager - Phase 2 Synthetic Turf Project

4.7. Finance - Audit Contract for Fiscal Years Ending June 30, 2020, 2021 and 2022

4.8. Finance - North Carolina Education Lottery Payment Applications for School Debt Service

4.9. Human Resources - Changes to Drug Free Workplace Policy

4.10. Human Resources - Health Insurance Renewal for FY21

5. APPROVAL OF REGULAR MEETING AGENDA

5.1. BOC - Approval of Regular Meeting Agenda

6. CLOSED SESSION

6.1. Closed Session - Pending Litigation and Economic Development

7. ADJOURN

In accordance with ADA regulations, anyone in need of an accommodation to participate in the meeting should notify the ADA coordinator at 704-920-2100 at least 48 hours prior to the meeting.

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Approval of Work Session Agenda - Chairman

SUBJECT:

BOC - Changes to the Agenda

BRIEF SUMMARY:

A list of changes to the agenda is attached.

REQUESTED ACTION:

Motion to approve the agenda as amended.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Changes to the Agenda



**CABARRUS COUNTY BOARD OF COMMISSIONERS
CHANGES TO THE AGENDA
MARCH 9, 2020**

ADDITIONS:

Discussion Items for Discussion

- 4.9 Human Resources – Changes to Drug Free Workplace Policy**

UPDATED:

Discussion Items for Discussion

- 4.1 County Manager – Required Road Improvements West Cabarrus High School**
- **Construction Package**
- 4.10 Human Resources – Health Insurance Renewal for FY21**
- **Proposed Changes**

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

SUBJECT:

2019 Child Protection and Fatality Team Report

BRIEF SUMMARY:

A representative from the Cabarrus County Child Protection and Fatality Team will present the annual review of our child fatalities and current issues impacting our children's welfare.

REQUESTED ACTION:

Receive input.

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Paula Yost, JD, LPCA Chair, Cabarrus County Child Protection and Fatality Team

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Report

The State of our Children: A 2019 Report

Paula J. Yost, JD, LCMHC, Chair
Cabarrus County, Child Protection & Fatality Team

What is CPFT?

- CPFT = Child Protection & Fatality Team
- In Cabarrus County, it has made sense to combine both teams. Thus, we combined with the goal of becoming one of the top CPFTs in the state.
- A focus is on examining the deaths of children in the county during the previous calendar year.
- We discuss each case and ponder ways that the deaths could have been prevented and look at issues county wide that lead to better protection of our children.
- We are mandated by G.S. 7B 1407
- An interdisciplinary group of community representatives who meet regularly to promote a community-wide approach to the problem of child abuse and neglect.

2018 Child Deaths



Illness-8: 1-Portal Hypertension, 1-Epilepsy, 1-Pulmonary Valve Atresia, 1-Scoliosis/Cardiac Arrest, 1-Stenosis of Pulmonary Artery, 1-Krabbe Disease, 1-Neoplasm of Brain, 1-Hyperglycemia



Prematurity-9



Accidental-4: 1-Unsafe Sleep (2 months), 1-Undetermined (16 days), 1-Car Accident, 1-Unsafe Sleep (5 months)



Abuse-1: 1-Assault/Head Trauma



DA's review/pending-2 (1 Mecklenburg, 1 Cabarrus)



TOTAL = 24 (2013-25; 2014-18, 2015-23; 2016-22; 2017-21)

Intensive State Fatality Reviews

We have done two in the last six months.

What they are

Who participates

Findings

Child Abuse – DHS Numbers

- CPS reports received: 3099
- Reports accepted: 2447
- Average number of cases open in In Home Services for a month: 62
- Average number of children in foster care for a month: 115
- Number of petitions filed for custody: 91
- Foster children moved to permanence: 46

Cabarrus Homelessness Indicators

January - December 2019

Created by the Cabarrus County Homelessness Task Force



For more information visit www.healthycabarrus.org/priorities/homelessness

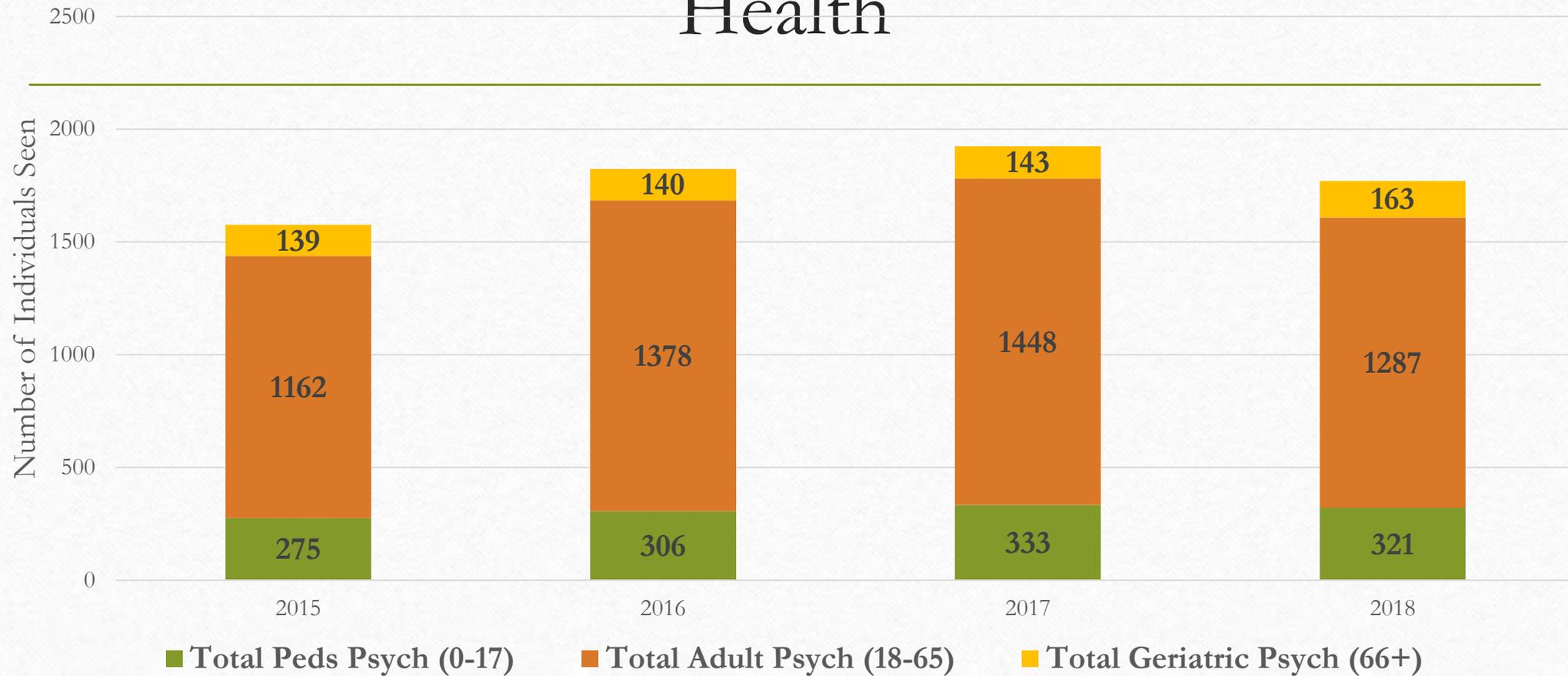
01/2020

Obesity

nearly one in three
children in the
community classified
as overweight or
obese

32% is the number of
Children Identified as
Overweight or Obese
in Cabarrus County

Atrium Health Cabarrus ED: Behavioral Health



ACE Scores

Prior to your 18th birthday:

Did a parent or other adult in the household often or very often... Swear at you, insult you, put you down, or humiliate you? or Act in a way that made you afraid that you might be physically hurt?

No ___ If Yes, enter 1 ___

Did a parent or other adult in the household often or very often... Push, grab, slap, or throw something at you? or Ever hit you so hard that you had marks or were injured?

No ___ If Yes, enter 1 ___

Did an adult or person at least 5 years older than you ever... Touch or fondle you or have you touch their body in a sexual way? or Attempt or actually have oral, anal, or vaginal intercourse with you?

No ___ If Yes, enter 1 ___

Did you often or very often feel that ... No one in your family loved you or thought you were important or special? or Your family didn't look out for each other, feel close to each other, or support each other?

No ___ If Yes, enter 1 ___

Did you often or very often feel that ... You didn't have enough to eat, had to wear dirty clothes, and had no one to protect you? or Your parents were too drunk or high to take care of you or take you to the doctor if you needed it? No ___ If Yes, enter 1 ___

ACE

Scores – 2

Were your parents ever separated or divorced?
No ___ If Yes, enter 1 ___

Was your mother or stepmother:
Often or very often pushed, grabbed, slapped, or had something thrown at her? or Sometimes, often, or very often
kicked, bitten, hit with a fist, or hit with something hard? or Ever repeatedly hit over at least a few minutes or
threatened with a gun or knife?
No ___ If Yes, enter 1 ___

Did you live with anyone who was a problem drinker or alcoholic, or who used street drugs?
No ___ If Yes, enter 1 ___

Was a household member depressed or mentally ill, or did a household member attempt suicide?

No ___ If Yes, enter 1 ___

Did a household member go to prison?
No ___ If Yes, enter 1 ___

What does that mean?

- The first research results were published in 1998, followed by more than 70 other publications through 2015. They showed that:
- childhood trauma was very common, even in employed middle-class, college-educated people with great health insurance;
- there was a direct link between childhood trauma and adult onset of chronic disease, as well as depression, suicide, being violent and a victim of violence;
- more types of trauma increased the risk of health, social and emotional problems.
- people usually experience more than one type of trauma – rarely is it only sex abuse or only verbal abuse.
- Would anyone like to guess what kind of study birthed ACE research?

ACES RESULTS

- 1985 - Dr. Vincent Felitti couldn't figure out why, each year for the last five years, more than half of the people in his obesity clinic dropped out.
- Why would people who were 300 pounds overweight lose 100 pounds, and then drop out when they were on a roll?
- The turning point in Felitti's quest came by accident. The physician was running through yet another series of questions with yet another obesity program patient: How much did you weigh when you were born? How much did you weigh when you started first grade? How much did you weigh when you entered high school? How old were you when you became sexually active? How old were you when you married?
- "I misspoke," he recalls, probably out of discomfort in asking about when she became sexually active – although physicians are given plenty of training in examining body parts without hesitation, they're given little support in talking about what patients do with some of those body parts. "Instead of asking, "How old were you when you were first sexually active," I asked, "How much did you weigh when you were first sexually active?" The patient, a woman, answered, "Forty pounds."
- He didn't understand what he was hearing. He misspoke the question again. She gave the same answer, burst into tears and added, "It was when I was four years old, with my father."
- Of the 286 people whom Felitti and his colleagues interviewed, most had been sexually abused as children.

What does this mean?



It means that every single issue we are facing in our community needs assessment (obesity, homelessness, mental health and substance use issues) is NOT the problem. It is the symptom of the problem.



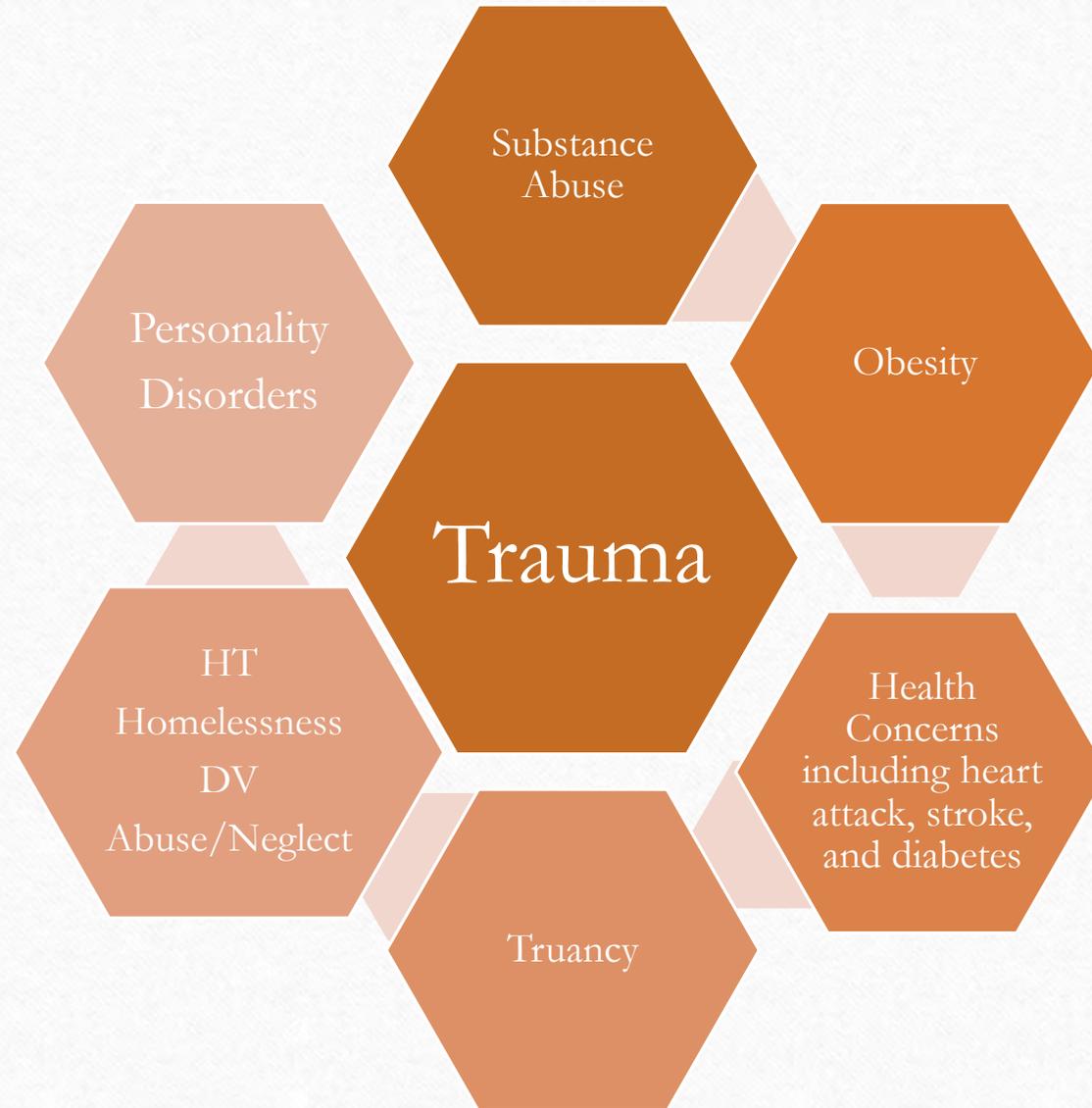
The problem is trauma and our world's uniformed response to how to manage trauma.



Trauma leads to personality disorders which we are completely ill equipped to manage.

Life Span Development

- When we talk about human psychology and human behavior, especially as it relates to trauma, you must look at it through the lens of a life span. You should also look at it in terms of generational impact.
- Why? Because unprocessed trauma gets stored in our body. Trauma is not just in your head. It leaves a real, physical imprint on your body, changing your brain.
- Untreated trauma can have huge impacts on future health.



Things caused by trauma

- Trauma causes our memory processing system to malfunction. Thus, the trauma isn't stored correctly. Our brain subverts to a simpler method of recording signals and encodes traumatic memories as pictures of physical sensations. This is called dissociation. Remembering things like shrapnel. The language of survival is sensation.
- These fragments manifest as symptoms commonly associated with post-traumatic stress and increase our risk of becoming seriously ill. This all also physically changes our brain.
- This is the population we are facing. They are often misunderstood by everyone.

Children
who grow
up with
trauma . . .

- Are highly likely to develop a *personality disorder* because the house is so dysfunctional that they have no frame of reference for what is normal.
- Very young children do not have words to apply to the trauma happening around them. They wind up analyzing them with an immature, trauma exposed brain which creates false narratives, which are self-critical and destructive, shaming or guiltting, and inaccurate and untrue.

Children who
grow up in
that
environment

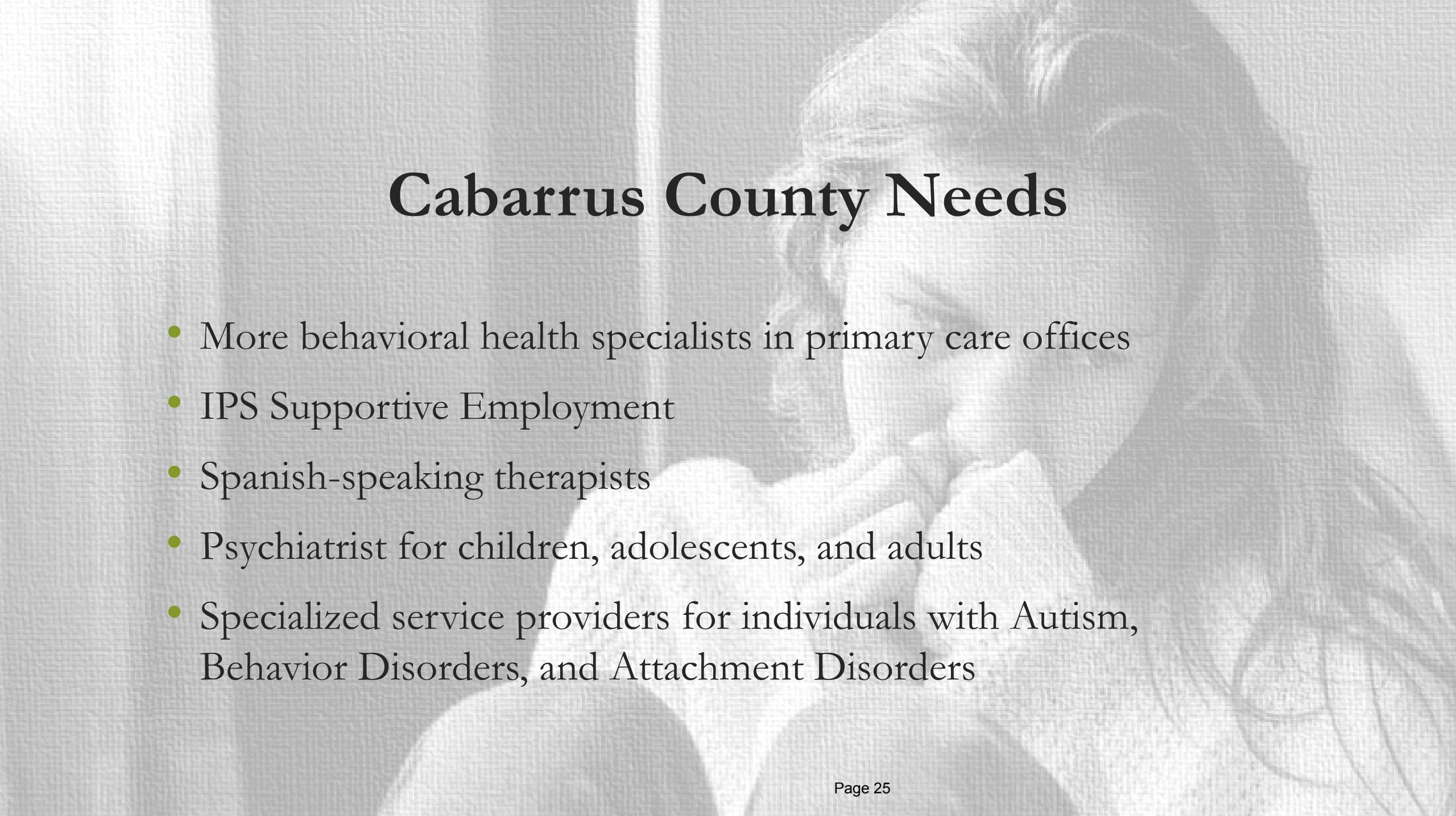
...

- Experience a deficit in nourishing affection and attention from a parent, presumes it is their fault, and that they must be unworthy of these vital supplies.
- They then interpret love as a painful yearning and longing which is never returned.
- The painful sensations associated with loving an unresponsive parent influences our existence.
- This sets us up for poor relationship choices, prepares us for lives driven by wishful thinking, and intense cravings for things we cannot have, and a personality disorder is born. (Personality disorders are a whole separate class.) This is also how many people wind up in a violent relationship.
- This sensation of “not being good enough” also spawns and perpetuates addictions and compulsions.

Back to lifespan development

• • •

- Grandparents generation has domestic violence and a host of other ACE score producing elements.
- Their child (let's say parent) has a personality disorder.
- Grandchildren will either also develop a personality disorder (a worst case scenario) or will have major issues with attachment such as avoidant attachment or anxious attachment. (Attachment issues are also very painful. Books exist on this topic alone.)
- Hence, getting Mom to leave a violent relationship is critical for a child and grandchildren and so on. New research also shows that trauma imprints and changes our actual DNA. It really does impact us for generations.



Cabarrus County Needs

- More behavioral health specialists in primary care offices
- IPS Supportive Employment
- Spanish-speaking therapists
- Psychiatrist for children, adolescents, and adults
- Specialized service providers for individuals with Autism, Behavior Disorders, and Attachment Disorders

Community Needs

According to Community Agencies,
Cardinal Comes in Too Late and Supplies Too Little

In Home Services/Support

Therapeutic Foster Care

Psychiatric Residential
Treatment Facility

Cardinal

- A lack of services
- Defaulting to the clinical home for a traumatized child
- Increasing trauma for children by not responding appropriately to trauma
- Unsuccessful grievance procedures
- A lack of qualified professionals making decisions.
- No hierarchy of folks to call upon for help.
- Cardinal wanting to have educational meetings. A failure to agree or a failure to have a meeting of the minds is not something that requires education.
- Until our State understands this, takes a real look at trauma and forces our LME/MCOs to do the same, I see very little that any of us can do for our Medicaid population.
- Our community needs to make some tough decisions about what to do with regards to Cardinal.

ACEs Don't have to last a lifetime.

- Get children basic needs met (safe, stable home life, food, clothing, shelter)
- Let kids play with others and share their feelings
- Encourage parental resilience with education on ACEs, acknowledging our own ACE scores, and identify ways to deal with the ACEs we have experienced
- Connect with healthy support systems
- Use positive discipline
- Praise children
- Provide structure and routine for children
- Give children plenty of opportunity for outdoor play (our community parks and library programs are so important.)

Resilience: Creating a Trauma Informed Community

- Resilience is the ability to thrive, adapt and cope despite tough and stressful times.
- Resilience is a natural counter-weight to Adverse Childhood Experiences (ACE's).
- The more resilience a child has, the more likely they are to deal with negative situations in a healthy way that won't have prolonged and unfavorable outcomes.
- Resilience is not an innate characteristic, but rather a skill that can be taught, learned and practiced.
- Everybody has the ability to become resilient when surrounded by the right environments and supportive nurturing people.
- For children, the presence of compassionate teachers, caring coaches, or other adult mentors can help build resilience.
- The body remembers what the mind forgets. Remember to ask troubled children, what happened to you, instead of what is wrong with you.
- The **Two-Generation** Approach **builds family** well-being by intentionally and simultaneously working with children and the adults in their lives together. The approach recognizes that **families** come in all different shapes and sizes and that **families** define themselves.

The best thing we have right now . . .



The SUN Clinic

Are you pregnant and currently using alcohol or any other substances?
Please contact the Cabarrus Health Alliance for comprehensive, compassionate care for you and your baby.

www.cabarrushealth.org
in Partnership with Cabarrus County Partnership for Children

 **CHA** CABARRUS HEALTH ALLIANCE  Cabarrus Partnership  *SUN Project*

The SUN clinic at the Cabarrus Health Alliance offers high quality:

- Prenatal Care by an OB/GYN with specialized training in addictions
- Ultrasound, Lab and Fetal Monitoring
- Medication Assisted Treatment in the form of Buprenorphine
- Mental Health and Substance Use Therapy Services by licensed providers
- Nutritional Counseling
- Case Management Services
- Recovery Supports
- Peer Support Specialist services
- WIC
- Dental Care
- Newborn Care

All in one modern, convenient location

For more information, call 704-920-1289.

300 Mooresville Road, Kannapolis, NC



Questions?

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

SUBJECT:

Presentation by Early Childhood Task Force Advisory Board

BRIEF SUMMARY:

The Early Childhood Task Force Advisory Board (ECTFAB) was established to advise the board on matters related to the primary development of Cabarrus County children. Members of the ECTFAB will provide a report on their findings and propose an action plan for improving early childhood education in Cabarrus County.

REQUESTED ACTION:

Receive report.

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Rodney Harris, Deputy County Manager
Members of the ECTFAB

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ PowerPoint Presentation
- ▣ ECTFAB Report

Early Education Taskforce Report

Prepared for County Commissioners' Work
Session

March 9, 2020

Cabarrus County:

Economic Strength via Early Childhood Programs

- Enhance the attractiveness of our County as a place to work and live and invest in the economics of a thriving community
- Enhance the effectiveness and availability of our educational systems; birth-degree programming
- Increase opportunities for attractive degree programs in the field of early education and related fields like business, nutrition, finance, etc.
- Provide consistent, high level support for working adults—worry free childcare to provide a more stable and engaged workforce.
- Provide new and increased employment opportunities within the "early childcare industry" - teachers and support positions
- Provide a county model for state initiatives re: the growth and enhancement of the early education arena—*thereby opening doors for state and federal funding for our county; as well as private foundation dollars.*

A Snapshot of some current realities

- In 2017 Cabarrus County: only **48%** of first graders were proficient in reading—less than half. And only **15%** of 11th graders met all the ACT College and career readiness benchmarks.
- A study led by Professor Heckman and colleagues, indicate a **13% ROI** for comprehensive, high-quality, birth-to-five early education.
- Research shows that workforce parent absenteeism and productivity reductions due to child-care breakdowns **cost U.S. businesses more than \$3 billion annually.**
- Another [2018 study](#) found that rising childcare costs resulted in a **13 percent decrease** in employment of mothers of young children.

Defining the Need:

Cabarrus County has a serious lack of **affordable, accessible, high quality** childcare options (B-5yrs)

- ❖ Across the County several “Child Care deserts” exist
- ❖ Childcare Facilities currently serve approx. 4046 children, or 1/3 of the County’s young children
- ❖ Less than 50% of eligible 4 year olds are enrolled in the NC Pre-K program in Cabarrus County
- ❖ 63% of children (B-5) live in households in which all parents present in the home are working.

Defining the Need, cont'd.

- Current Cabarrus County identified Childcare Deserts:
 - Area along the northern Rte 85 corridor
 - Mt. Pleasant
 - Midland
 - Downtown Kannapolis
 - Along NC Highways 3 and 73, towards Mooresville

Defining the Need, cont'd.

- ❖ Current compensation for Child Care staff is extremely low, with little or no “benefits”
 - Average wages: \$23, 710 annually/\$11.40 hourly
- ❖ Early childhood staff are severely lacking in training and education
 - Few incentives exist for professional development
- ❖ Many childcare facilities have closed or have vacant classrooms due to lack of qualified staff and associated early education costs.

Meeting the Need:

- Action #1: Cabarrus will collaborate with the State of NC and utilize the recently adopted *NC Early Childhood Action Plan* as a resource and guide
- Action #2: Cabarrus County will intentionally invest in increased quality and capacity of early learning opportunities
- Action #3: Cabarrus County will identify and maintain resource leadership to achieve the specified outcomes

Meeting the Need, cont'd

Action #1: The Taskforce recommends initial focus on **Two Goals** of the NC Early Childhood Action Plan:

❖ **Goal 8: High-Quality Early Learning**

Babies, toddlers and young children across North Carolina will have access to high-quality opportunities to engage in early learning.

❖ **Goal 9: On Track for School Success**

Young children across North Carolina will enter kindergarten on track for reaching their developmental goals.

Meeting the Need, cont'd.

- Action #2: The Taskforce recommends a focused investment on quality and increased capacity
 - Research links **School Success to High Quality Early Learning**
 - **Low child:teacher ratios**
 - **A well educated and informed work force**
 - **Compensation and benefits to support additional education and training**
 - **Safe, pleasant and well-equipped facilities**

Meeting the Need, cont'd.

Action #3: The Taskforce recommends hiring a full-time employee to develop and lead a Collaborative Group initiative:

- Research and document the state of early ed. in Cabarrus County, potential capacity building locations, and enhanced program quality designs
- Seek potential funding that blends public and private dollars
- Develop and implement a Plan of Action

Conclusion: Achievable Outcomes

- ❖ Support working families more effectively
- ❖ Support a more worry free and engaged workforce
- ❖ Enhance the early learning and successful development of our youngest citizens
- ❖ Provide increased opportunities for attractive early education career development
- ❖ Enhance the quality of the Cabarrus Community

Early Education Taskforce Report – March 9, 2020

Supporting Cabarrus County's Economic growth and prosperity: Early Childhood Education as a vehicle for Community strength:

- Enhance the attractiveness of our County as a place to work and live and invest in the economics of a thriving community
- Enhance the effectiveness and availability of our educational systems; birth-degree programming
- Increase opportunities for attractive degree programs in the field of early education and related fields like business, nutrition, finance, etc.
- Provide consistent, high level support for working adults—worry free childcare to provide a more stable and engaged workforce.
- Provide new and increased employment opportunities within the "early childcare industry" - teachers and support positions
- Provide a county model for state initiatives re: the growth and enhancement of the early education arena—*thereby opening doors for state and federal funding for our county; as well as private foundation dollars.*

A snapshot of the current outlook:

- In 2017 Cabarrus County: only **48%** of first graders were proficient in reading—less than half. And only **15%** of 11th graders met all the ACT College and career readiness benchmarks.
- An important study led by Professor Heckman and colleagues, indicate a **13% ROI** for comprehensive, high-quality, birth-to-five early education.
- Additional Research shows that workforce parent absenteeism and productivity reductions due to child-care breakdowns **cost U.S. businesses more than \$3 billion annually.**
- Another 2018 study found that rising childcare costs resulted in a **13 percent decrease** in employment of mothers of young children.

Defining the Need:

Cabarrus County is in great need of affordable, accessible high quality childcare opportunities for working families with children birth to 5 years old.

- Within our borders, several "childcare deserts" (housing NO childcare facilities) currently exist. These include the area along the northern 85 corridor, Mt. Pleasant, Midland, downtown Kannapolis, and along Highways 3 & 73 area towards Mooresville. Our current childcare capacity stands at 4046 children, or about a 1/3 of our youngest children. Less than 50% of eligible 4 year olds are enrolled in the NC Pre-K program. 63% of children (B-%) live in households in which all parents present in the home are working.
- Additionally, we have an urgent need for teachers, especially those with appropriate/advanced education and training. The current compensation for child care staff is extremely low, averaging about \$11.40/hour. Few, if any benefits are offered to those choosing the Child Care industry. Incentives for continuing education/professional development are dramatically lacking. Many of our childcare facilities have closed, or have vacant classrooms—due to the lack of qualified staff and the associated costs. Many children remain on waiting lists for months.

Meeting the Need: The Task Force proposes a Solution driven 3-Step Action Plan.

Action #1: Cabarrus County will collaborate effectively with the State Plans recently presented. The Cabarrus County Early Education Taskforce has researched the *NC Early Childhood Action Plan*, along with available county early childhood data. Our findings-- based on a desire to effectively partner with

NC State goals while meeting specific county needs—indicate a county focus on TWO State Action Plan Goals: #'s 8 and 9.

- **Goal 8: High Quality Early Learning** – (Babies, toddlers, and young children across North Carolina will have access to high quality opportunities to engage in early learning.)
- **Goal 9: On Track for School Success** – (Young Children across North Carolina will enter kindergarten on track for reaching their developmental goals.)

Research directly links **School Success** to **High Quality Early Learning**.

Action #2: the Early Education Taskforce recommends intentional work to expand accessible, affordable, quality early learning environments throughout our County.

Action #3 brings it all into focus! **The Early Education Taskforce proposes recruitment and hiring of a full-time employee to:**

- Develop and lead a Collaborative Group Initiative (government, education, faith, business, and community organizations and lead
- Work to implement all the Early Childhood Action Plan Goals in Cabarrus County with workgroups focused on the same objectives.
- Effectively research and document the needs for increased county child capacity.
- Research and identify potential location opportunities to support the proposed expansion concept (i.e. Early Childhood Lab School at RCCC, Public Private Partnership with Cabarrus County Partnership for Children, Faith Community locations, etc.)
- Lead the Early Childhood Taskforce
- Explore grant opportunities for blending of public and private funds.
- Work with the Cabarrus Economic Development staff to educate employers and the greater business community on the needs and benefits of affordable, accessible, quality childcare in our county.
- Develop a Cabarrus County Early Childhood Action Plan that outlines specific and realistic solutions.

This Initiative will have moving parts and will take focus, effort, partnerships, and determination. As Cabarrus County builds momentum around this vision, however, we end this presentation where we began, with positive and broad achievable outcomes

- More effective support for working families
- Support for a larger, more worry-free, productive and engaged workforce
- Enhanced early development for our youngest citizen
- Increased opportunities for attractive and effective early education careers, and
- Increased and identifiable quality of community life in Cabarrus County

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

SUBJECT:

Infrastructure and Asset Management - Courthouse Expansion Project Update

BRIEF SUMMARY:

Staff to provide update on Cabarrus County Courthouse Expansion project including interior and exterior materials and color palette.

REQUESTED ACTION:

Receive input.

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Kyle Bilafer, Area Manager of Operations
Alan Eudy, Construction Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

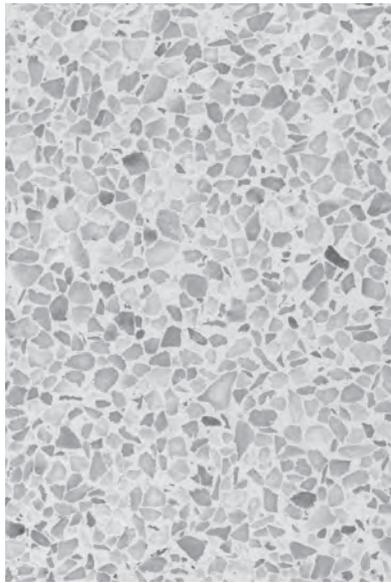
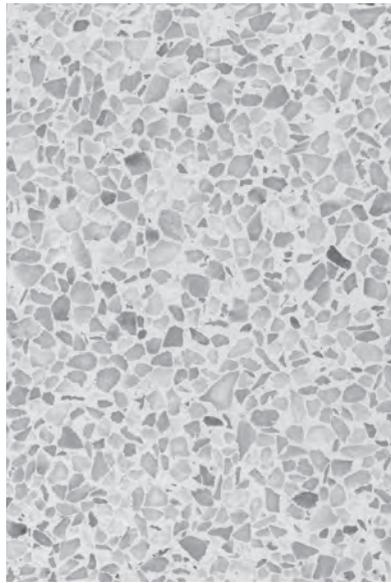
- Interior Design Selections

▣ Exterior Design Selections



CABARRUS COUNTY COURTHOUSE
CONCORD, NORTH CAROLINA

INTERIOR FINISHES
FEBRUARY 05, 2020



TERRAZZO - (3) COLORS
TERRAZCO
TM 19-1301
COLORS TBD



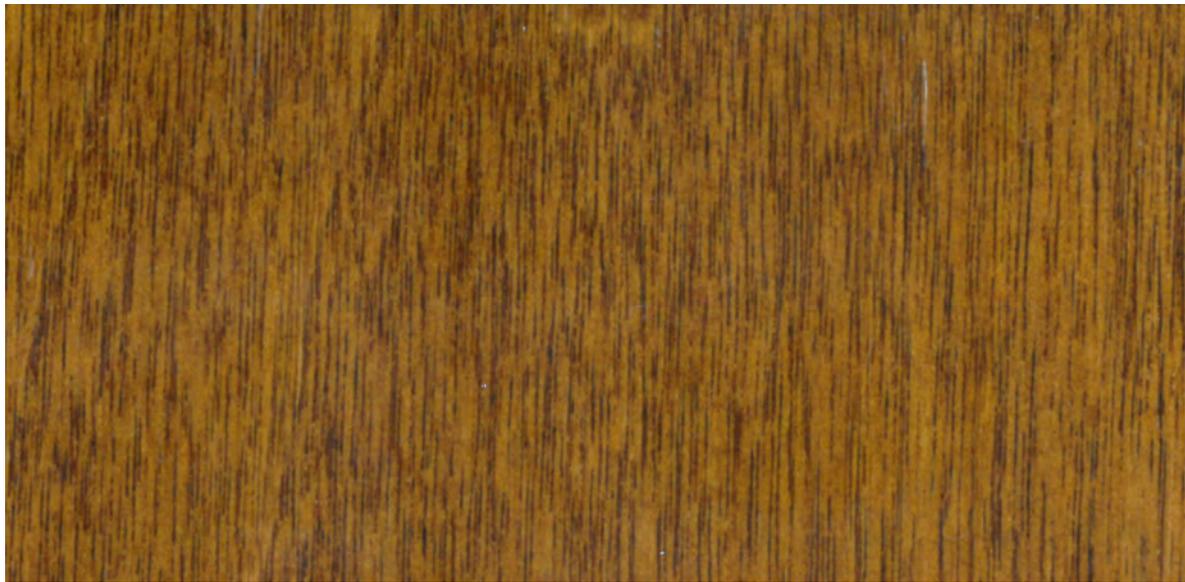
PORCELAIN WALL TILE - PRIMARY
FLORIDA TILE AVENTIS
AT1RF / AT15 ASK



PORCELAIN WALL TILE - ACCENT
FLORIDA TILE AVENTIS
AT3RF / AT35 TITANIUM



PORCELAIN WALL TILE - ACCENT
FLORIDA TILE AVENTIS
AT0RF / AT05 ECLIPSE



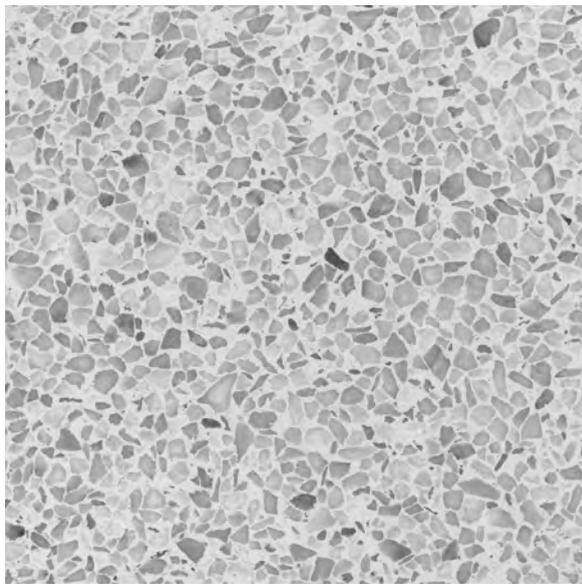
WOOD VENEER
GRAHAM ROTARY NATURAL BIRCH #275 RUSSET



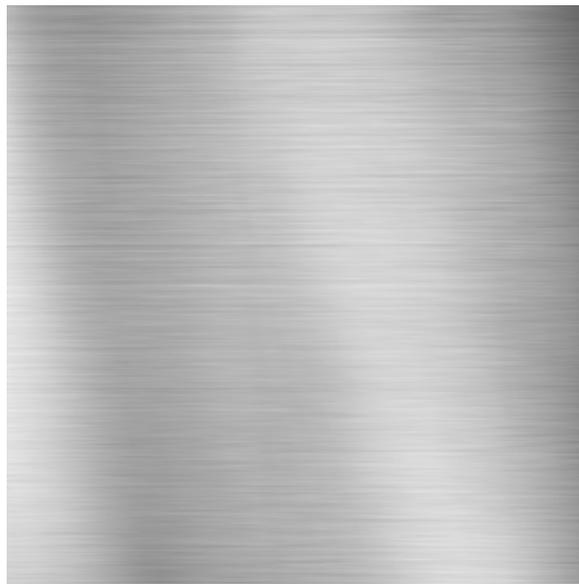
SOLID SURFACE
CORIAN
CARBON CONCRETE



PAINT
SHERWIN WILLIAMS
SW7015 REPOSE GRAY



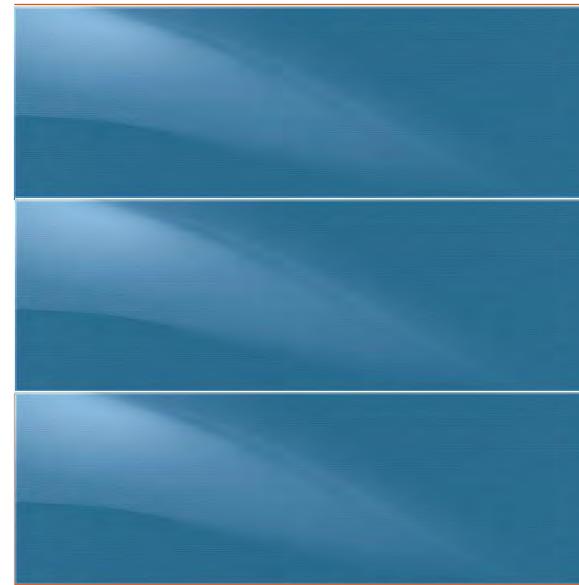
FLOOR TILE
TERRAZCO
TM 19-1301
COLOR TBD



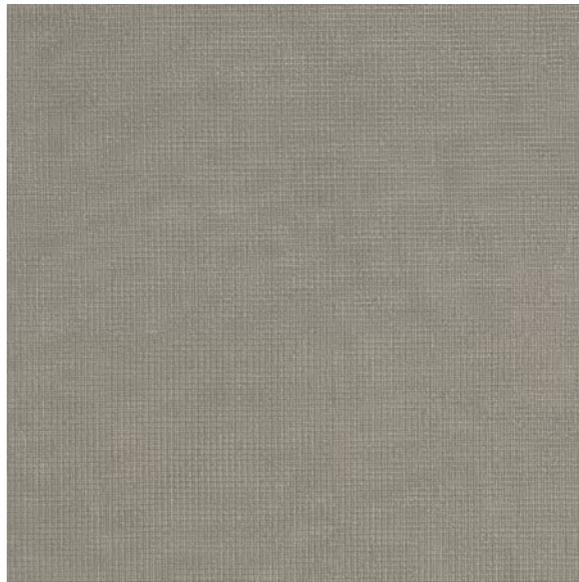
TOILET PARTITIONS
STAINLESS STEEL
TEXTURED



PORCELAIN WALL TILE - PRIMARY
STONEPEAK
SIMPLY MODERN 12 X 24
SIMPLY CREME



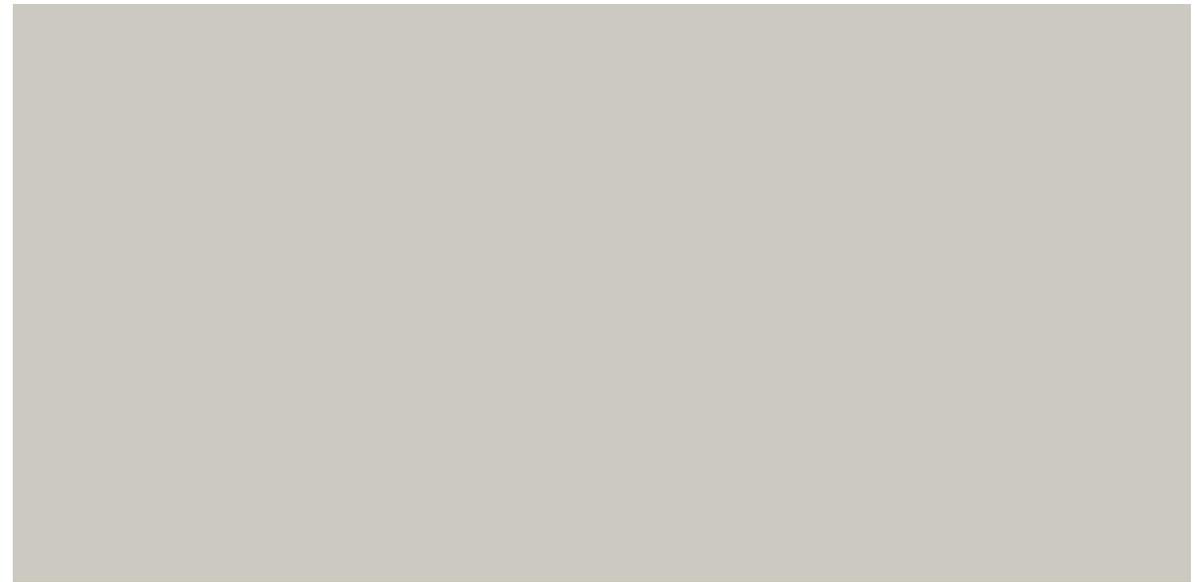
CERAMIC WALL TILE - ACCENT
AMERICAN OLEAN
PERSPECTA 8 X 24
PACIFIC BLUE PE11



CASEWORK - CABINETS
WILSONART
PEWTER MESH 4878.38



SOLID SURFACE COUNTERTOPS
FORMICA SIGNATURES
MIRAGE 733



PAINT
SHERWIN WILLIAMS
SW7015 REPOSE GRAY



CARPET TILE
 J+J FLOORING
 7949 CAMEO II MODULAR
 2001 KATNISS



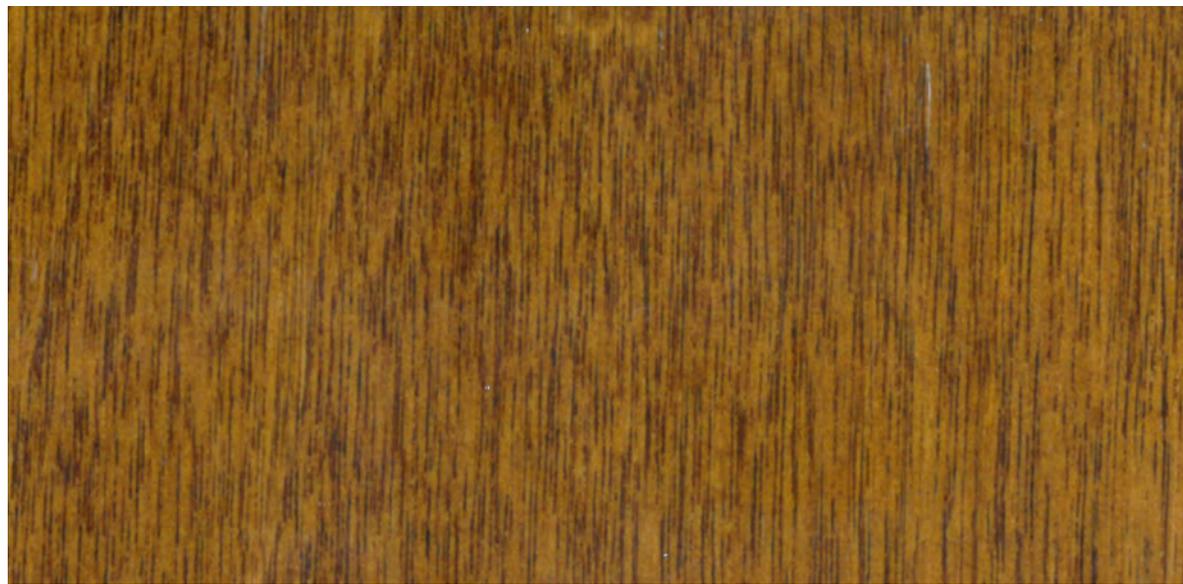
PORCELAIN WALL TILE
 FLORIDA TILE
 AVENTIS AT3RF / AT35 TITANIUM
 12 / 24 X 24



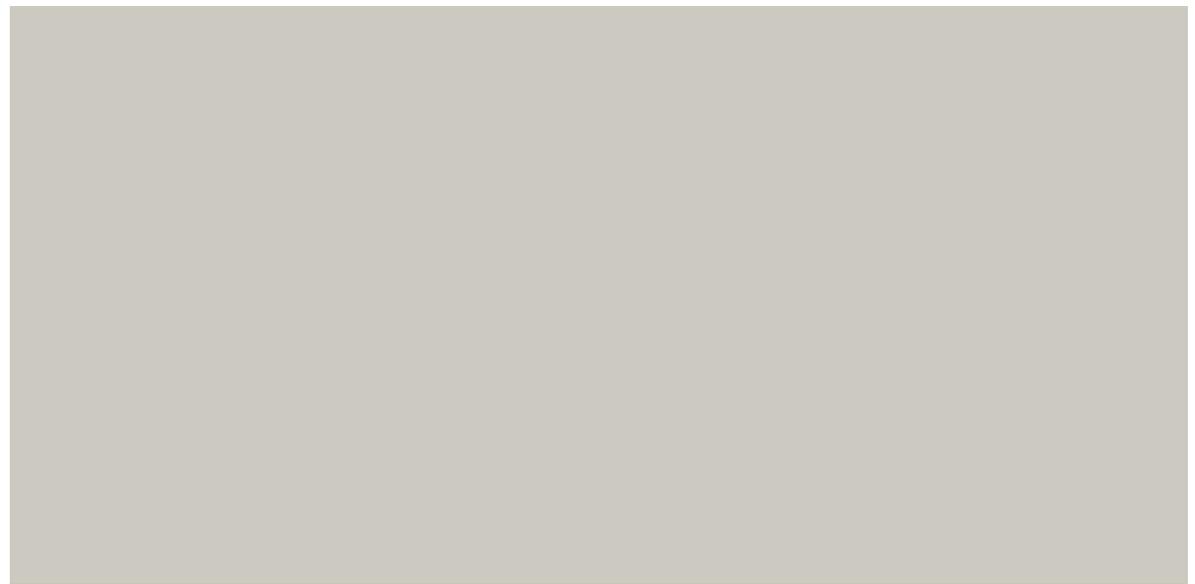
SOLID SURFACE COUNTERTOPS
 FORMICA SIGNATURES
 MIRAGE 733



ACOUSTIC WALL PANELS
 DESIGNTEX
 BIRDSEYE 4142
 LIGHT MOCHA 142-101



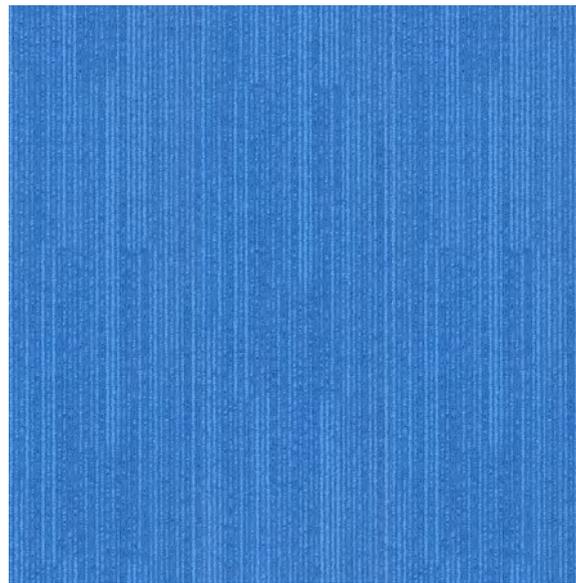
WOOD VENEER
 GRAHAM ROTARY NATURAL BIRCH #275 RUSSET



PAINT
 SHERWIN WILLIAMS
 SW7015 REPOSE GRAY



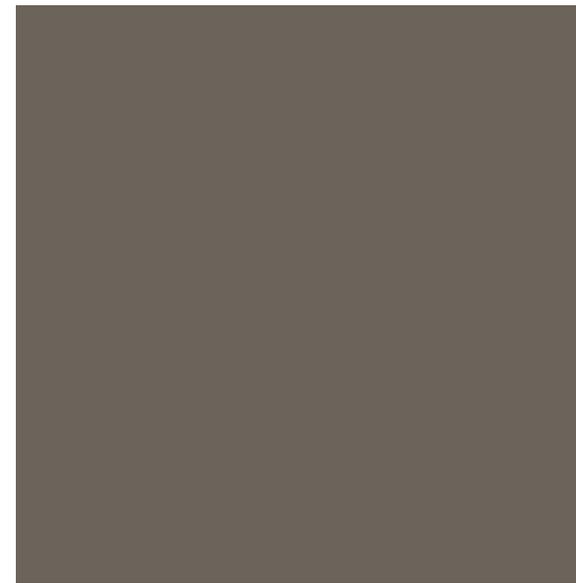
CARPET TILE - PRIMARY
SHAW EXPOSE 5T151
NATURAL 50103



CARPET TILE - ACCENT
PSHAW COLOR FORM 5T112
HYPER BLUE 81436



VINYL ENHANCED TILE
TARKETT AZTERRA
AT104 GRAY ROCK



ACCENT PAINT
SHERWIN WILLIAMS
SW7047 PORPOISE



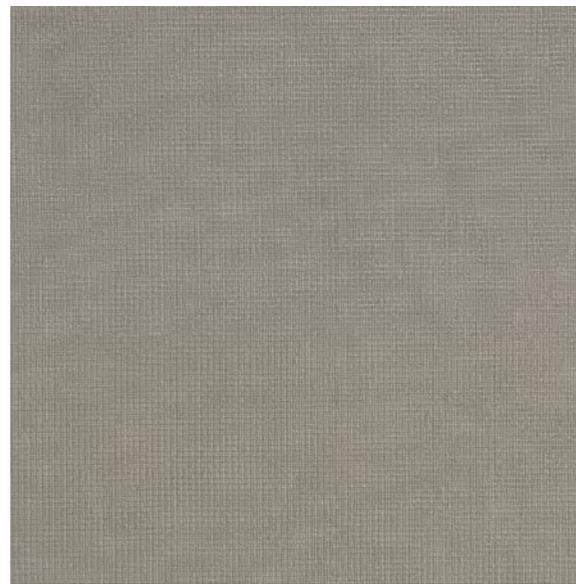
ACCENT PAINT
SHERWIN WILLIAMS
SW6958 DYNAMIC BLUE
OR CUSTOM TINT TO MATCH
PANTONE 294



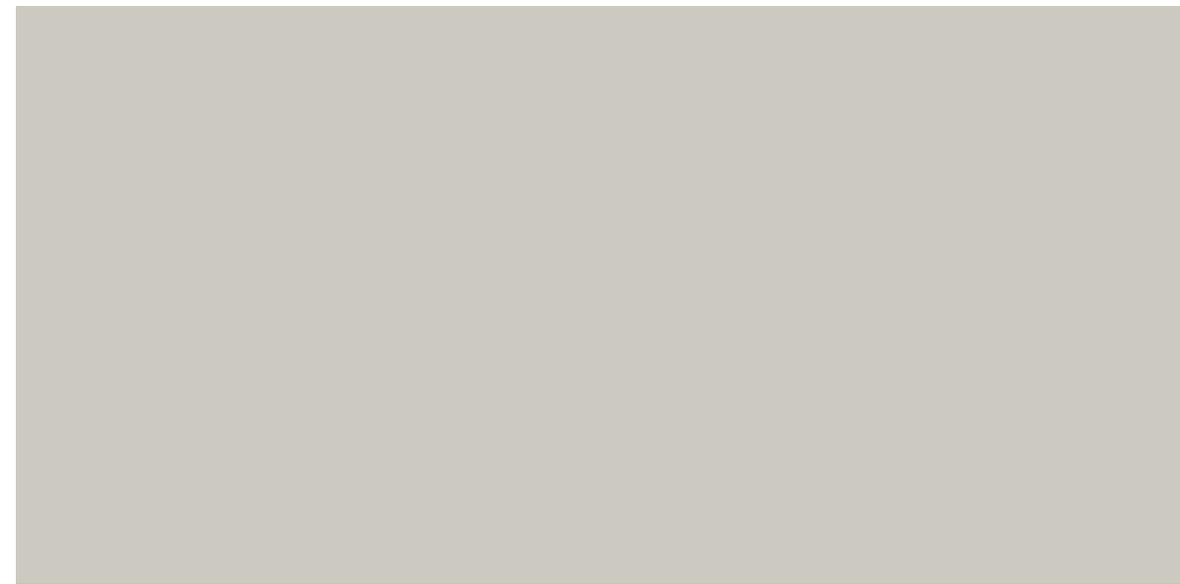
VINYL BASE
JOHNSONITE MILLWORK
REVEAL 4" MW-29-F MOON ROCK



CASEWORK - COUNTERTOPS
FORMICA
NEUTRAL TWILL 8826



CASEWORK - CABINETS
WILSONART
PEWTER MESH 4878.38



PAINT
SHERWIN WILLIAMS
SW7015 REPOSE GRAY



CARPET TILE - PRIMARY
SHAW SEA 5T172
VILLAGE 72760



CARPET TILE - ACCENT
SHAW SEA EDGE 5T713
VILLAGE AZURE 72759



VINYL ENHANCED TILE
TARKETT ACOLOR ESSENCE
CE127 PRETTY PUTTY



ACCENT PAINT
SHERWIN WILLIAMS
SW7047 PORPOISE



ACCENT PAINT
SHERWIN WILLIAMS
SW6958 DYNAMIC BLUE
OR CUSTOM TINT TO MATCH
PANTONE 294



VINYL BASE
JOHNSONITE MILLWORK
REVEAL 4" MW-29-F MOON ROCK



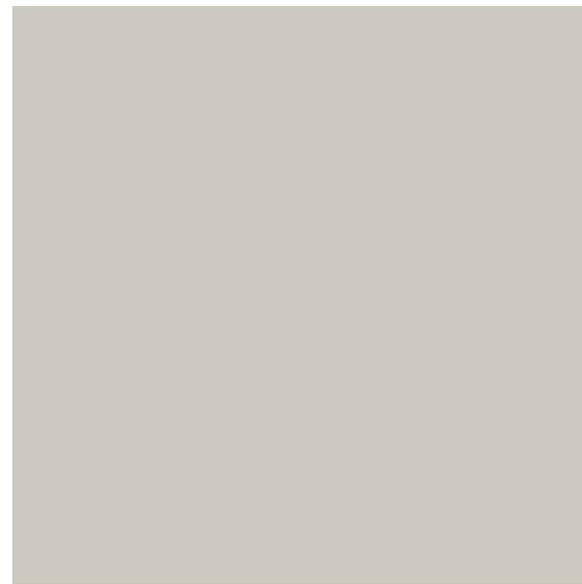
CASEWORK - CABINET
FORMICA
CITADEL 1097-MC
MICRODOT FINISH



CASEWORK - COUNTERTOPS
FORMICA
NEUTRAL TWILL 8826



SOLID SURFACE - COUNTERTOPS
CORIAN
CARBON CONCRETE

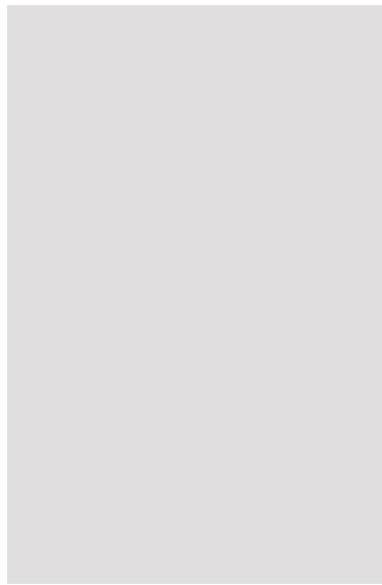
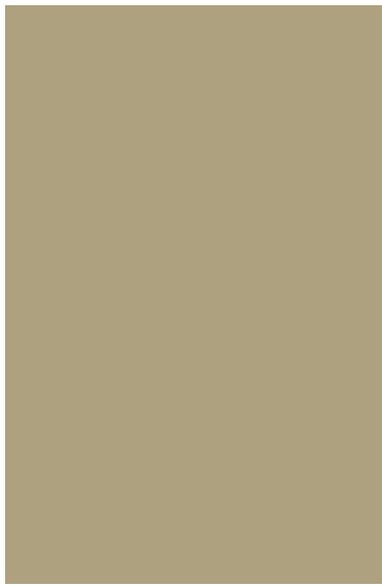


PAINT
SHERWIN WILLIAMS
SW7015 REPOSE GRAY

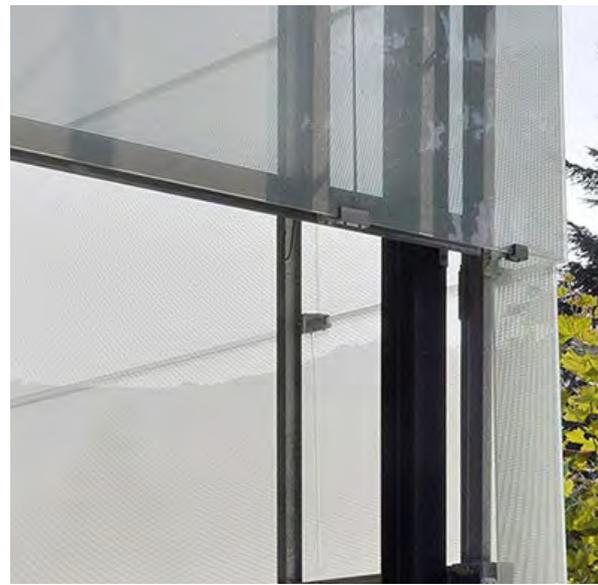
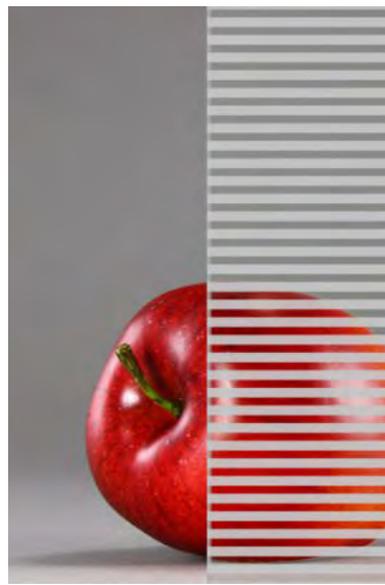


CABARRUS COUNTY COURTHOUSE
CONCORD, NORTH CAROLINA

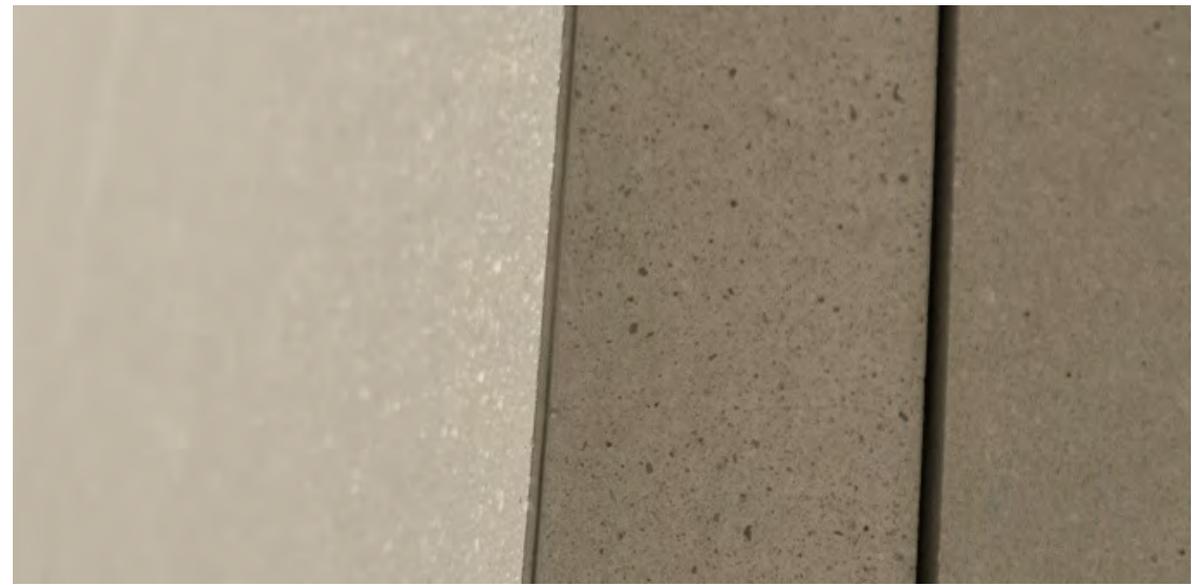
EXTERIOR MATERIALS
FEBRUARY 12, 2020



EXTERIOR MULLIONS + METAL PANELS
FINISH WILL BE EITHER
 KAWNEER CHAMPAGNE ANODIZED OR KAWNEER CLEAR ANODIZED



FRITTED GLASS BENDHEIM
 LINEAR PATTERN FRITTED RAINSCREEN GLASS WHITE PATTERN



ARCHITECTURAL ULTRA HIGH PERFORMANCE CONCRETE CLADDING PANELS
 TAKTL
 TEXTURE: SMOOTH COLOR: BONE 78 FINISH: MEDIABLAST



CUSTOM SUNSHADE
 SIMILAR DESIGN SHOWN
 WHITE POWDERCOATED METAL



HIGH DENSITY LAMINATE TIMBER PANEL
 PARKLEX COPPER



FACE BRICK
 BELDEN
 CONCORD CLEAR

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

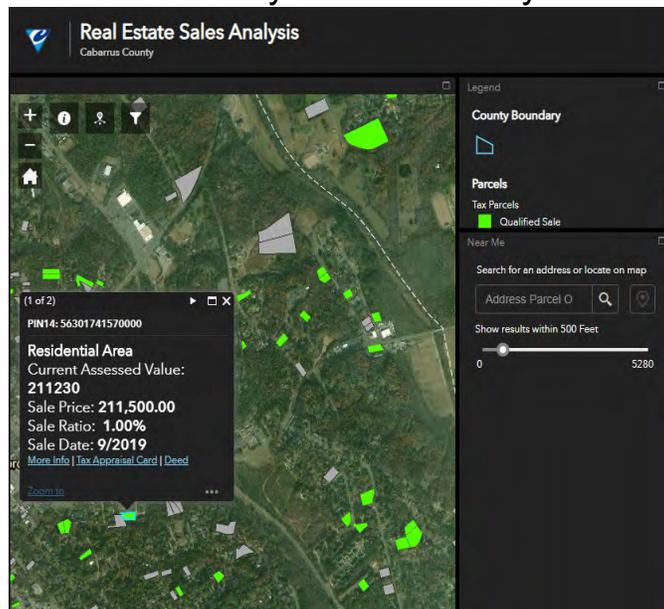
SUBJECT:

Innovation and Technology - Innovation Report

BRIEF SUMMARY:

Demonstration of Cabarrus County's property analysis application that provides the general public quick access to sales, property tax and assessment information.

Real Estate Sales Analysis - Value Analysis Dashboard



REQUESTED ACTION:

Receive report.

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Debbie Brannan, Area Manager of Innovation and Technology

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Required Road Improvements West Cabarrus High School

BRIEF SUMMARY:

Cabarrus County Schools have put the required road improvements for West Cabarrus High School out to bid. There were only two initial bid submissions, so CCS has re-advertised. The Board of Education will consider the bids and make a recommendation to award the project at their first meeting in March. That recommendation will be presented at the Commissioners work session with all the background information. The schedule for completing the improvements is critical to meet the August opening so CCS is requesting that the Commissioners act on this item at the work session. In addition, the current budget for this work is \$1,082,500. If the cost of the work exceeds that budget after bidding, a budget amendment will be necessary.

REQUESTED ACTION:

Motion to suspend the Rules of Procedure.

Motion to award the bid to the low bidder and authorize the Finance Director to prepare the associated budget amendment and project ordinance(s) if needed.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Jonathan B. Marshall, Deputy County Manager
G. Tim Lowder, Director of Operations Cabarrus County Schools
Kelly Klutz, Chief Financial Officer Cabarrus County Schools

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Request
- ▣ Construction Package



March 2, 2020

The Honorable
Mr. Steve Morris, Chair
Ms. Diane Honeycutt, Vice Chair
Ms. Liz Poole
Mr. Lynn Shue
Mr. Blake Kiger
Cabarrus County Board of Commissioners
65 Church Street, SE
Concord, NC 28026

Re: Requested Use of Remaining Contingency & Additional Funding
Weddington Road Construction Improvements

Dear Board of Commissioners:

Cabarrus County Schools Department of Construction received competitive bids for the Weddington Road improvements that are a part of the West Cabarrus High School Project on Monday, March 2, 2020.

The low bid received was in the amount of \$1,368,814.00. The road work allowance included within the construction contract was \$1,082,500.00. In order to supplement the additional cost, we are requesting approval to use \$221,500.00 of the remaining budgeted contingency. To supplement the increased costs, we would like to request an additional \$64,814.00 as well. This request will deplete the remaining available contingency money within the project.

Thank you for the support and commitment that Cabarrus County and its leadership continues to provide Cabarrus County Schools.

Sincerely,

Rob Walter, Chair
Cabarrus County Board of Education

Cc: Cindy Fertenbaugh, Carolyn Carpenter, David Harrison, Barry Shoemaker, Laura Blackwell, Holly Grimsley

New Cabarrus High School Weddington Road Construction Package

Roadway Bid Set
Concord, North Carolina

Owner:

Cabarrus County Schools
4100 Weddington Road
Concord, North Carolina



Consultants

Architect

LS3P
227 West Trade Street Suite 700
Charlotte, NC 28202
704-333-6686

Landscape Architect

Alfred Benesch & Company
2359 Perimeter Pointe Parkway, Suite 350
Charlotte, NC 28208
704-521-9880

Civil Engineer

Alfred Benesch & Company
2359 Perimeter Pointe Parkway, Suite 350
Charlotte, NC 28208
704-521-9880

Sheet List Table

Sheet Number	Sheet Title
C000	Cover
C001	Typical Section
C002	Detail
C003	Detail
C004	Detail
C005	Detail
C006	Detail
C007	Detail
C008	Detail
C009	Detail
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VICINITY MAP

C000

**GENERAL NOTES:
WEDDINGTON ROADWAY IMPROVEMENTS**

PROPOSED CURB ELEVATIONS:

AS INDICATED ON PLANS THE CONTRACTOR SHALL SET AND ADJUST PROPOSED CURB ELEVATIONS AS NECESSARY TO MAINTAIN PROPOSED LONGITUDINAL GRADE FOR DRAINAGE. THE CONTRACTOR SHALL RETAIN EXISTING PAVEMENT, UNLESS OTHERWISE NOTED.

DRIVEWAYS AND SIDEWALKS:

PROPOSED DRIVEWAY ENTRANCE DIMENSIONS ARE FROM EXPANSION JOINT TO EXPANSION JOINT. MATCH REPLACEMENT MATERIAL TO THE EXISTING SURFACE ACCORDINGLY.
CONCRETE - SIX INCHES PORTLAND CEMENT CONCRETE (M30 PSI) AND 6 INCHES COMPACTED BASE.
ASPHALT - TWO INCH TYPE B8.5M AND 6 INCH ABC TYPE B COMPACTED TO 98 PERCENT PROCTOR.
GRAVEL - SIX INCH INCIDENTAL STONE.
SIDEWALK SHALL BE FOUR INCHES THICK, AND SIX INCHES THICK AT DRIVEWAY CROSSINGS. PER NC DOT STANDARD 846(2).

DRAINAGE STRUCTURES:

GRADES, ELEVATIONS AND LOCATIONS ARE SHOWN AS DIRECTED BY THE ENGINEER. THEY MAY BE ADJUSTED TO ACCOMMODATE UNIFORM FLOW CONDITIONS. WEEP HOLES ARE TO BE CONSTRUCTED IN ALL DAMAGED STRUCTURES. WEEP HOLES SHOULD BE ON AT CENTER WITH A MINIMUM OF 1" WEEP HOLES PER FOOT. WEEP HOLES ARE TO BE COVERED BY THE OUTSIDE OF THE STRUCTURE BY A 1/2" DIA. MADE OF FILTER FABRIC AND FILLED WITH 3/4" STONE. STATIONS OFFSETS AND ELEVATIONS REFER TO THE CENTER OF DRAIN PIPES, MANHOLES AND JUNCTION BOXES, AND THE MIDPOINT OF THE CATCH BASINS. ALL PIPES SHALL BE RCP CLASS II, UNLESS OTHERWISE NOTED.

UTILITIES:

UTILITIES ARE ILLUSTRATED FOR INFORMATION PURPOSES ONLY. CABARRUS COUNTY SCHOOL SYSTEM WILL NOT BE HELD RESPONSIBLE FOR THE ACCURACY OF UTILITY LOCATIONS, SIZES, DEPTHS, OR FOR COMPLETENESS OF UTILITY INFORMATION.

BEFORE CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY ALL UTILITY OWNERS WHOSE FACILITIES WILL BE AFFECTED TO DETERMINE UTILITY LOCATIONS. THE CONTRACTOR SHALL PROTECT ALL UTILITIES FROM DAMAGE CAUSED BY HIS OPERATIONS. IN THE EVENT OF DAMAGE TO ANY UTILITY, THE CONTRACTOR SHALL NOTIFY CABARRUS COUNTY SCHOOL SYSTEM IMMEDIATELY FOR ANY THIRD-PARTY ADOPTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DELAYS OR OBSTRUCTIONS TO THE WORK SCHEDULE OF OTHER UTILITY OWNERS.

AS NOTED, THE CONTRACTOR SHALL ADJUST/RELOCATE THE SANITARY SEWER AND WATER LINES ONLY. ALL OTHER ADJUSTMENTS/LOCATIONS WILL BE PERFORMED BY THE VARIOUS UTILITY OWNERS. THE CONTRACTOR SHALL COORDINATE WITH UTILITY OWNERS SO AS NOT TO ADVERSELY AFFECT THE PROJECT SCHEDULE. CABARRUS COUNTY SCHOOL SYSTEM WILL NOT BE HELD RESPONSIBLE FOR ANY DELAYS OR OBSTRUCTIONS TO THE WORK SCHEDULE OF OTHER UTILITY OWNERS.

FOR UTILITY LOCATES CALL NORTH CAROLINA ONE CALL # 1-800-832-9999.
GAS LINES WILL BE ADJUSTED/LOCATED AS NOTED BY PHONE ENTRY A REPRESENTATIVE OF PINE ENERGY MUST BE PRESENT JUST PRIOR TO AND DURING CONSTRUCTION NEAR EXISTING GAS LINES. THE CONTRACTOR SHALL CONTACT PINE ENERGY. NATURAL GAS AT LEAST TWO FEET FROM TO CONSTRUCTION.

EXISTING SANITARY SEWER AND WATER LINE:
THE CONTRACTOR SHALL ADJUST ALL WATER VALVES, WATER METER BOXES AND WATER MAINS TO FINISHED GRADE. WATER METERS LOCATED IN SIDEWALKS OR CONCRETE DRIVEWAYS SHALL BE RELOCATED WITH CONCRETE BOXES.

THE CONTRACTOR SHALL USE CARE WHEN WORKING AROUND SANITARY SEWERS AND WATER LINES. SHOULD THE CONTRACTOR DAMAGE EXISTING SEWER OR WATER LINES, HE SHALL IMMEDIATELY REPLACE THE LINE AT HIS EXPENSE WITH DUCTILE IRON PIPE. THE CONTRACTOR SHALL REPLACE SANITARY SEWER AND/OR WATER LINES WITH A MINIMUM TEN FOOT SECTION OF DUCTILE IRON PIPE WHEN DRAINAGE PIPE COMES WITHIN TWO FEET OF SAID LINES, VERTICALLY OR HORIZONTALLY.

SUBSURFACE PLANS:

NO SUBSURFACE PLANS ARE AVAILABLE ON THIS PROJECT. THE CONTRACTOR MAY MAKE HIS OWN INVESTIGATION TO DETERMINE SUBSURFACE CONDITIONS.

MAIL BOXES:

THE CONTRACTOR SHALL RELOCATE ALL MAIL BOXES AS REQUIRED BY SECTION 107.12 OF THE NC DOT STANDARD SPECIFICATIONS FOR SIGNS AND STRUCTURES. COORDINATE THIS WORK WITH THE U.S. POSTAL SERVICE. THERE SHALL BE NO INTERRUPTION OF SERVICE DURING CONSTRUCTION.

FENCES:

THE CONTRACTOR SHALL REMOVE AND RESET FENCES AS NOTED ON THE PLANS AND/OR AS DIRECTED BY THE ENGINEER.

TREES, SHRUBS, AND HEDGES:

THE CONTRACTOR SHALL PROTECT ALL TREES AND SHRUBS OUTSIDE OF CUT/FILL LINES. IN ADDITION TO THOSE THAT REQUIRE TREE PROTECTION BARRIERS, THE CONTRACTOR IS ALSO REQUESTED TO SAVE OTHER EXISTING TREES AND SHRUBS AS DIRECTED BY THE ENGINEER. WHEN TREE PRUNING IS NECESSARY, CUT ROOTS CLEANLY USING A DIRT TRIMMER OR PLUNGER. STUMP WITHIN TREE ROOTS ARE ADJACENT TO PROPOSED CURB AND OUTSIDE OF SIDEWALK.

SIDE SLOPES:

LIMITS OF PROPOSED SLOPES ARE INDICATED IN THE PLANS, DETAILS AND STANDARD DRAWINGS. THE MAXIMUM SLOPE SHALL NOT EXCEED A 1:1 HORIZONTAL TO VERTICAL FILL UNLESS DESIGNATED BY THE ENGINEER AND A CUT SLOPE OF 2:1 MAXIMUM.

EROSION CONTROL:

THE CONTRACTOR SHALL MAINTAIN EROSION CONTROL DEVICES IN ACCORDANCE WITH THE APPROPRIATE CITY AND STATE EROSION AND SEDIMENT CONTROL ORDINANCES. THE CONTRACTOR SHALL PREVENT STANDING WATER DUE TO CONSTRUCTION. DISTURBED AREA SHALL BE BLENDED AND MATCHED TO THE DIRECTION OF THE ENGINEER. THE CONTRACTOR SHALL FOLLOW THE EROSION CONTROL MEASURES SHOWN ON THE EROSION CONTROL SHEETS.

ACCESSIBLE RAMPS AND DEPRESSED CURB:

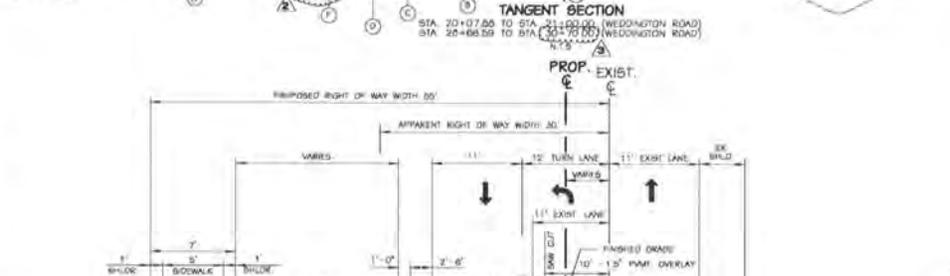
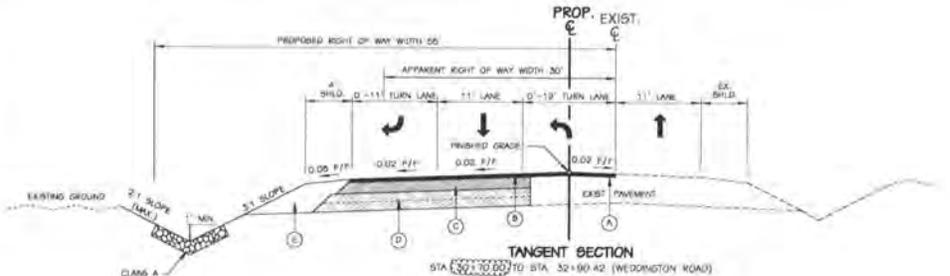
THE CONTRACTOR SHALL CONSTRUCT 8-INCHES THICK CONCRETE ACCESSIBLE RAMPS AT INTERSECTION AS SHOWN ON PLANS IN ACCORDANCE WITH THE LATEST REVISIONS FOR ACCESSIBLE RAMP DETAILS, CONSTRUCTION PLANS AND NC DOT STANDARD DRAWINGS. STD 846(8)

RAW CUT:

THE CONTRACTOR SHALL RAW CUT EXISTING ASPHALT AND/OR CONCRETE SURFACES PRIOR TO REMOVAL UNLESS OTHERWISE DIRECTED BY THE ENGINEER. RAW CUT WITHIN SHALL BE 1" FOOT MINIMUM FROM THE EXISTING EDGE OF PAVEMENT. RAW CUT PAVEMENT SHALL BE REINFORCED AS WELL AS ADDITIONAL PAVEMENT REQUIRED TO BE ADJACENT TO EXISTING LID ON FACE OF PROPOSED CURB AND GUTTER.

TRAFFIC CONTROL:

TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE 2012 EDITION OF THE WORK AREA TRAFFIC CONTROL HANDBOOK (W.A.T.C.H.), NC DOT ROADWAY STANDARD DRAWINGS, MUTCD, AND THE TRAFFIC CONTROL PLANS.



CABARRUS COUNTY SCHOOLS
Cabarrus County Schools
Approved by Board of Education

CCS HS 2019
4100 Weddington Road
Concord, North Carolina

benesch
Allard Benesch & Company
235A Yarmouth Farms Parkway, Suite 200
Charlotte, NC 28268
www.benesch.com
PH: 704.371.1800
Fax: 704.371.1800
Project #17000144

LS3P

201 WEST TRADE STREET, SUITE 100
CHARLOTTE, NORTH CAROLINA 28202
TEL: 704.333.2888 FAX: 704.333.8900
WWW.LS3P.COM

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REVISIONS

No.	Description	Date
1	TYPICAL REV	08.08.2019
2	PAVEMENT REV	09.21.2019
3	REV. C&E LAYOUT	10.29.2019

PROJECT: 17000144
DATE: 08.08.2019
DRAWN BY: S. Galloway
CHECKED BY: S. Galloway

TYPICAL SECTIONS

C600

NOTE: MILL AND OVERLAY THROUGH EXISTING CENTERLINE PAVEMENT MARKING.

NOTE: SEE PROFILE (SHEETS 602-602.1) AND CROSS SECTION (SHEETS 609-609.12) FOR SUPERELEVATION RATES. SEE CROSS SECTION (SHEETS 609-609.12) FOR VARIABLE SIDE SLOPES.

NOTE: MILL AND OVERLAY THROUGH EXISTING CENTERLINE PAVEMENT MARKING.

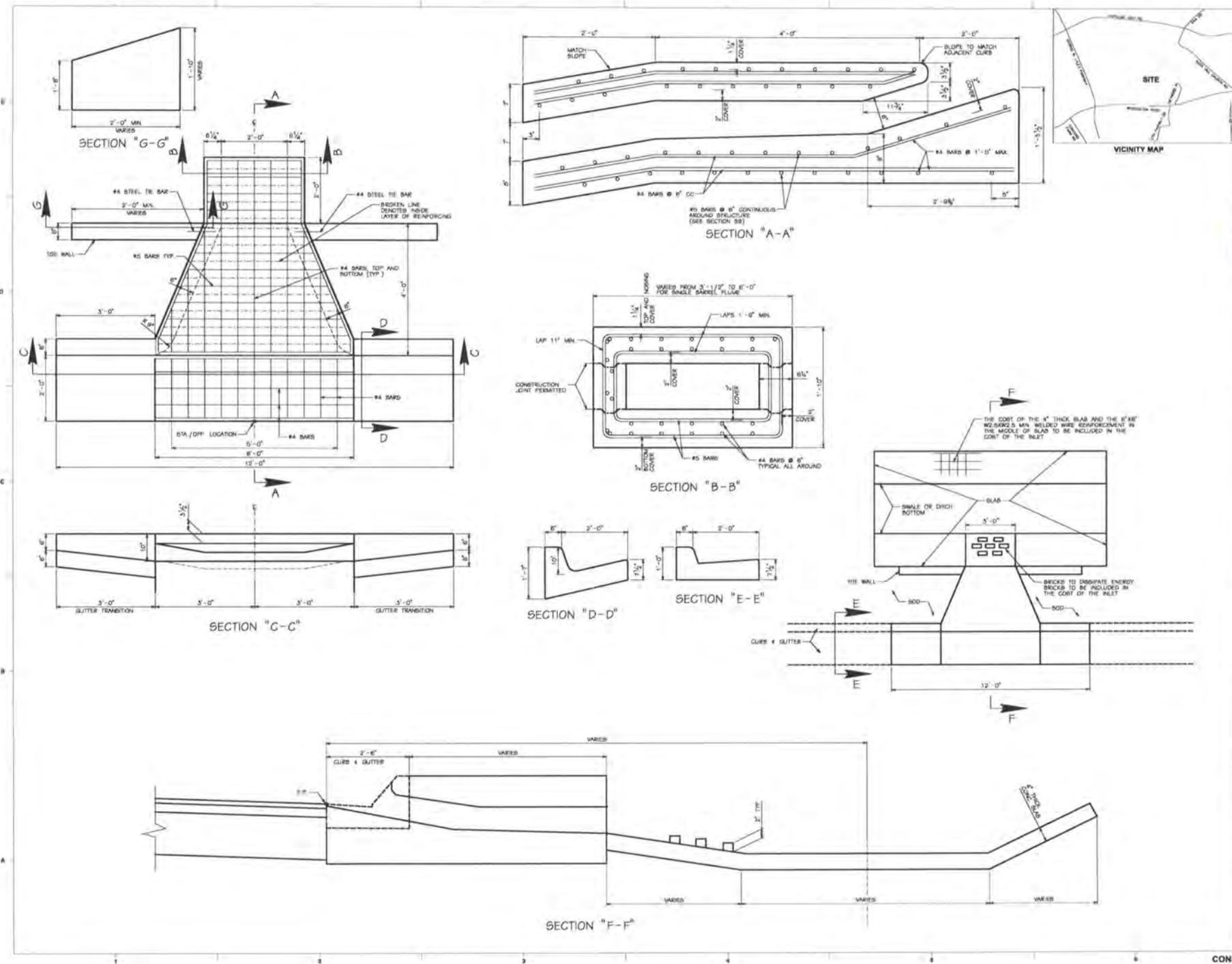
NOTE: MILL AND OVERLAY THROUGH EXISTING CENTERLINE PAVEMENT MARKING.

WEDDINGTON ROAD PAVEMENT SCHEDULE

(A)	2" ASPHALT MILL AND OVERLAY 1.5" ASPHALT (C&E) SURFACE COURSE, TYPE 98.5C, AT AN AVERAGE RATE OF 160 LBS PER SQ YARD IN ONE LAYER.
(B)	PROP. 1.5" ASPHALT (C&E) SURFACE COURSE, TYPE 98.5C, AT AN AVERAGE RATE OF 160 LBS PER SQ YARD IN ONE LAYER.
(C)	PROP. 3" ASPHALT CONC. INTERMEDIATE COURSE, TYPE 119.0C, AT AN AVERAGE RATE OF 200 LBS PER SQ YARD IN ONE LAYER.
(D)	PROP. 4" ASPHALT CONC. BASE COURSE, TYPE 830.0C, AT AN AVERAGE RATE OF 304 LBS PER SQ YARD IN TWO LIFTS OF 2" WITH THE FIRST LIFT OF 2" BEING 6" BEHIND THE CURB AND GUTTER.
(E)	DARTH MATERIAL.
(F)	2" 4" GRES AND RAUTER - NC DOT STD 846(1)
(G)	4" CONCRETE SIDEWALK - NC DOT STD 846(1)

NOTE: MILL AND OVERLAY THROUGH EXISTING CENTERLINE PAVEMENT MARKING.

Weddington Rd. (S.R. 1431)
Posted Speed Limit 45 - Design Speed 50mph



CABARRUS COUNTY SCHOOLS
 Cabarrus County Schools
 CCS HS 2019
 4100 Weddington Road
 Concord, North Carolina

benesch
 Allied Research & Company
 2228 Furman Drive, Suite 200
 Charlotte, NC 28208
 WWW.BENESCH.COM
 704.371.8800
 CDR: NC LICENSE: 7-1320
 Project #: 1900314A

LS3P

271 HONEY TRAIL STREET SUITE 700
 CHARLOTTE, NORTH CAROLINA 28204
 TEL: 704.333.8800 FAX: 704.333.3000
 WWW.LS3P.COM



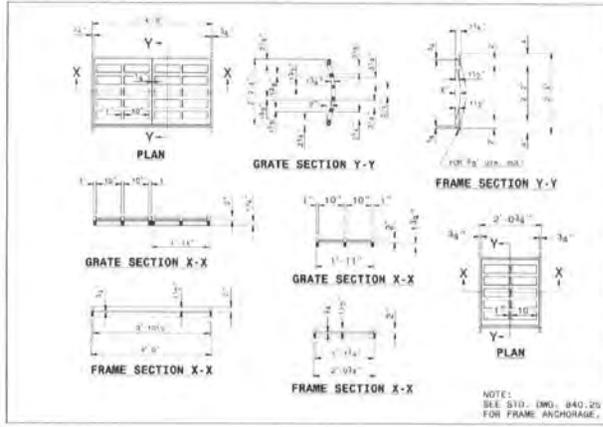
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REVISIONS

No.	Description	Date

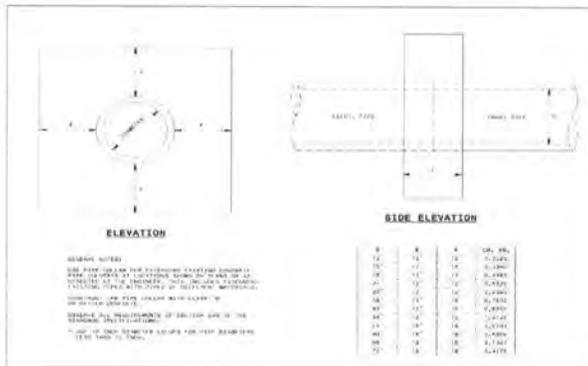
PROJECT: 1900314A
 DATE: 08-09-2019
 DRAWN BY: J. [Name]
 CHECKED BY: J. [Name]

DETAIL
C600.1



STATE OF NORTH CAROLINA
 DIVISION OF HIGHWAYS
 RALEIGH, N. C.
 STANDARD DRAWING FOR
FRAMES AND WIDE SLOT SAG GRATES
 840.22

NOTE:
 SEE STD. DWG. 840.20
 FOR FRAME ANCHORAGE.



STATE OF NORTH CAROLINA
 DIVISION OF HIGHWAYS
 RALEIGH, N. C.
 STANDARD DRAWING FOR
PIPE COLLAR
 840.72



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 Project #17000144



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REVISIONS:

No.	Description	Date
1	ADD'D REVISION	08-03-2019
2	REVISED STANDARD	03-29-2019

PROJECT: 17000144
 DATE: 08-02-2019
 DRAWN BY: S. Guffney
 CHECKED BY: S. Guffney





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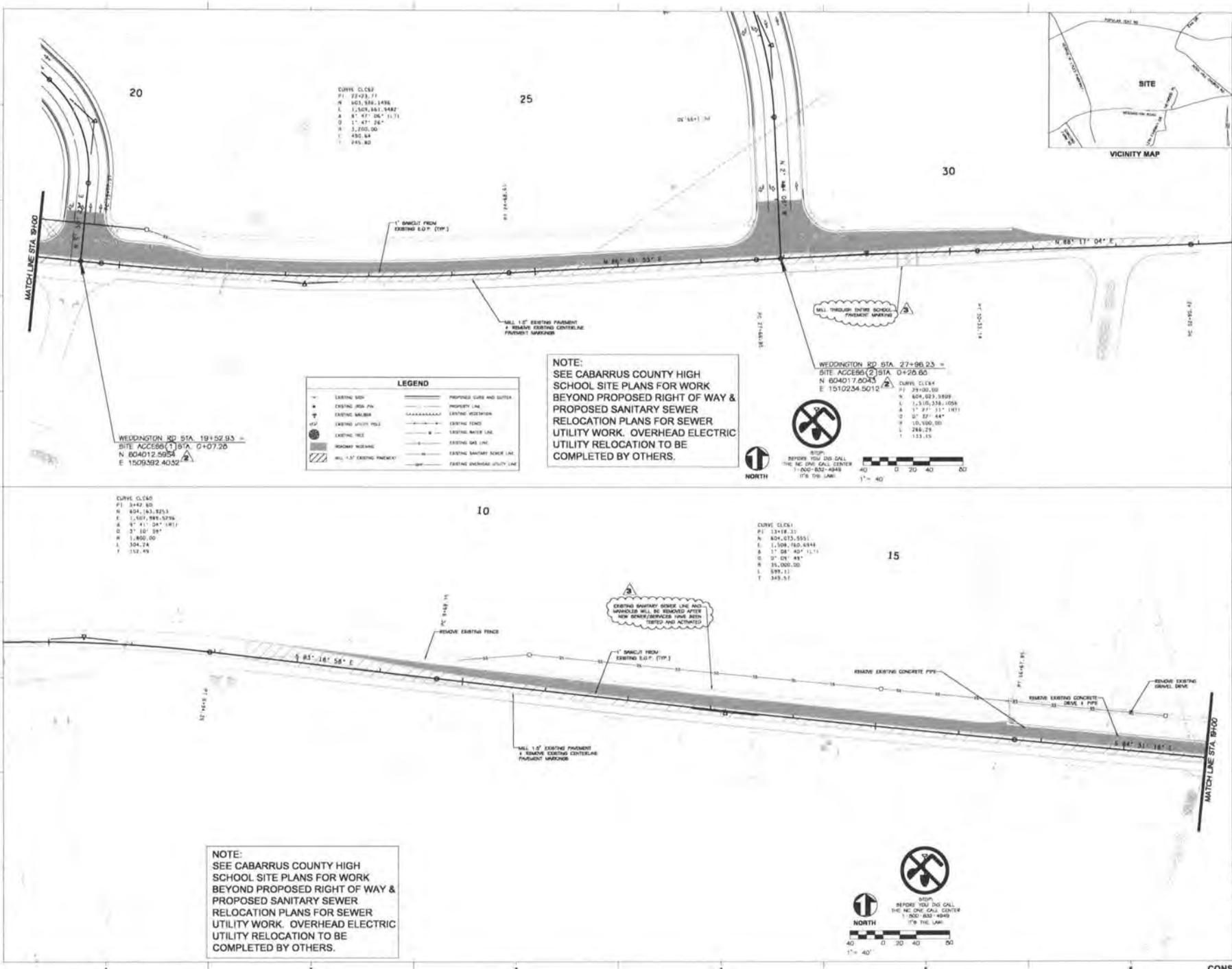
REVISIONS:

No.	Description	Date
1	REV. PAVING LIMITS	08-09-2018
2	RELABELED ACCESS	08-09-2018
3	ADDED LABELS	08-09-2018

PROJECT: 17000144
DATE: 08-09-2018
DRAWN BY: S. Duffley
CHECKED BY: S. Duffley

EXISTING & DEMO
PLAN - ROADWAY

C601



LEGEND

—	EXISTING ROAD	—	PROPOSED CURB AND GUTTER
—	EXISTING SIDE FIN.	—	PROPERTY LINE
—	EXISTING MAILBOX	—	EXISTING VEGETATION
—	EXISTING UTILITY POLE	—	EXISTING FENCE
—	EXISTING TREE	—	EXISTING WATER LINE
—	ROADWAY MARKING	—	EXISTING GAS LINE
—	MILL 1.5" EXISTING PAVEMENT	—	EXISTING SANITARY SEWER LINE
—		—	EXISTING OVERHEAD UTILITY LINE

NOTE:
SEE CABARRUS COUNTY HIGH SCHOOL SITE PLANS FOR WORK BEYOND PROPOSED RIGHT OF WAY & PROPOSED SANITARY SEWER RELOCATION PLANS FOR SEWER UTILITY WORK. OVERHEAD ELECTRIC UTILITY RELOCATION TO BE COMPLETED BY OTHERS.

NOTE:
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20

25

30

10

15

CURVE DATA
 PI 3+42.80
 W 604.161, 29.53
 E 1,507.985, 32.88
 A 8° 41' 04" (87)
 D 3' 10" 35"
 R 1,800.00
 L 804.24
 T 152.49

CURVE DATA
 PI 13+18.33
 W 404.073, 55.51
 E 1,508.140, 32.88
 A 1° 08' 45" (1.7)
 D 3' 08" 45"
 R 35,000.00
 L 429.71
 T 148.47



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 Chris W. Lottman - F1330
 Project #17000144



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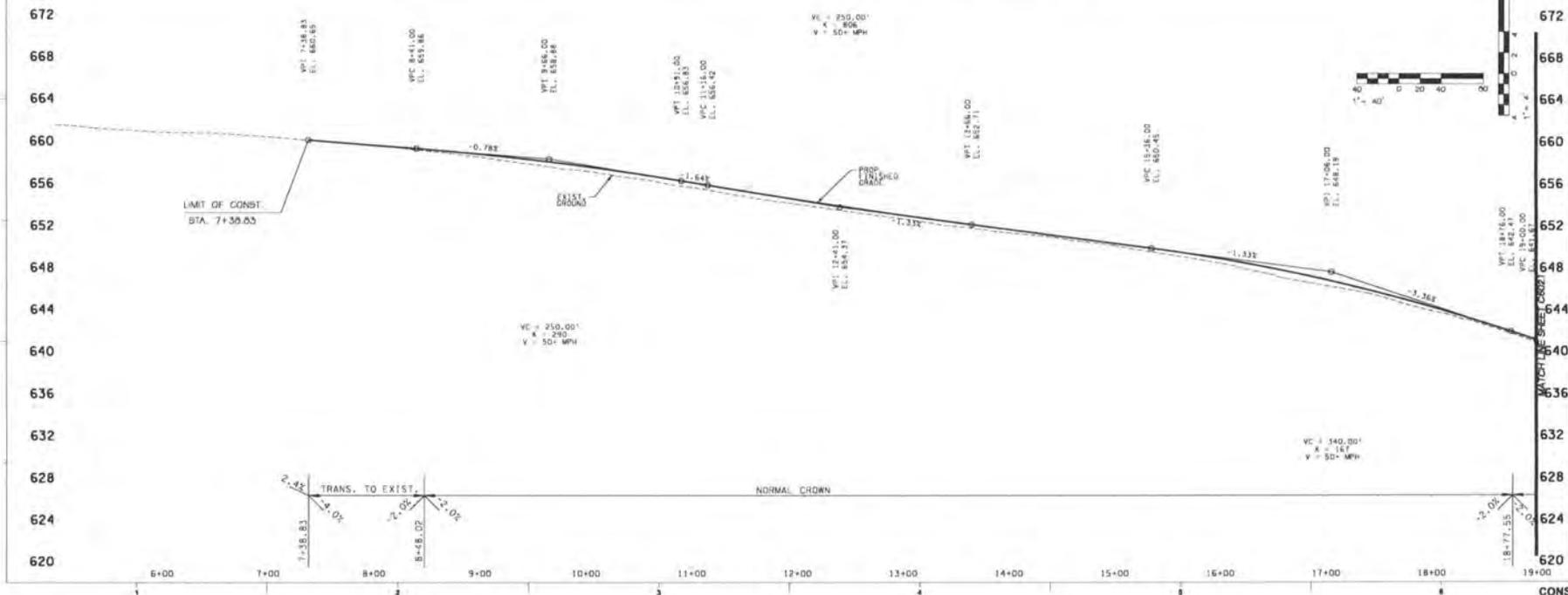


LEGEND

---	EXISTING ROAD	---	PROPOSED CURB AND GUTTER
---	EXISTING SIDEWALK	---	PROPOSED SIDEWALK
---	EXISTING DRIVEWAY	---	EXISTING RECREATION
---	EXISTING UTILITY POLE	---	EXISTING FENCE
---	EXISTING FENCE	---	EXISTING WATER LINE
---	EXISTING WATER LINE	---	EXISTING GAS LINE
---	EXISTING GAS LINE	---	EXISTING SANITARY SEWER LINE
---	EXISTING SANITARY SEWER LINE	---	EXISTING OVERHEAD UTILITY LINE
---	EXISTING OVERHEAD UTILITY LINE		

NOTE:
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NOTE:
 SEE SHEET C606 FOR DRAINAGE LAYOUT



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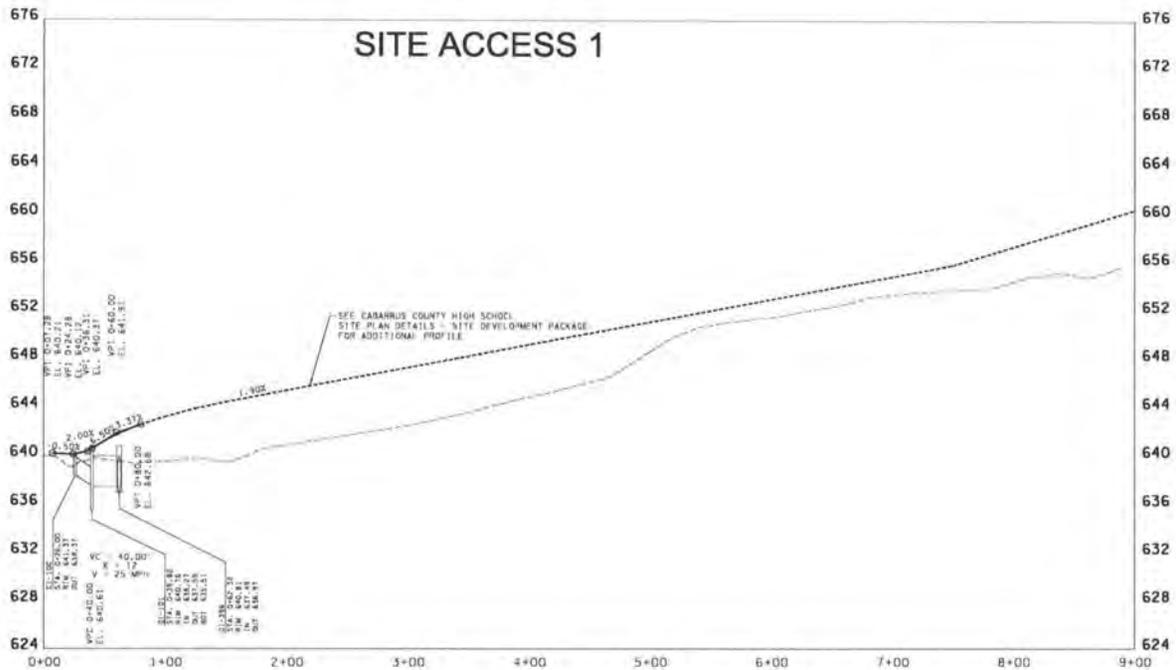
REVISIONS

No.	Description	Date
1	REV. PAVING LIMITS	08-09-2018
2	REV. CURB	08-09-2018
3	REV. MARKING	08-09-2018

PROJECT: 17000144
 DATE: 08-09-2018
 DRAWN BY: S. McClellan
 CHECKED BY: S. Anthony

WEDDINGTON RD IMPROVEMENT PLAN AND PROFILE
C602

SITE ACCESS 1



CABARRUS COUNTY SCHOOLS
 Cabarrus County Schools
 Building upon Learning

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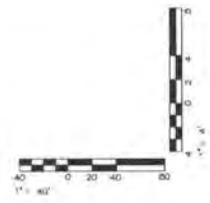
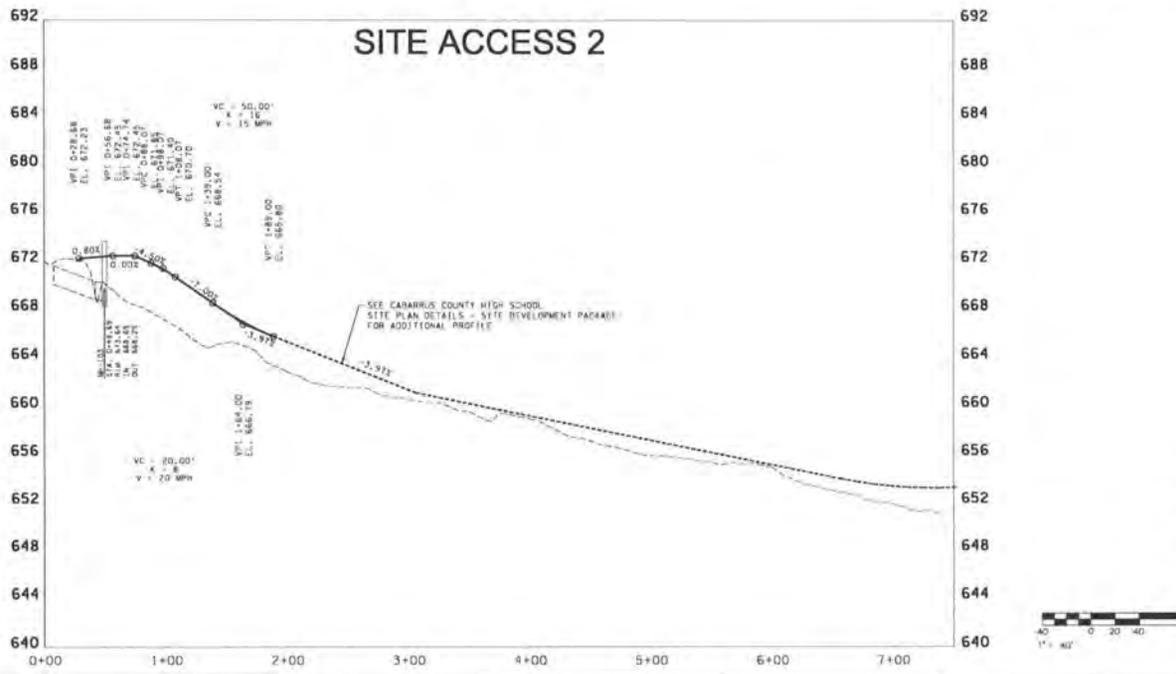
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 Charlotte, NC 28234
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 Project #1700144



837 NORTH TRADW STREET SUITE 700
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SITE ACCESS 2



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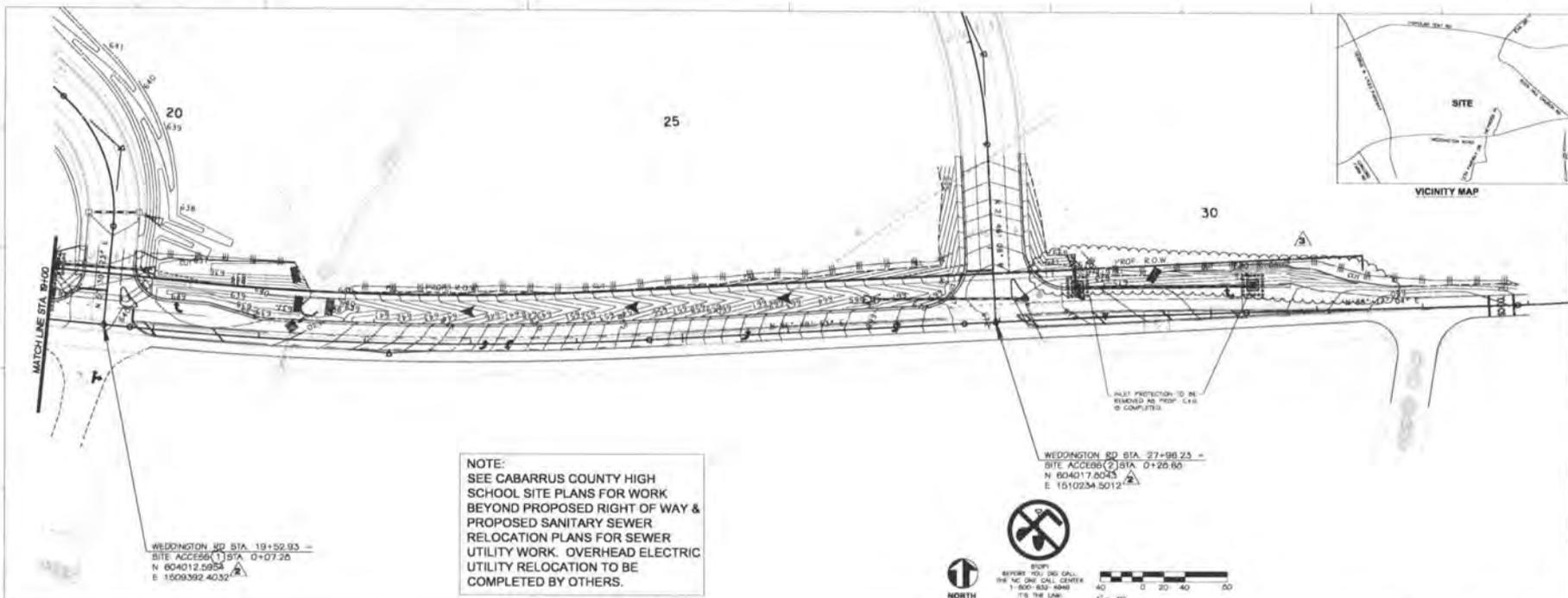
REVISIONS

No.	Description	Date
1	REBARLED ACCESS	02-28-2019

PROJECT: 1700144
 DATE: 02-28-2019
 DRAWN BY: S.VanCleave
 CHECKED BY: R.Saffery

SITE ACCESS 1 & SITE ACCESS 2 PROFILES

C602.2

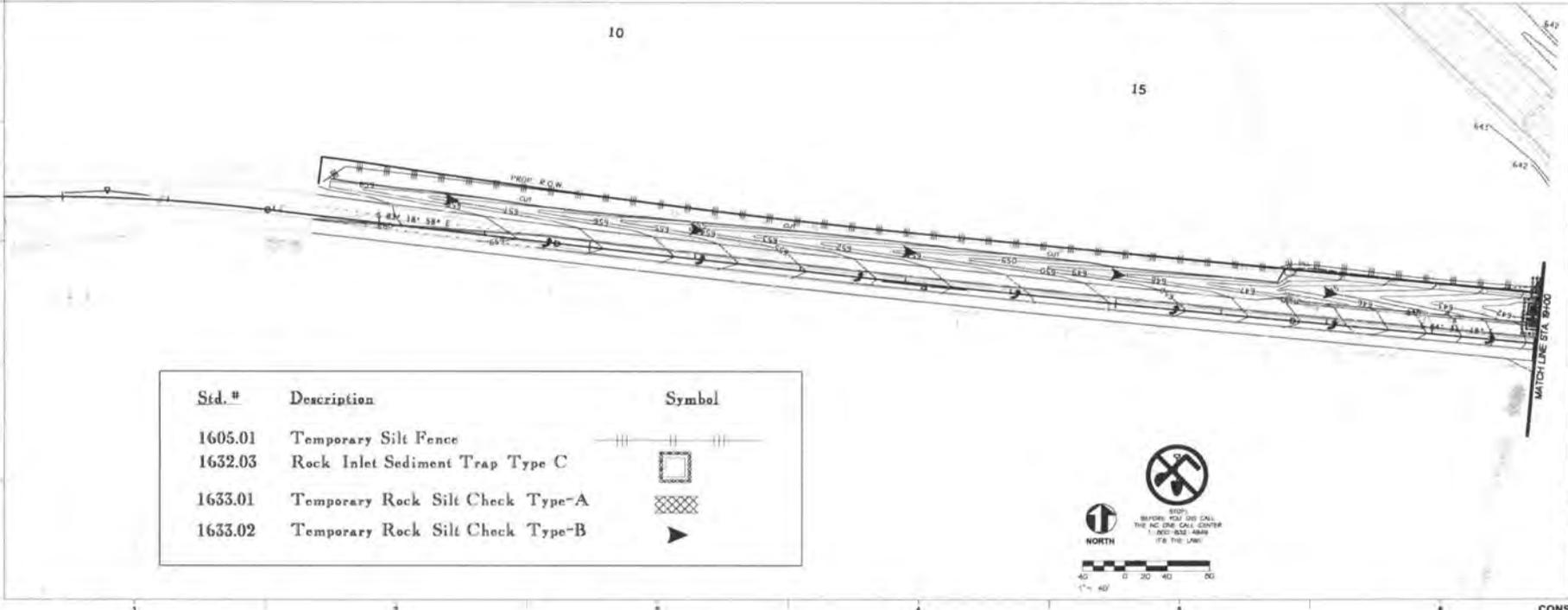


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EPA NC License: 1-1330
Project #17000448



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Std. #	Description	Symbol
1605.01	Temporary Silt Fence	
1632.03	Rock Inlet Sediment Trap Type C	
1633.01	Temporary Rock Silt Check Type-A	
1633.02	Temporary Rock Silt Check Type-B	

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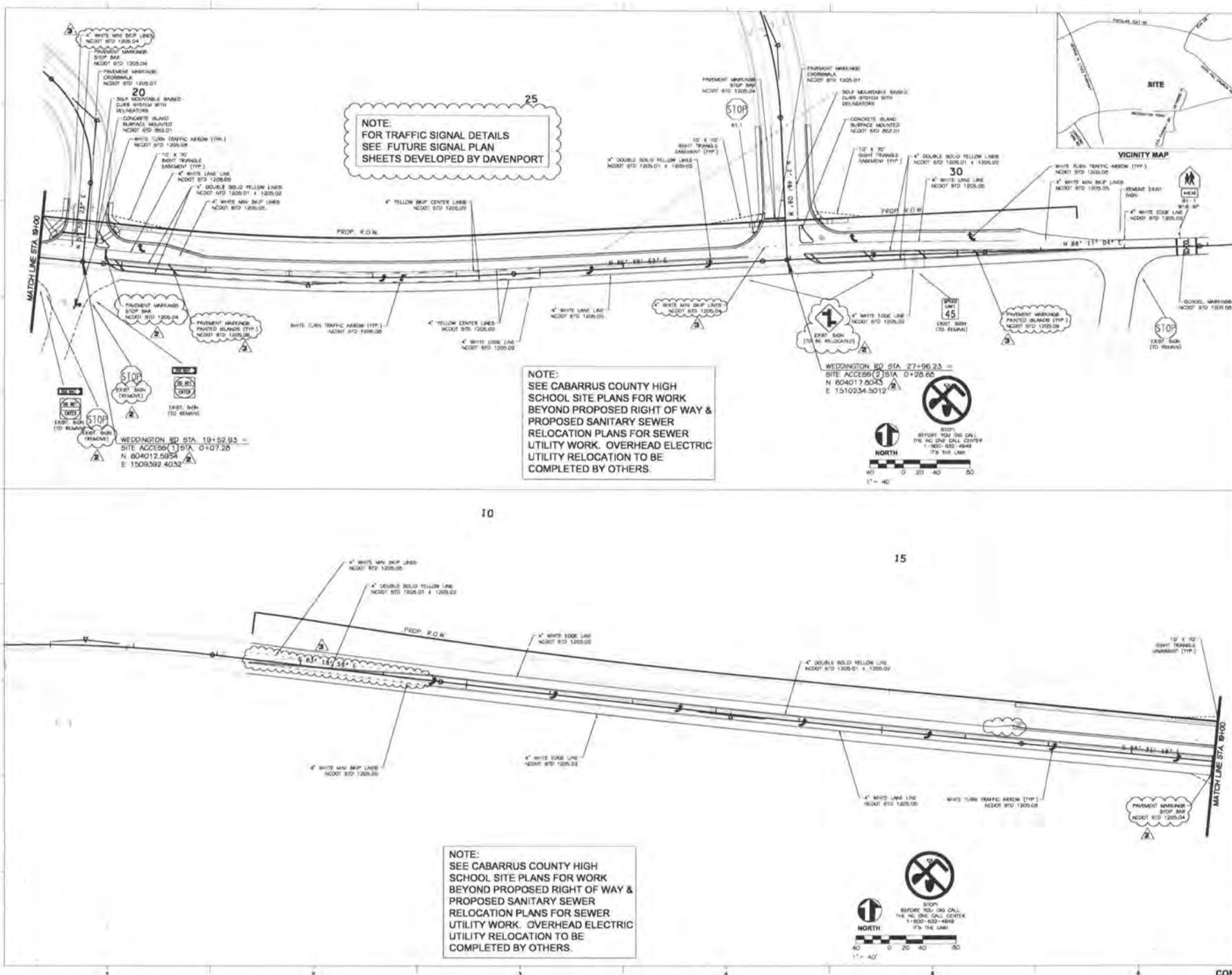
REVISIONS:

No.	Description	Date
1	REV. PERMITS LIMITS	08-03-2018
2	REV. ADDED ACCESS	08-09-2018
3	REV. C&M	10-26-2018

PROJECT: 1700044
DATE: 03-03-2018
DRAWN BY: J. DeGroot
CHECKED BY: A. Bellamy



CONSTRUCTION DOCUMENTS



NOTE:
FOR TRAFFIC SIGNAL DETAILS
SEE FUTURE SIGNAL PLAN
SHEETS DEVELOPED BY DAVENPORT

NOTE:
SEE CABARRUS COUNTY HIGH
SCHOOL SITE PLANS FOR WORK
BEYOND PROPOSED RIGHT OF WAY &
PROPOSED SANITARY SEWER
RELOCATION PLANS FOR SEWER
UTILITY WORK. OVERHEAD ELECTRIC
UTILITY RELOCATION TO BE
COMPLETED BY OTHERS.

NOTE:
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SCHOOL SITE PLANS FOR WORK
BEYOND PROPOSED RIGHT OF WAY &
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RELOCATION PLANS FOR SEWER
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Fax: 704.333.8840
LEAD: W. L. LAYTON
PROJECT: 1708134



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No.	Description	Date
1	REV. PAVING LINES	08-03-2019
2	REV. SIGN & MARKING	08-09-2019
3	REV. MARKING	10-08-2019

PROJECT: 1708134
DATE: 08-09-2019
DRAWN BY: A. Gauthier
CHECKED BY: S. Gauthier

WEDDINGTON RD
PAVEMENT
MARKING AND
SIGNING PLAN
C604



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 Concord, North Carolina

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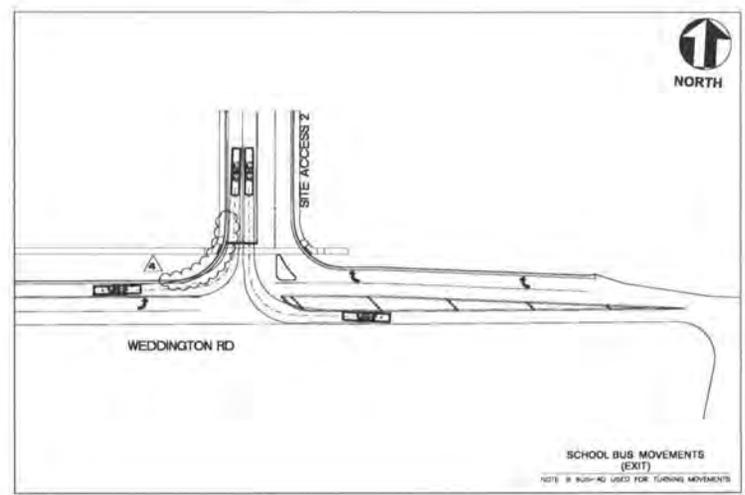
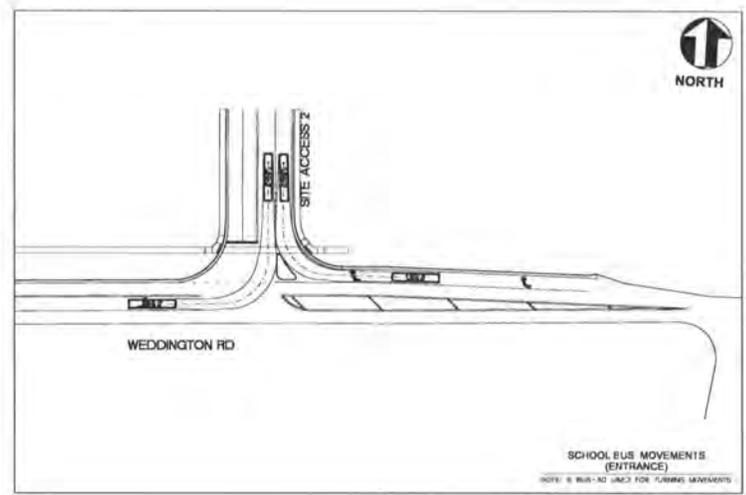
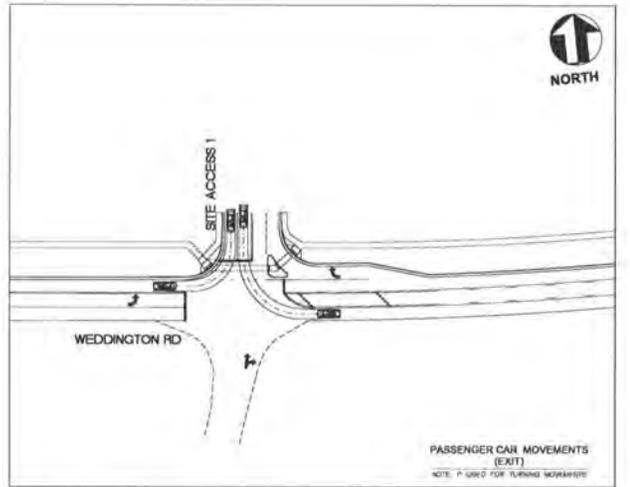
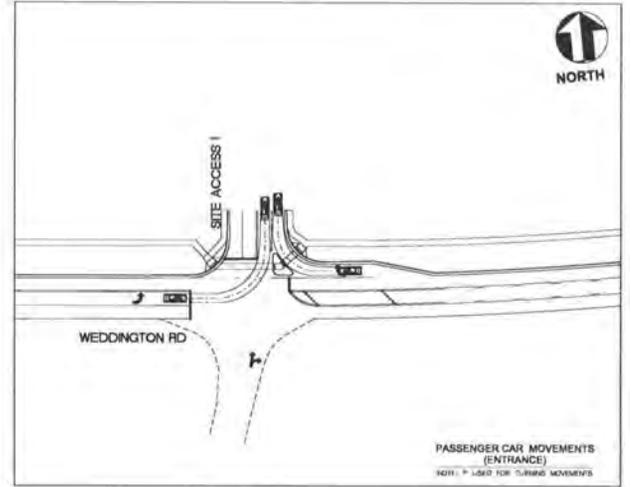
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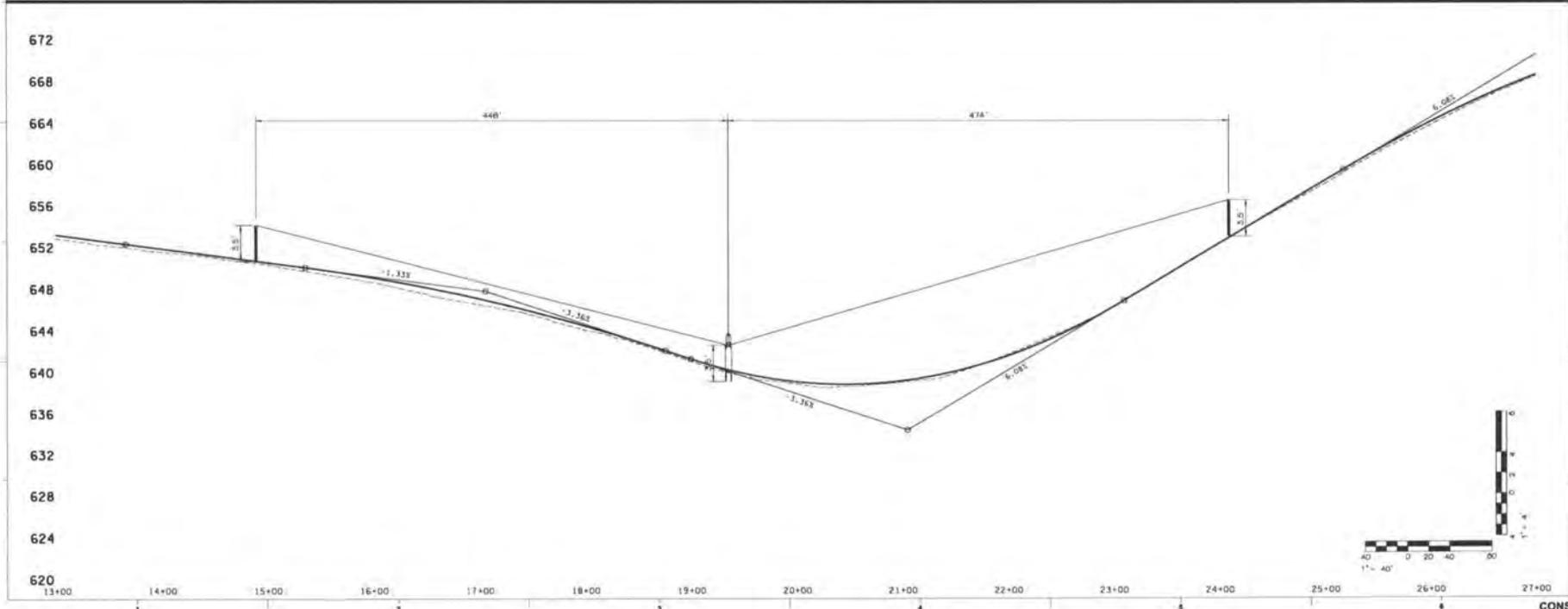
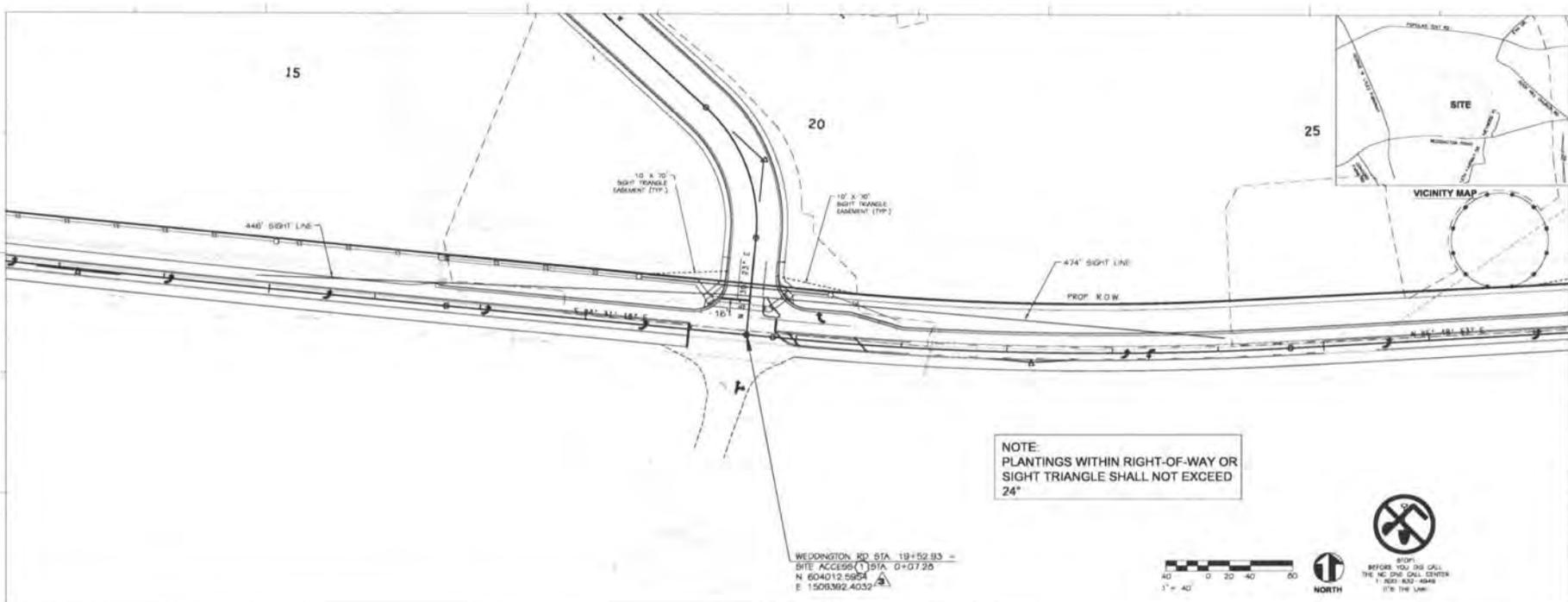
No.	Description	Date
1	REV. PAVING LIMITS	08-02-2019
2	RECALCULATED SPREAD	08-08-2019
3	RECALCULATED ACCESS	08-08-2019
4	REV. RADII	08-08-2019

PROJECT: 17000154
 DATE: 08-02-2019
 DRAWN BY: S. GARDNER
 CHECKED BY: S. GARDNER

ROADWAY PAVEMENT MARKING PLAN (TURNING MOVEMENTS)

C604.1





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 4100 Weddington Road
 Concord, North Carolina

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 Alfred Benesch & Company
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 Project #: 1700214



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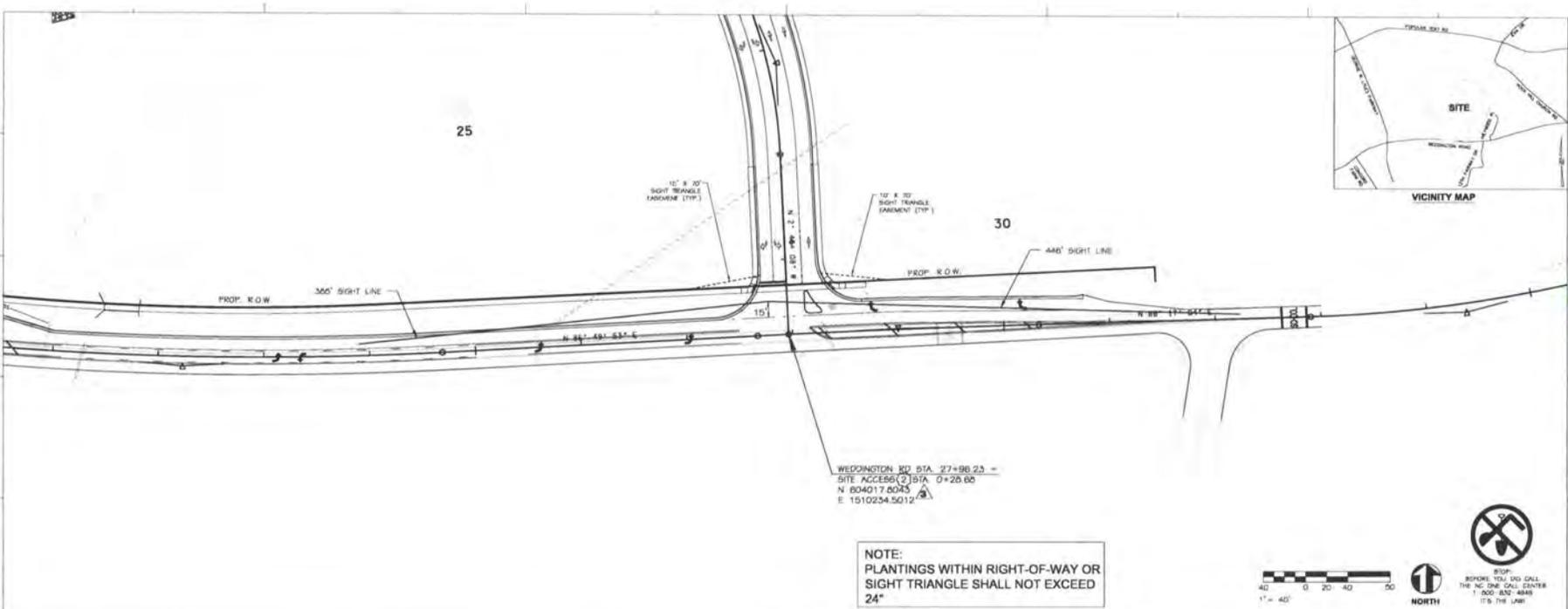
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No.	Description	Date
1	REV. PAVING LIMITS	08-03-2019
2	REWORKING SIGHT	08-08-2019
3	RELAISED ACCESS	03-08-2019

PROJECT: 1700214
 DATE: 08-03-2019
 DRAWN BY: S.HoCleave
 CHECKED BY: S.HoCleave

SITE ACCESS 1
 SIGHT DISTANCE
C604.2



WEDDINGTON RD STA. 27+86.23 =
 SITE ACCESS (2) STA. 0+26.00
 N 80°41'17.80"S
 E 151°02'34.50"E

NOTE:
 PLANTINGS WITHIN RIGHT-OF-WAY OR
 SIGHT TRIANGLE SHALL NOT EXCEED
 24"

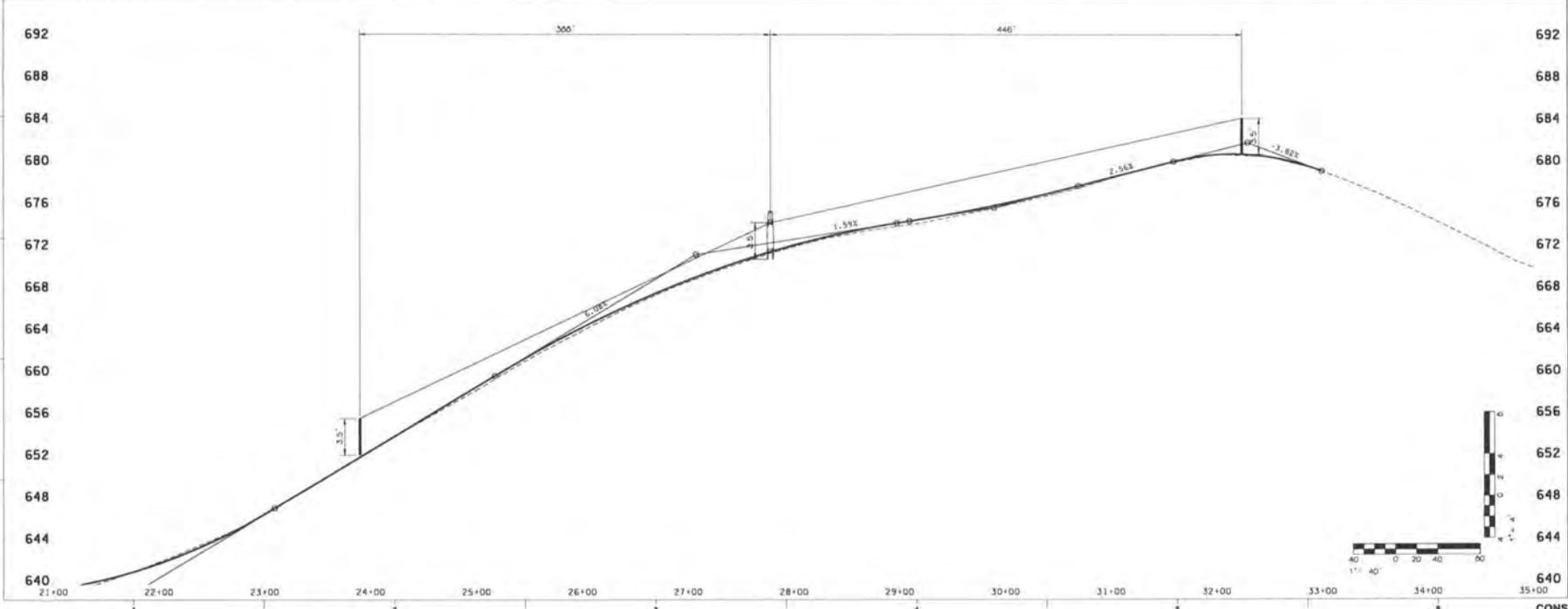


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REVISIONS:

No.	Description	Date
1	REV. PAVING LIMITS	08-03-2019
2	RECALCULATED SLOPE	09-09-2019
3	REV. LAND-USE ACCESS	09-09-2019

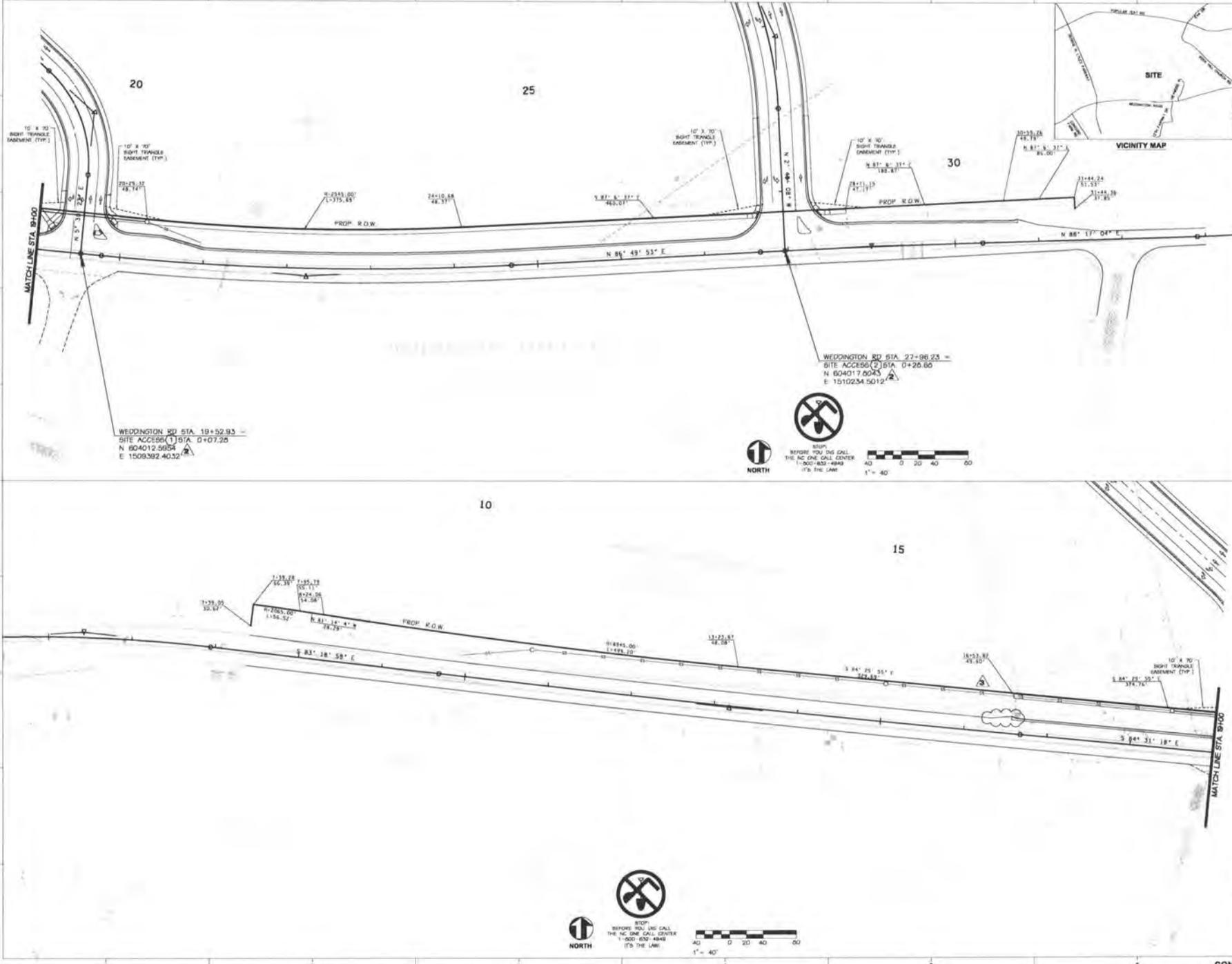
PROJECT: 17000144
 DATE: 09-09-2019
 DRAWN BY: B. Sullivan
 CHECKED BY: B. Sullivan

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SITE ACCESS 2
 SIGHT DISTANCE

C604.3

CONSTRUCTION DOCUMENTS



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1	REV. PAVING LIMITS	03-09-2019
2	RELABELED ACCESS	03-09-2019
3	REV. C&D	03-09-2019

PROJECT: 17580134
 DATE: 03-09-2019
 DRAWN BY: A VanCleave
 CHECKED BY: B. Hedley



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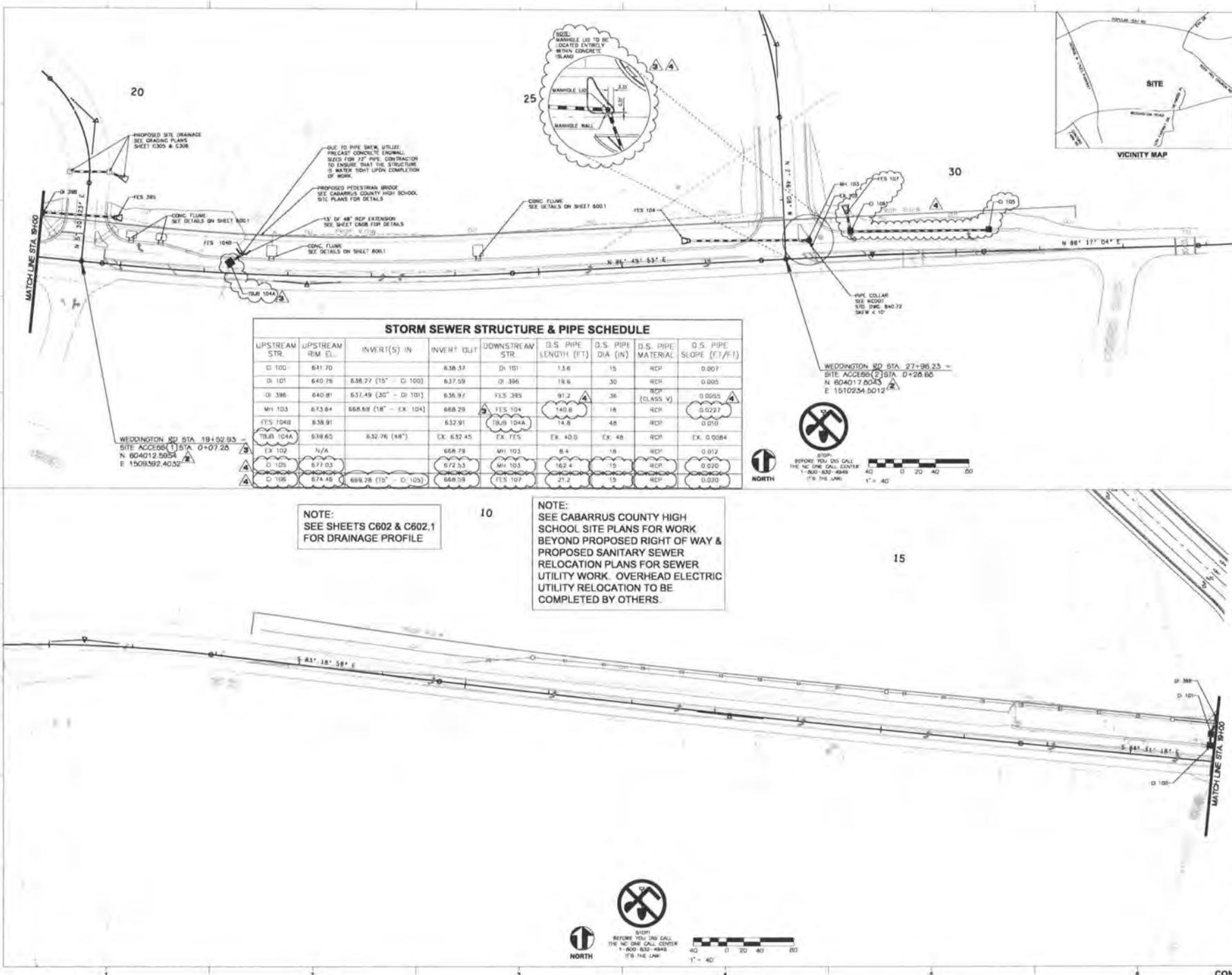
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No.	Description	Date
1	REV. PAVING LIMITS	08-02-2019
2	REV. UNPAVED ACCESS	08-02-2019
3	REV. DRAINAGE	02-05-2019
4	REV. DRAINAGE	04-09-2019

PROJECT: 17000144
DATE: 09-20-2019
DRAWN BY: S. Galloway
CHECKED BY: S. Galloway

C606
DRAINAGE LAYOUT



NOTE:
SEE SHEETS C602 & C602.1
FOR DRAINAGE PROFILE

NOTE:
SEE CABARRUS COUNTY HIGH SCHOOL SITE PLANS FOR WORK BEYOND PROPOSED RIGHT OF WAY & PROPOSED SANITARY SEWER RELOCATION PLANS FOR SEWER UTILITY WORK. OVERHEAD ELECTRIC UTILITY RELOCATION TO BE COMPLETED BY OTHERS.

TRAFFIC CONTROL PLAN

WORK ZONE TRAFFIC CONTROL NOTES

- A. STREET SPACE IS AT A MINIMUM SO NO MORE SPACE SHOULD BE USED FOR CONSTRUCTION OR MAINTENANCE WORK THAN IS ABSOLUTELY NECESSARY. THROUGH BARRICADES AND CHANNELIZATION, THE REMAINING STREET SPACE IS TO BE USED TO CARRY THE TRAFFIC AROUND THE WORK AREA IN THE BEST WAY POSSIBLE UNDER PREVAILING CONDITIONS.
- B. TRAFFIC CONTROL DEVICES SHALL BE SET UP PRIOR TO THE START OF CONSTRUCTION OR MAINTENANCE OPERATIONS, AND SHALL BE REMOVED OR RELOCATED AS THE WORK IS FINISHED OR WORK CONDITIONS CHANGE. THE AGENCY DOING THE WORK SHALL PATROL THE WORK SITE AS REQUIRED TO ENSURE THAT ALL TRAFFIC CONTROL DEVICES ARE IN PLACE AND OPERATING AT ALL TIMES.
- C. ALL TRAFFIC CONTROL SIGNS FOR THE WORK AREA SHALL BE REFLECTORIZED THE REFLECTIVE MATERIALS USED SHALL BE EQUAL TO OR BETTER THAN THE TYPE 1, LEVEL A REFLECTIVE SHEETING REQUIREMENTS IN SECTION 633 OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF ROADS AND BRIDGES ON FEDERAL HIGHWAY PROJECTS (11-74).
- D. AT NIGHT, ADEQUATE BARRICADES WITH REFLECTORIZED MATERIAL AND LIGHTS ARE REQUIRED TO CALL ATTENTION TO AND TO INDICATE THE ACTUAL LOCATION OF OBSTRUCTIONS AND HAZARDS.
- E. WHEN NOT IN USE DURING WORK HOURS OR CONSTRUCTION IN ACTIVITY, EQUIPMENT SHALL BE PARKED A MINIMUM OF 10' AWAY FROM THE TRAVEL LANE IN SUCH A MANNER AS TO NOT CREATE A SIGHT DISTANCE PROBLEM FOR MOTORISTS AND PROPER DRUMS USED.
- F. THE MINIMUM WIDTH FOR TEMPORARY TRAVEL LANES IS 10 FEET. HOWEVER, A 12 FOOT LANE IS ADVISABLE AND SHOULD BE PROVIDED WHEREVER POSSIBLE.
- G. WHENEVER TRAFFIC MUST BE ROUTED ACROSS THE CENTERLINE, THE TWO DIRECTIONS OF TRAFFIC MUST BE PHYSICALLY SEPARATED. TRAFFIC CONES CAN BE EFFECTIVELY USED FOR THIS PURPOSE DURING DAYLIGHT HOURS. REFLECTORIZED DRUMS MUST BE USED AT NIGHT.
- H. TRAFFIC SHALL NOT BE ROUTED ACROSS CENTERLINE WITH CONES OR DRUMS DURING NON-WORKING HOURS. CONTRACTOR MUST BE ON SITE OR CHANGE PAVEMENT MARKINGS APPROPRIATELY.
- I. GENERALLY, THE PEAK FLOW OF TRAFFIC OCCURS BETWEEN THE HOURS OF 8-9 AM AND 4:00-4:30 PM, MONDAY THROUGH FRIDAY. DURING THESE HOURS, CONSTRUCTION ACTIVITY WHICH INVOLVE A LANE CLOSURE WILL NOT BE ALLOWED ON THOROUGHFARE STREETS EXCEPT IN EMERGENCY SITUATIONS OR WITH APPROVAL FROM THE NCDOT.
- J. THE AGENCY DOING THE WORK SHALL PROVIDE FLAGGERS AND/OR POLICE CONTROL WHEN REQUIRED. CONTRACTOR MAY ALSO BE REQUIRED TO PROVIDE A UNIFORMED OFFICER TO CONTROL TRAFFIC WHEN WORKING IN AND AROUND A SIGNALIZED INTERSECTION.
- K. EVERY ATTEMPT SHALL BE MADE TO SCHEDULE AND EXPEDITE THE WORK TO CAUSE THE LEAST INCONVENIENCE TO THE TRAVELING PUBLIC.
- L. IN SITUATIONS NOT COVERED IN THIS DESIGN THE PROTECTION OF THE TRAVELING PUBLIC AND THE PROTECTION OF THE WORKERS ON SITE WILL GOVERN THE MEASURES TO BE TAKEN CONSISTENT WITH THE NCDOT AREA TRAFFIC CONTROL STANDARDS.

- M. THE CONTRACTOR, OR CMB INVOLVED IN THE WORK SHALL NOTIFY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OF CONSTRUCTION START DATE AND ANY MAJOR WORK WHERE THE NUMBER OF TRAVEL LANES ARE REDUCED FROM NORMAL CONDITIONS OF THE STREET IS REQUIRED TO BE CLOSED EXCEPT IN EMERGENCIES, THE FOLLOWING NOTIFICATION IS REQUIRED: CONSTRUCTION START DATE - 5 WORKING DAYS IN ADVANCE. CLOSING 1 OR MORE TRAVEL LANES DURING PEAK TRAVEL TIMES - 10 WORKING DAYS PRIOR TO THE SCHEDULED WORK. CLOSING A STREET - 10 WORKING DAYS PRIOR TO THE SCHEDULED WORK. THIS LEAD TIME IS NECESSARY FOR NOTIFYING THE PUBLIC OF EXPECTED CHANGES IN THE NORMAL TRAFFIC CONDITIONS.
- N. WHERE COMPLETE STREET CLOSURE IS NECESSARY, THE CONTRACTOR WILL BE RESPONSIBLE FOR COORDINATION WITH NCDOT TO GAIN THEIR APPROVAL OF THE CLOSURE, AND IF NECESSARY, FULLY SIGN A DETOUR ROUTE.
- O. THE TOWN ENGINEER OR DIRECTOR OF ENGINEERING AND PUBLIC WORKS OR THEIR REPRESENTATIVES ARE AUTHORIZED TO STOP ANY CONSTRUCTION OR MAINTENANCE ACTIVITY WHICH IS NOT PROPERLY SIGNED AND BARRICADED AS REQUIRED BY THIS STANDARD, THE W.A.T.C.H. AND/OR THE MUTCD, UNTIL SUCH REQUIREMENTS ARE MET.
- P. THIS DESIGN STANDARD CANNOT BE USED FOR ALL ROADWAY CONSTRUCTION SITUATIONS. IT IS INTENDED ONLY TO BE USED AS A GUIDELINE. SPECIFIC SITUATIONS MAY REQUIRE ENGINEERING JUDGMENT IN THE PLACEMENT OF TRAFFIC CONTROL DEVICES BECAUSE OF LIMITED VERTICAL AND/OR HORIZONTAL SIGHT DISTANCE.
- Q. WHEN PERSONNEL AND/OR EQUIPMENT ARE WITHIN 5' OF THE EDGE OF AN OPEN TRAVEL LANE, THE CONTRACTOR SHALL REFER TO THE NCDOT STANDARDS AND MUTCD FOR PROPER LANE CLOSURE.
- R. OPERATIONAL SIGNS ARE GENERALLY MOUNTED ON PORTABLE SUPPORTS. THESE ARE USUALLY USED FOR SHORT TERM OPERATIONS TO WARN AND GUIDE TRAFFIC. ADVANCED WARNING SIGNS (CONSTRUCTION AHEAD) SHALL BE MOUNTED ON STATIONARY SUPPORTS SEVEN DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION OF THE ROADWAY.
- S. ALL DRUMS SHALL BE BALLASTED IN SUCH A MANNER THAT THEY WILL BE STABLE UNDER WIND AND VEHICLE ACTION. BALLASTING SHALL BE DONE WITH SANDSAGE OR OTHER YIELDING MATERIAL SITUATED AT THE BASE OF THE DRUMS.
- T. CONSTRUCTION WORK SHALL NOT BE ALLOWED ON BOTH SIDES OF THE ROAD SIMULTANEOUSLY WITHIN THE SAME AREA, UNLESS THE ROADWAY IS MEDIAN DIVIDED.
- U. AT THE END OF EACH WORK DAY THE CONTRACTOR SHALL BACKFILL UP TO THE EDGE AND ELEVATION OF THE EXISTING PAVEMENT AREAS WITHIN 3 FEET OF AN OPEN TRAVEL LANE THAT INCLUDES A DROFF OFF OF MORE THAN 2 INCHES IN ACCORDANCE WITH THE W.A.T.C.H. (SEE DETAIL "A").
- V. PAVEMENT MARKINGS ARE TO BE INSTALLED BY THE CONTRACTOR AND SHALL BE IN ACCORDANCE WITH NCDOT STANDARDS.
- W. WHEN WORKING WITHIN 5' OF TRAVEL LANE THAT LANE OF TRAFFIC IS TO BE CLOSED TO TRAFFIC.
- X. TRAFFIC CONTROL MUST BE PROVIDED PER CHAPTER 6 OF MUTCD.



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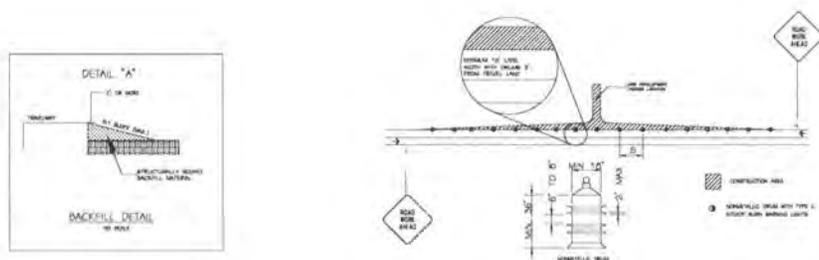
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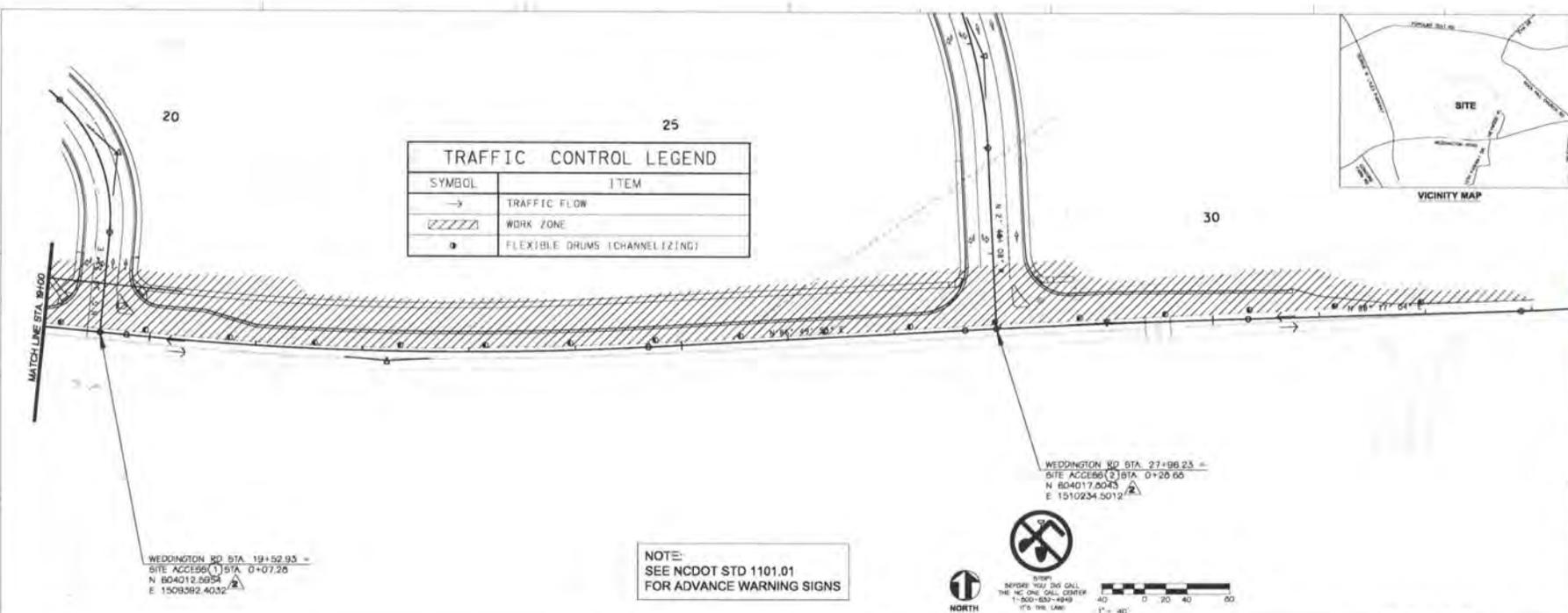
No.	Description	Date

PROJECT: 1770014
 DATE: 03-20-2019
 DRAWN BY: A. Duffin
 CHECKED BY: A. Duffin

TRAFFIC CONTROL GENERAL NOTES AND DETAILS
C-607



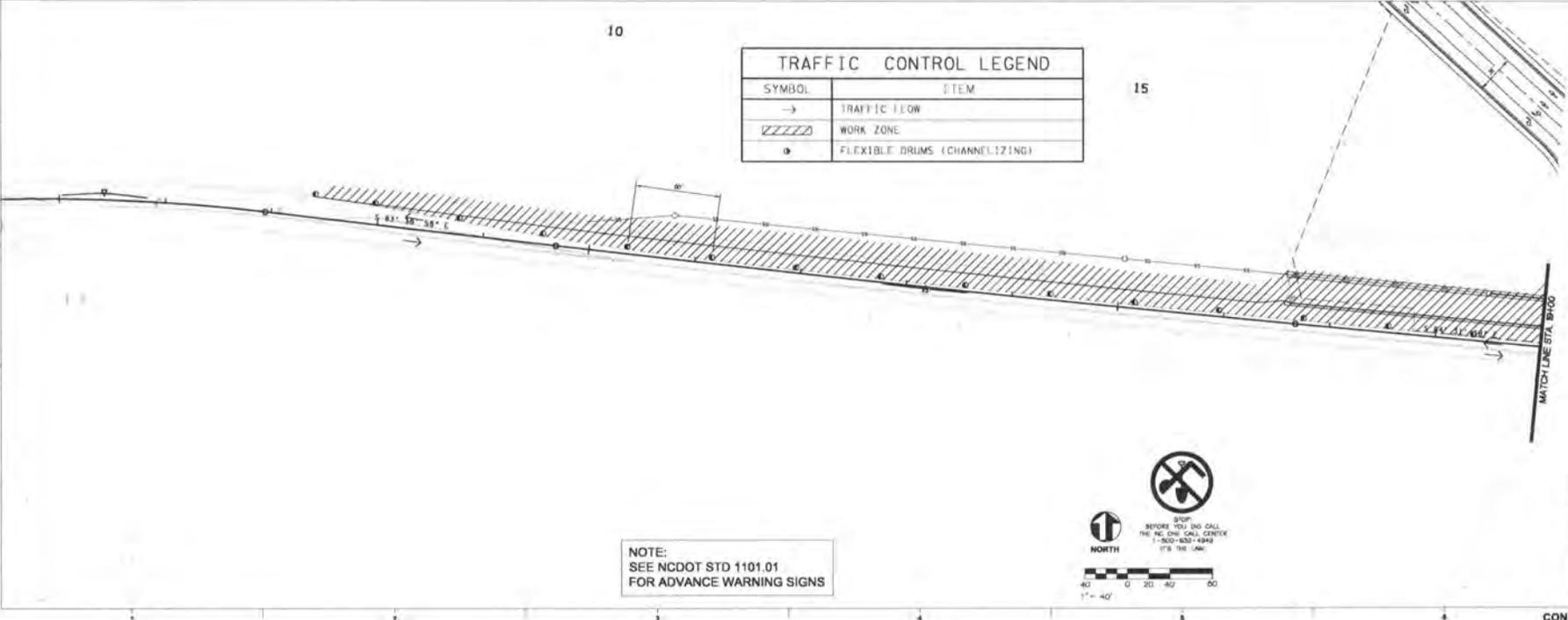
TYPE C STANCHION WARNING LIGHTS ARE MOST COMMONLY HEIGHTENED ON SEPARATE PORTABLE SUPPORTS OR ON TYPE 1 OR TYPE 2 BARRICADES AND ARE PROVIDED TO CONTRASTLY MARK THE WORK AREA TO BE APPROACHED OR ADJACENT TO A HAZARDOUS AREA.
 BARRICADE WARNING LIGHTS ARE PORTABLE LANE DIRECTED ENCLOSED LIGHTS. THE COLOR OF THE LIGHT EMITTED SHALL BE YELLOW.
 BARRICADE WARNING LIGHTS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE INSTITUTE OF TRANSPORTATION ENGINEERS (ITE) STANDARD FOR FLASHING AND BURN BARRICADE WARNING LIGHTS (1971) (SEE TABLE A).



WEDDINGTON RD STA. 19+52.93 =
SITE ACCESS (1) STA. 0+07.26
N 804012.6024
E 1508362.4032

WEDDINGTON RD STA. 27+86.25 =
SITE ACCESS (2) STA. 0+20.00
N 804017.6043
E 1510234.5012

NOTE:
SEE NCDOT STD 1101.01
FOR ADVANCE WARNING SIGNS



NOTE:
SEE NCDOT STD 1101.01
FOR ADVANCE WARNING SIGNS



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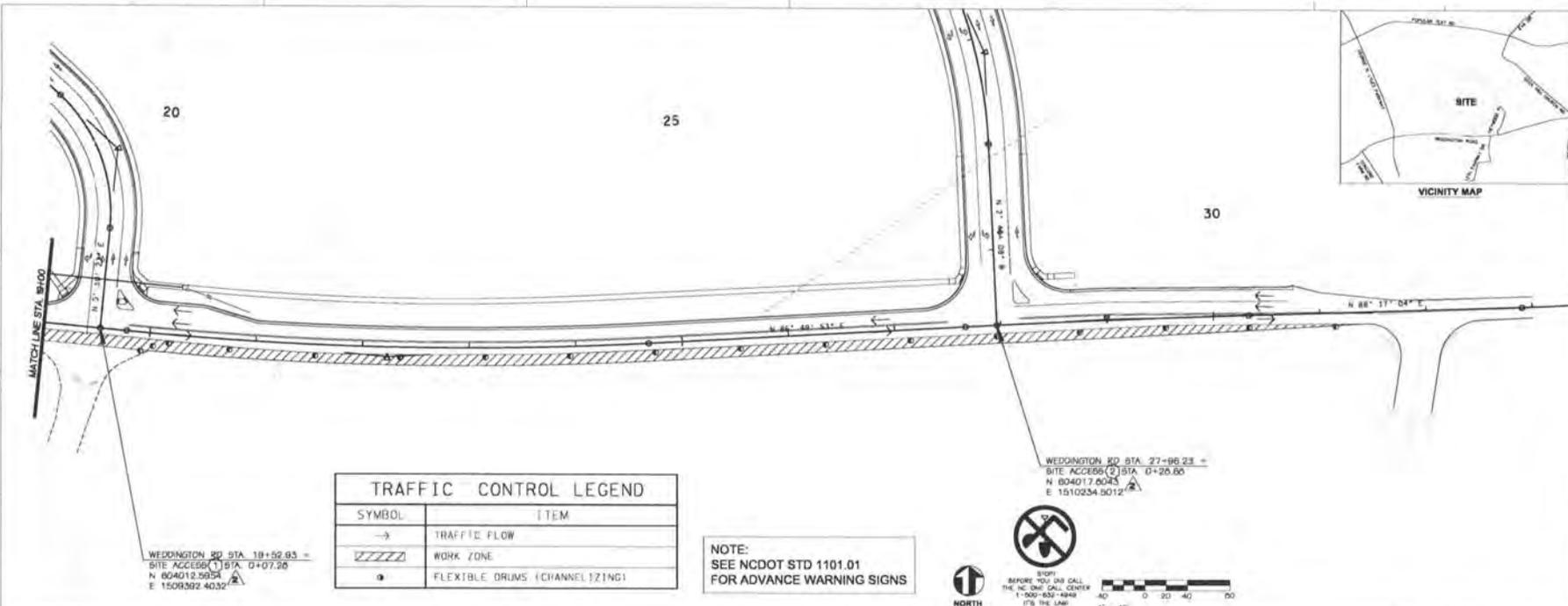
REVISIONS:

No.	Description	Date
1	REV. PARKING LIMITS	08-03-2019
2	RELEASED ACCESS	08-03-2019

PROJECT: 1708114
DATE: 08-03-2019
DRAWN BY: S. VanCleave
CHECKED BY: B. Galtney

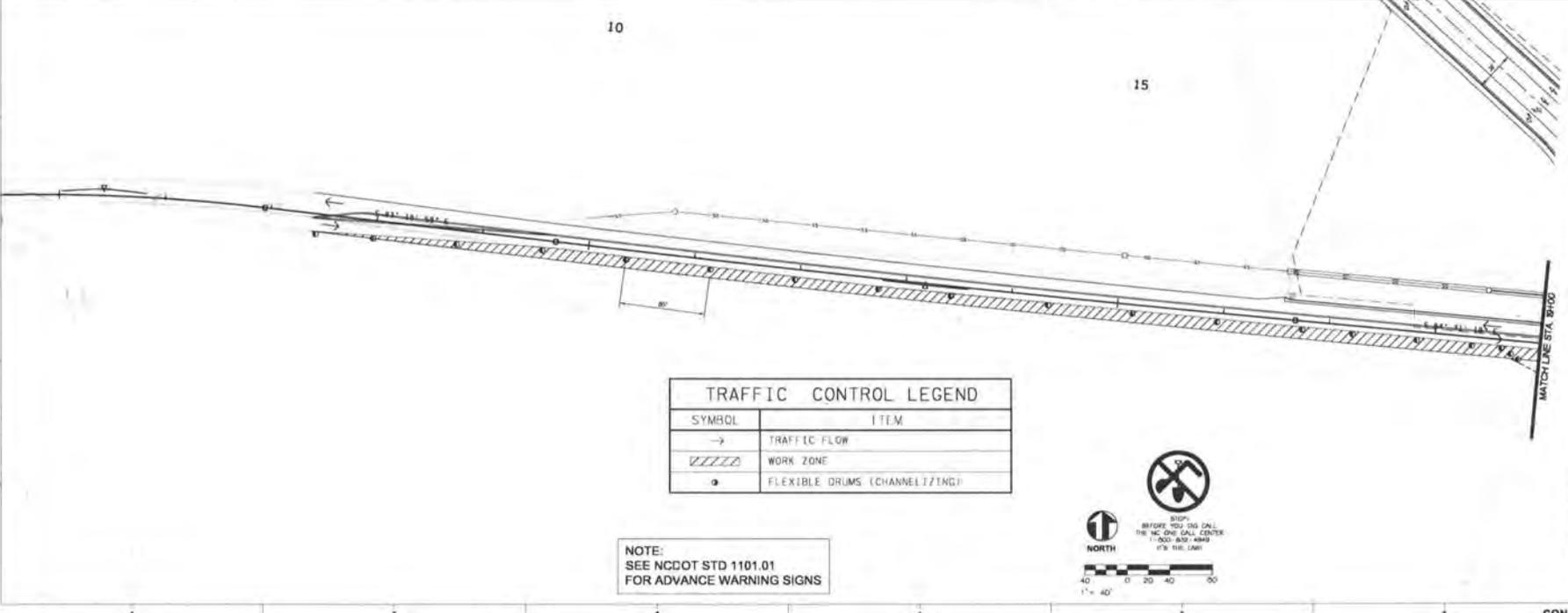
WEDDINGTON RD
TRAFFIC CONTROL PLAN
PHASE 1
C607.1

CONSTRUCTION DOCUMENTS



TRAFFIC CONTROL LEGEND	
SYMBOL	ITEM
→	TRAFFIC FLOW
▨	WORK ZONE
●	FLEXIBLE DRUMS (CHANNELIZING)

NOTE:
SEE NCDOT STD 1101.01
FOR ADVANCE WARNING SIGNS



TRAFFIC CONTROL LEGEND	
SYMBOL	ITEM
→	TRAFFIC FLOW
▨	WORK ZONE
●	FLEXIBLE DRUMS (CHANNELIZING)

NOTE:
SEE NCDOT STD 1101.01
FOR ADVANCE WARNING SIGNS



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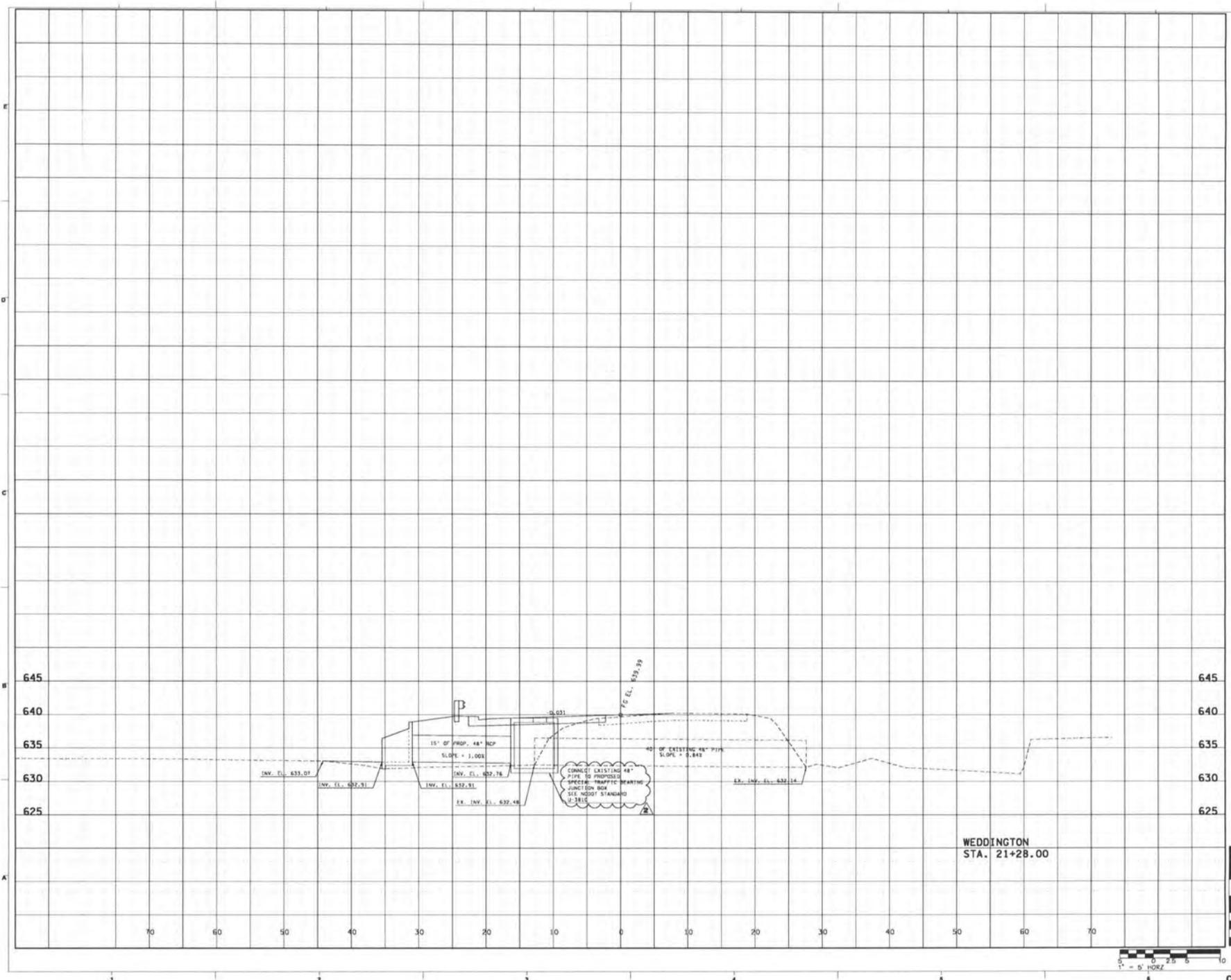
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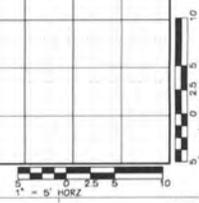
NO.	DESCRIPTION	DATE
1	REV. PAVING LIMITS	09-03-2019
2	RE-LABELLED ACCESS	03-06-2019

PROJECT: 1708044
DATE: 09-03-2019
DRAWN BY: B. Yost
CHECKED BY: B. Gentry

WEDDINGTON RD
TRAFFIC CONTROL PLAN
PHASE 2
C607.2



WEDDINGTON
STA. 21+28.00



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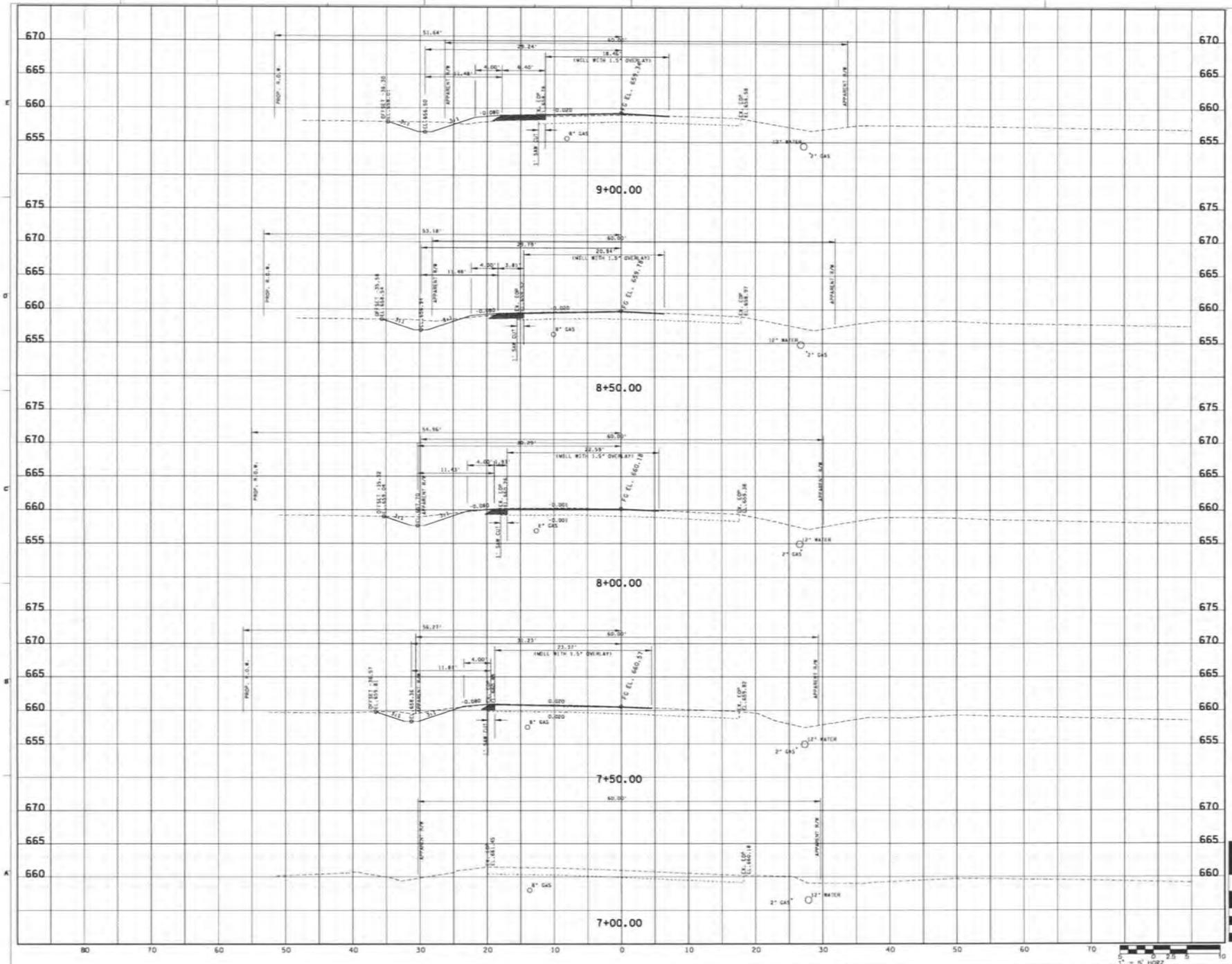
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No.	Description	Date
1	NEW CULVERT LAYOUT	08.09.2018
2	NEW DRAINAGE	08.09.2018

PROJECT: 1700114
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DRAWN BY: B.Vincent
CHECKED BY: B.Gelley

CULVERT CROSS SECTION
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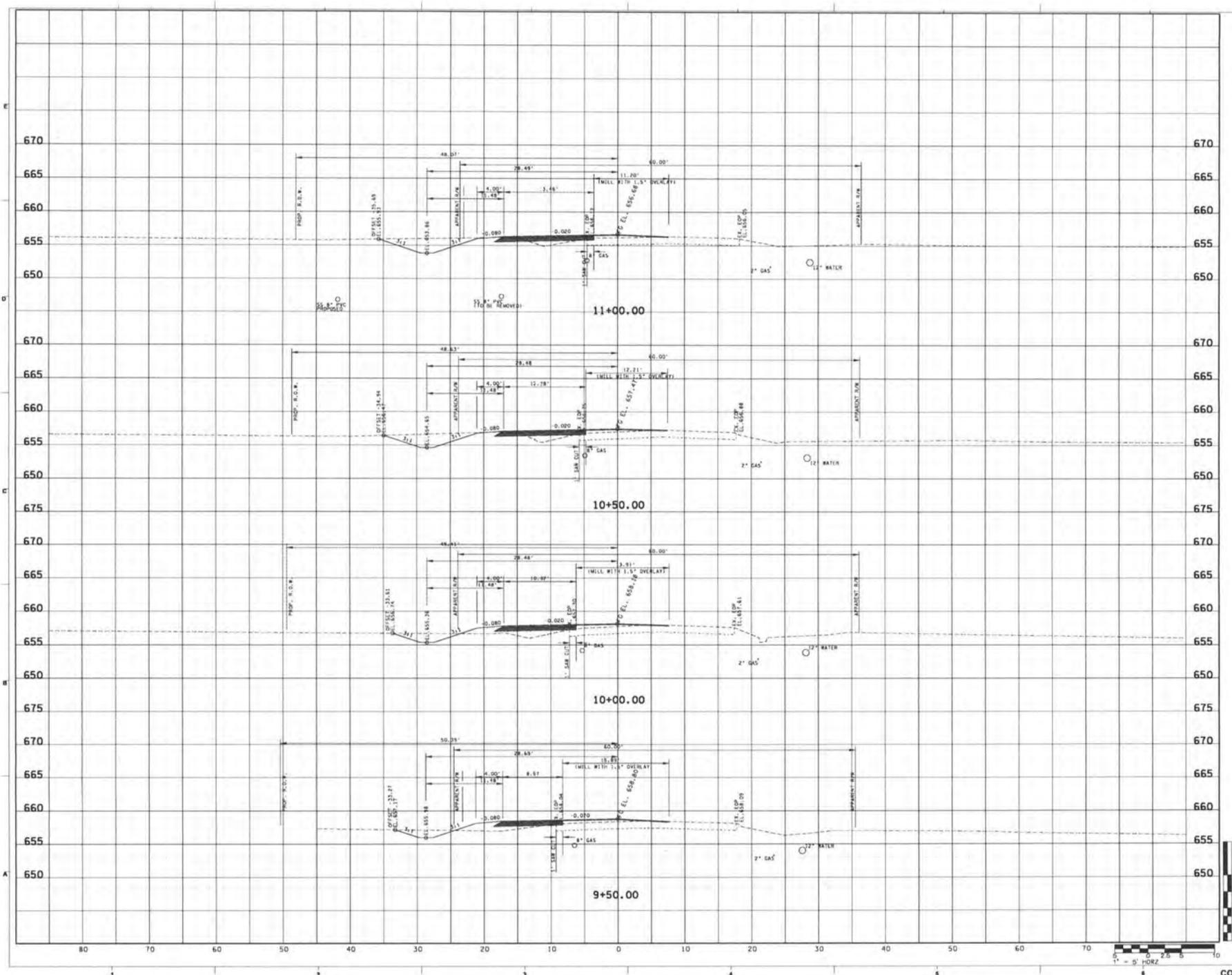
REVISIONS

No.	Description	Date
1	REV. PAVING LIGHTS	08-20-2013
2	REVISED FINAL LAYOUT	08-20-2013
3	REV. GAS MOD. UTILS.	04-20-2013

PROJECT: 170014
 DATE: 01-04-2014
 DRAWN BY: Benesch
 CHECKED BY: B.Gilroy

ROADWAY CROSS SECTIONS
 BEGIN STA. 7+00.00
 END STA. 9+00.00
C609





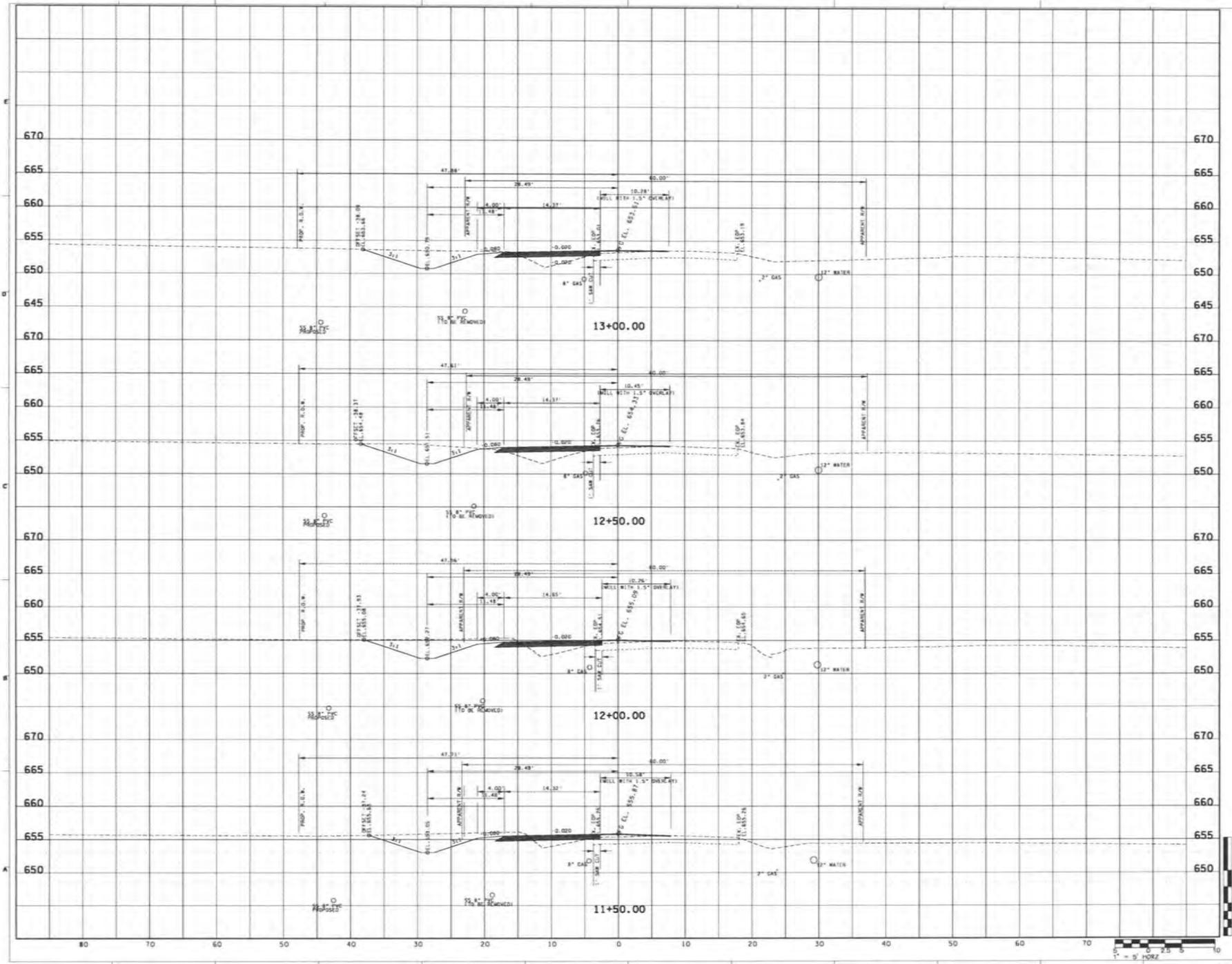
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No.	Description	Date
1	REV PAVING LAYOUT	08-23-2018
2	REVISED PAV. LAYERS	02-08-2019
3	REV. GAS MOD. UTILITY	04-08-2019

PROJECT: 17090144
 DATE: 07-24-2018
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ROADWAY CROSS SECTIONS
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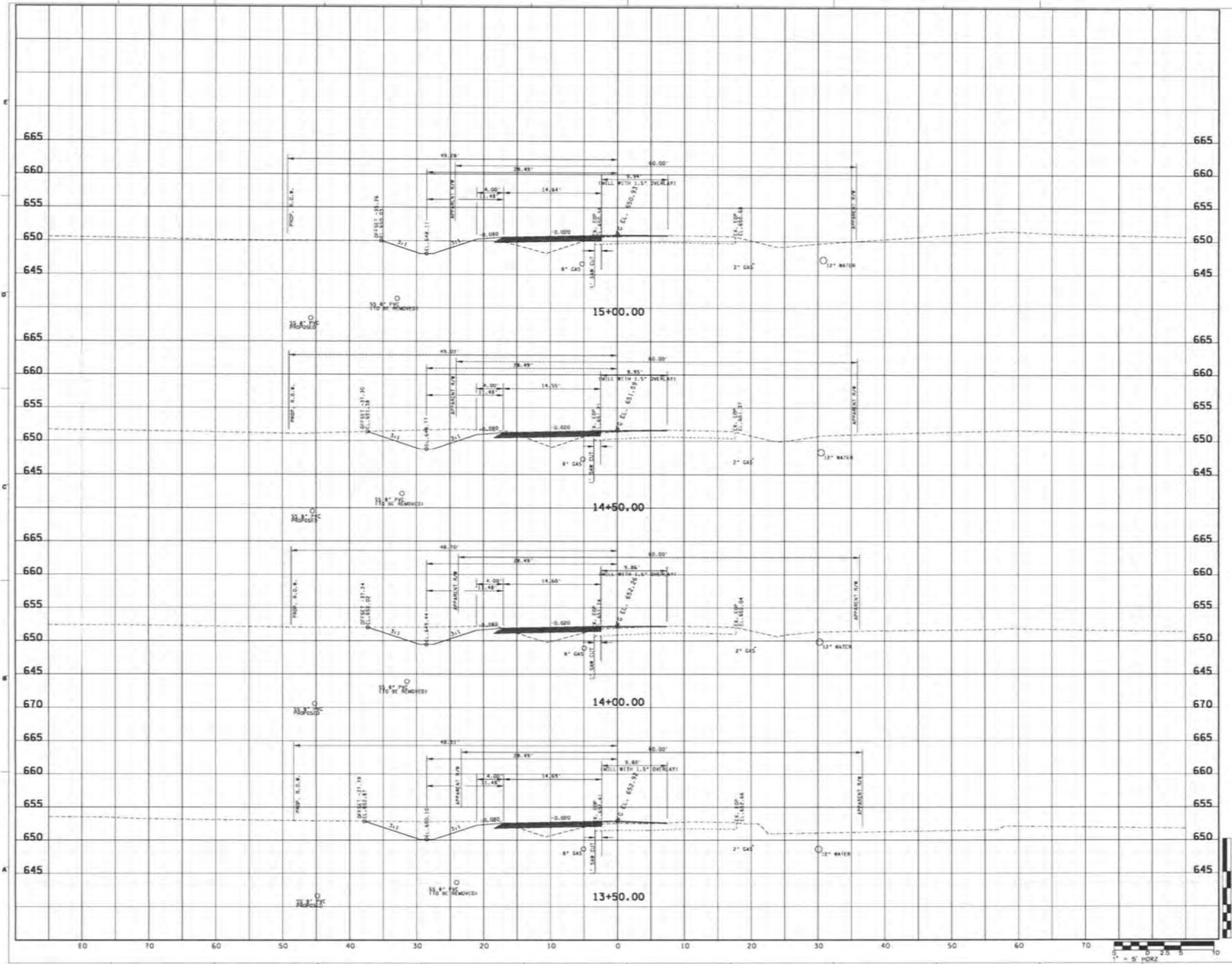
REVISIONS:

No.	Description	Date
1	REV. PAVING LAYERS	08-08-2019
2	REVISED PAV. LAYERS	08-08-2019
3	REV. GAS BOD. LAYERS	08-08-2019

PROJECT: 1700144
 DATE: 07-24-2019
 DRAWN BY: Benesch
 CHECKED BY: S. Gaffney

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1	REV. PERMITS LIMITED	08-03-2018
2	REVISED PAVL. LAYERS	02-06-2018
3	REV. GAS BOLD STYLE	10-26-2018

PROJECT: 170944A
 DATE: 01-04-2019
 DRAWN BY: B. Smith
 CHECKED BY: B. Smith

ROADWAY CROSS SECTIONS
 BEGIN STA. 13+50.00
 END STA. 15+00.00
C609.3





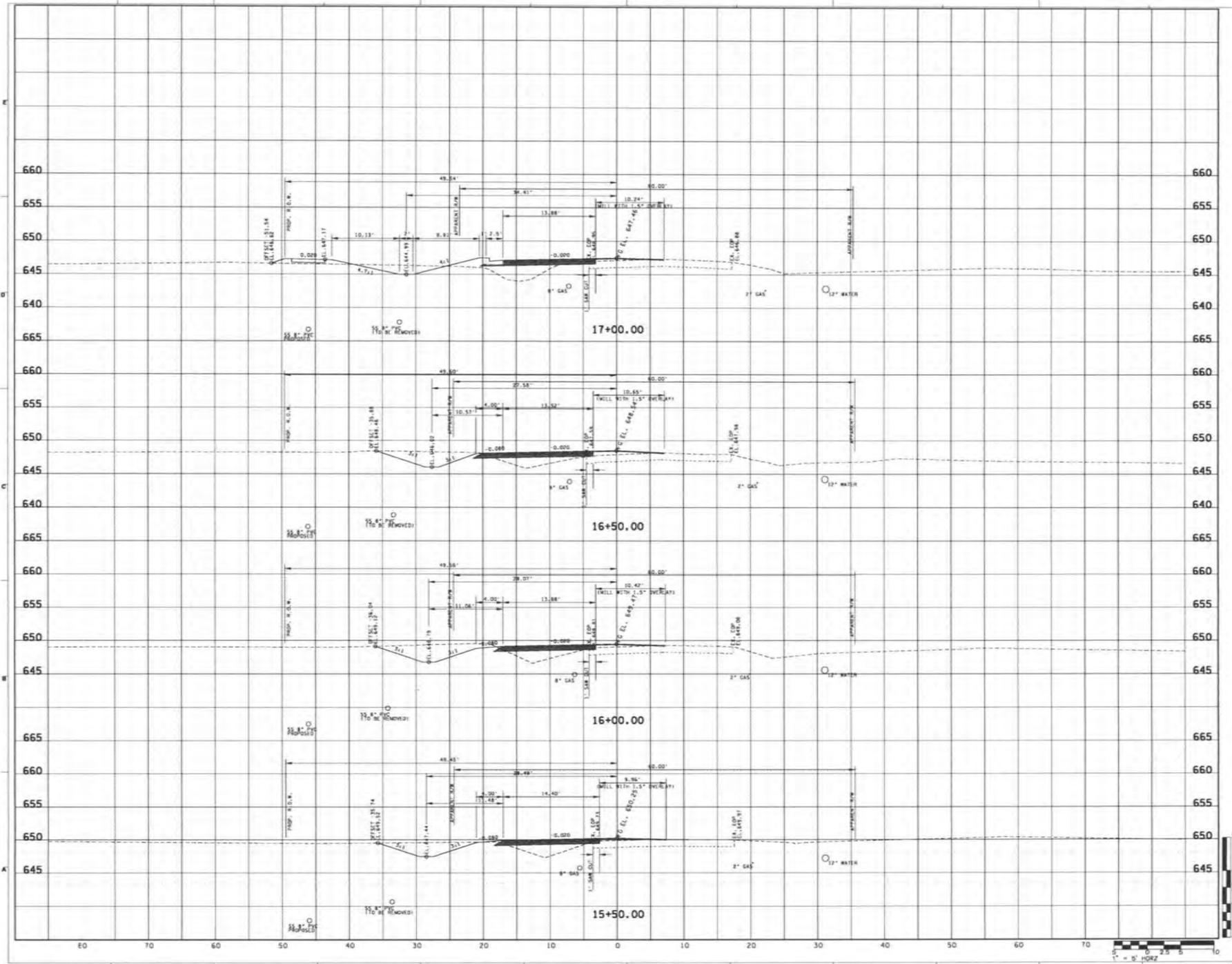
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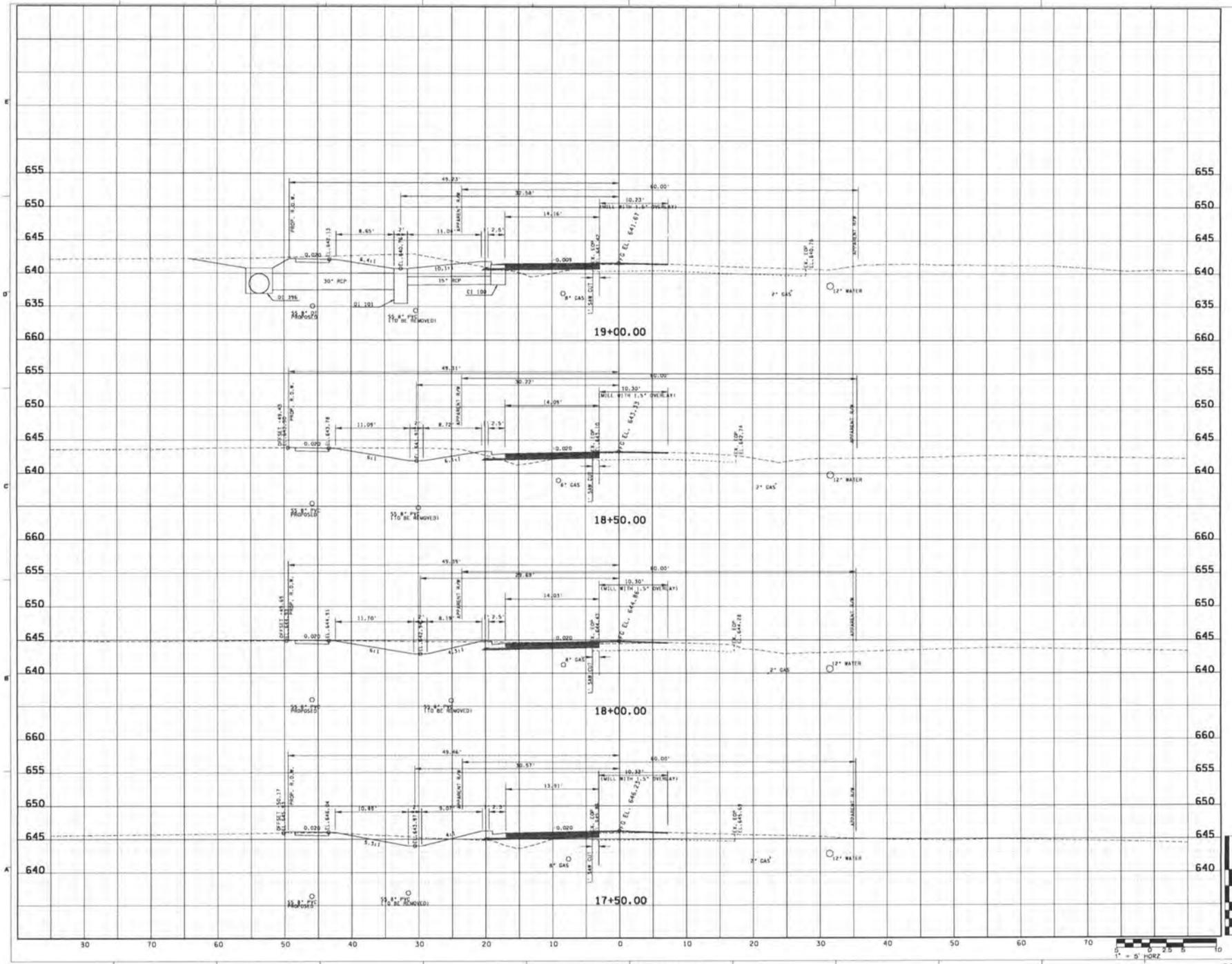
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No.	Description	Date
1	REV. PAVING LIMITS	08-03-2019
2	REVISED PAV. LAYERS	08-08-2019
3	REV. GAS MAIN UTILITY	10-20-2019

PROJECT: 1700144
 DATE: 01-26-2019
 DRAWN BY: B.Gilbey
 CHECKED BY: B.Gilbey

ROADWAY CROSS SECTIONS
 BEGIN STA. 15+50.00
 END STA. 17+00.00
C609.4





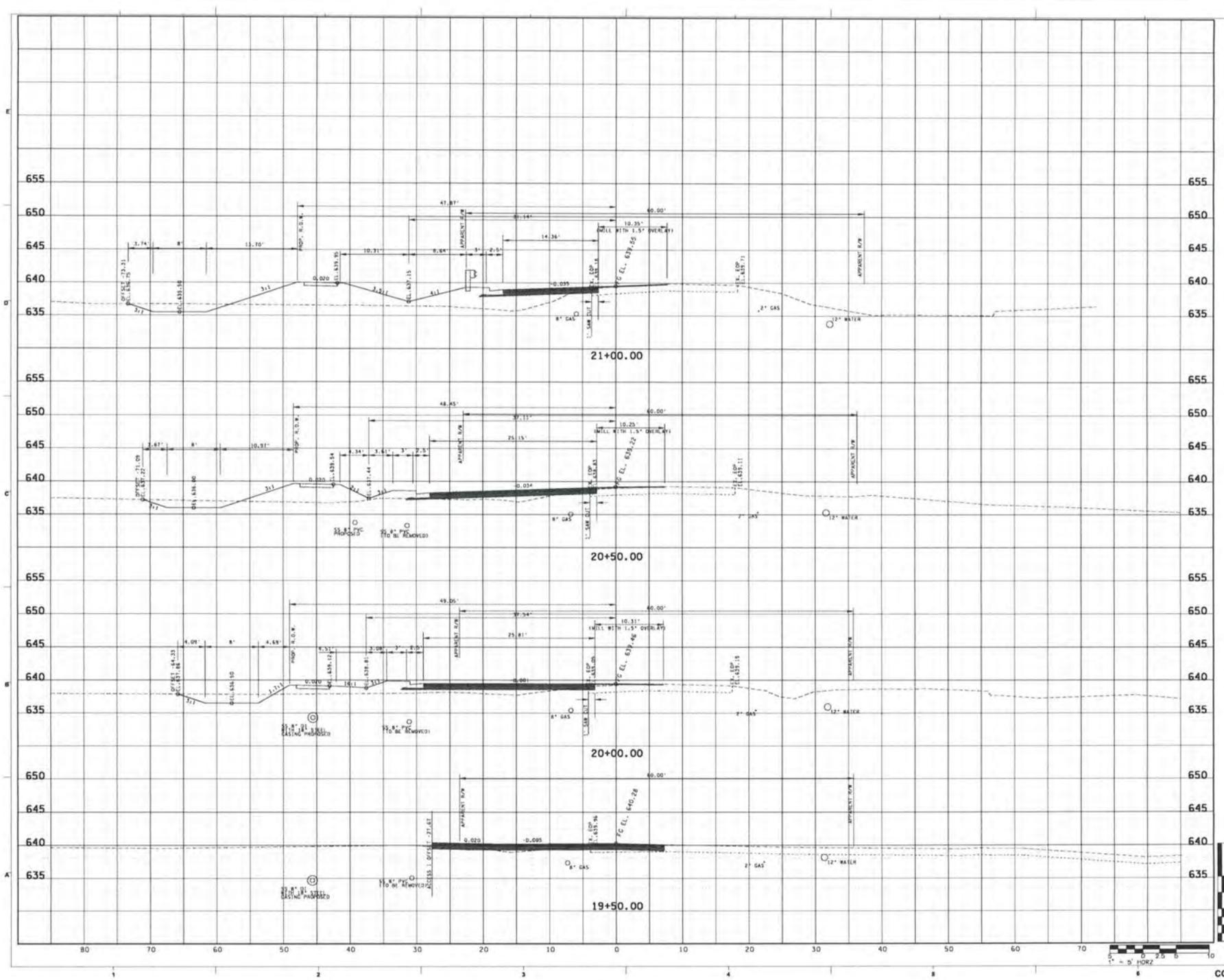
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No.	Description	Date
1	REV. PAVING LIMITS	08-03-2019
2	REVISED PAV. LAYOUT	08-06-2019
3	REV. GAS MOD. UTILITY	04-08-2019

PROJECT: 17000144
 DATE: 01-04-2019
 DRAWN BY: Benesch
 CHECKED BY: S.Guthrie

ROADWAY CROSS SECTIONS
 BEGIN STA. 17+50.00
 END STA. 19+00.00
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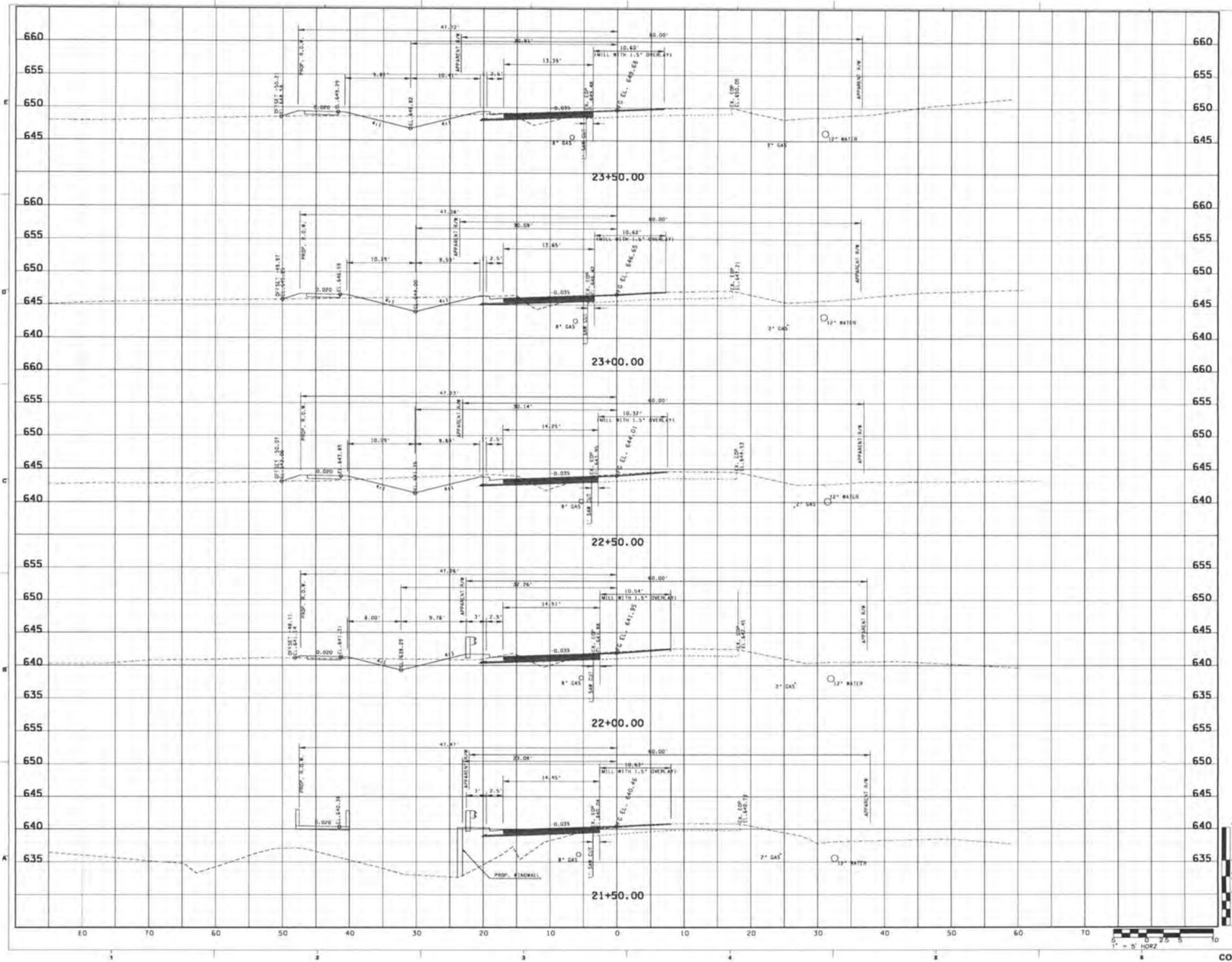
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1	REV. PAVING LIFTERS	08-03-2019
2	REVISED PAVG. LIFTERS	02-08-2019
3	REV. GAS MISC. LIFTERS	04-09-2019

PROJECT: 1709144
 DATE: 01-04-2019
 DRAWN BY: Benesch
 CHECKED BY: B.Gaffney

ROADWAY CROSS SECTIONS
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2	REVISED PAVL LAYERS	09-09-2019
3	REV. GAS MAIN SIZES	10-08-2019

PROJECT: 17000144
 DATE: 11-04-2019
 DRAWN BY: Benesch
 CHECKED BY: S. Gaffney

ROADWAY CROSS SECTIONS
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C609.7



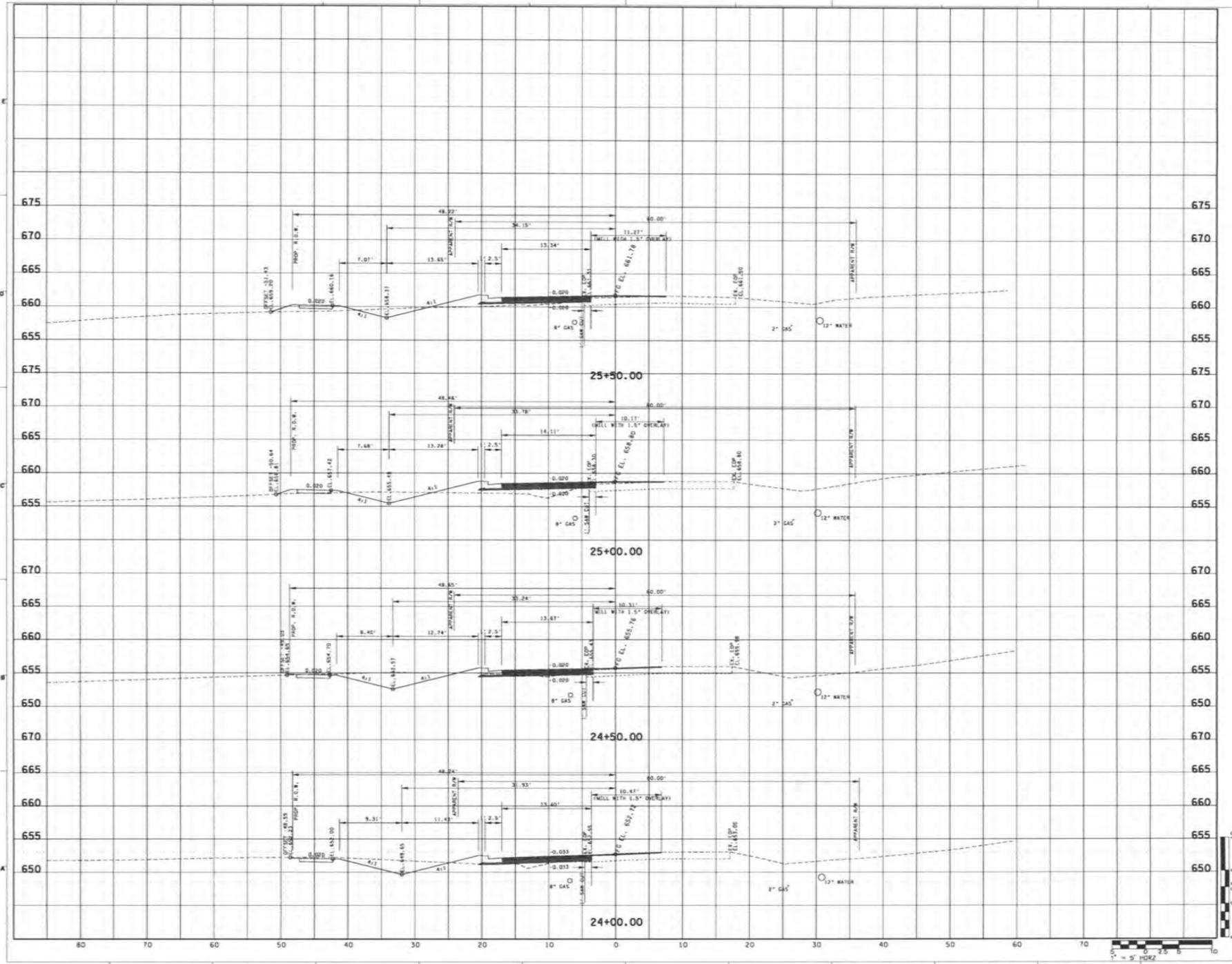
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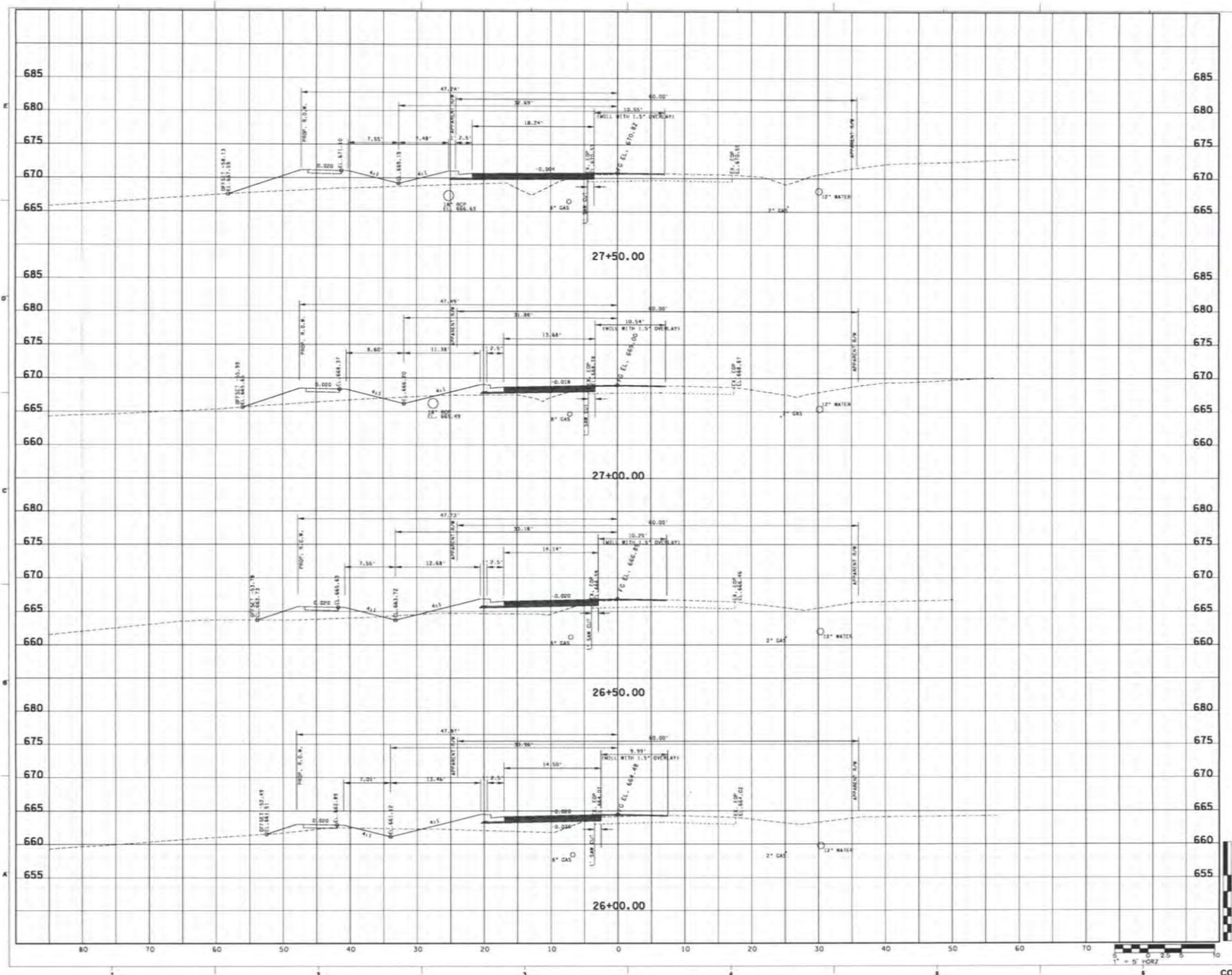
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No.	Description	Date
1	REV. PAVED LIMITS	08-01-2018
2	REVISED PAV. LAYERS	08-06-2018
3	REV. C&G BOLL. UTILS.	10-05-2018

PROJECT: 170911A
 DATE: 10-06-2018
 DESIGN BY: S. S. S. S.
 CHECKED BY: S. S. S. S.

ROADWAY CROSS SECTIONS
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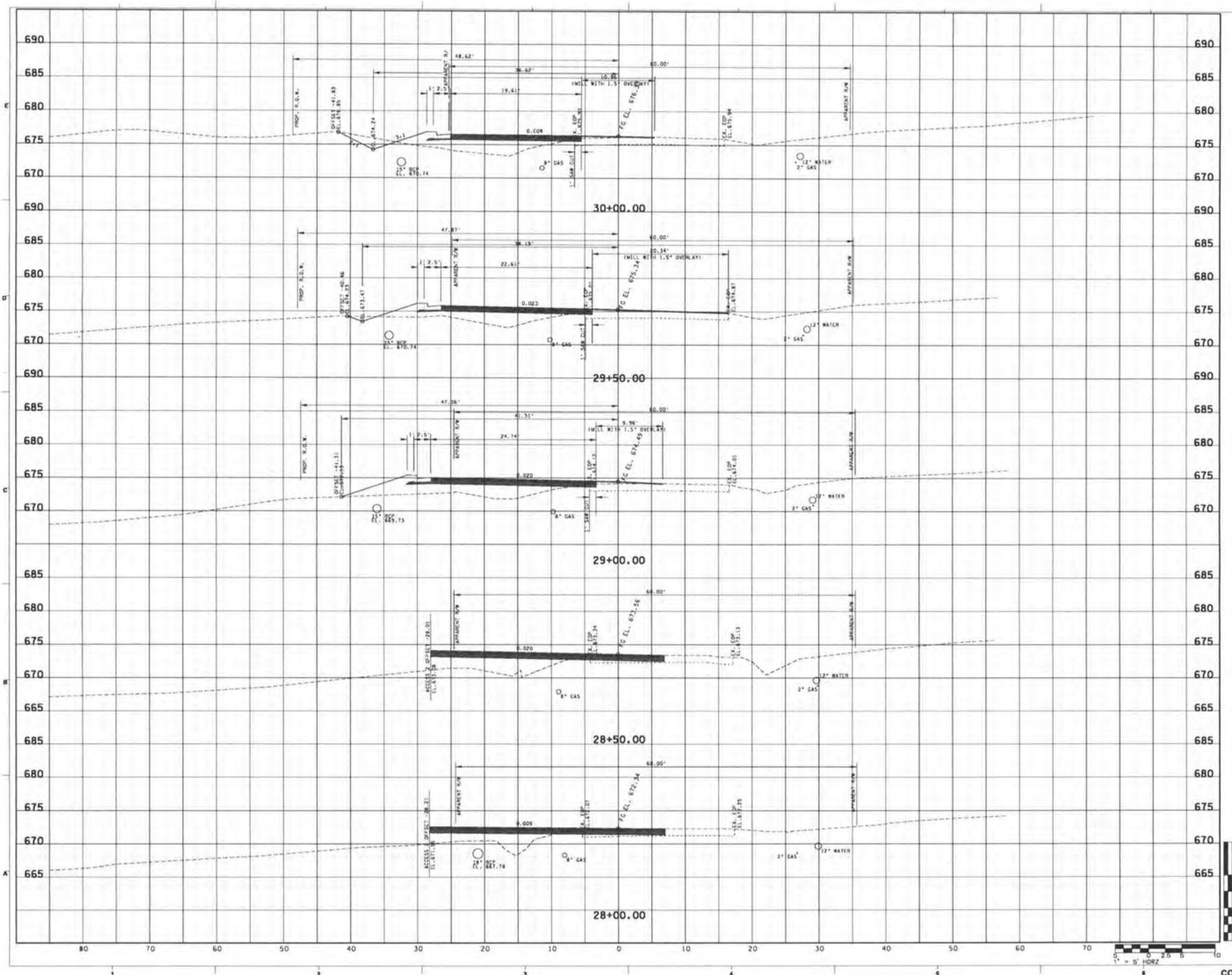
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No.	Description	Date
1	REV. PAVING LAYOUT	08-20-2019
2	REVISED PAV. LAYOUT	02-08-2019
3	REV. GAS, WOOD UTILITY	04-28-2019

PROJECT: 17000004
 DATE: 08-20-2019
 DESIGN BY: Benesch
 CHECKED BY: B. Gaffney

ROADWAY CROSS SECTIONS
 BEGIN STA. 26+00.00
 END STA. 27+50.00
C609.9





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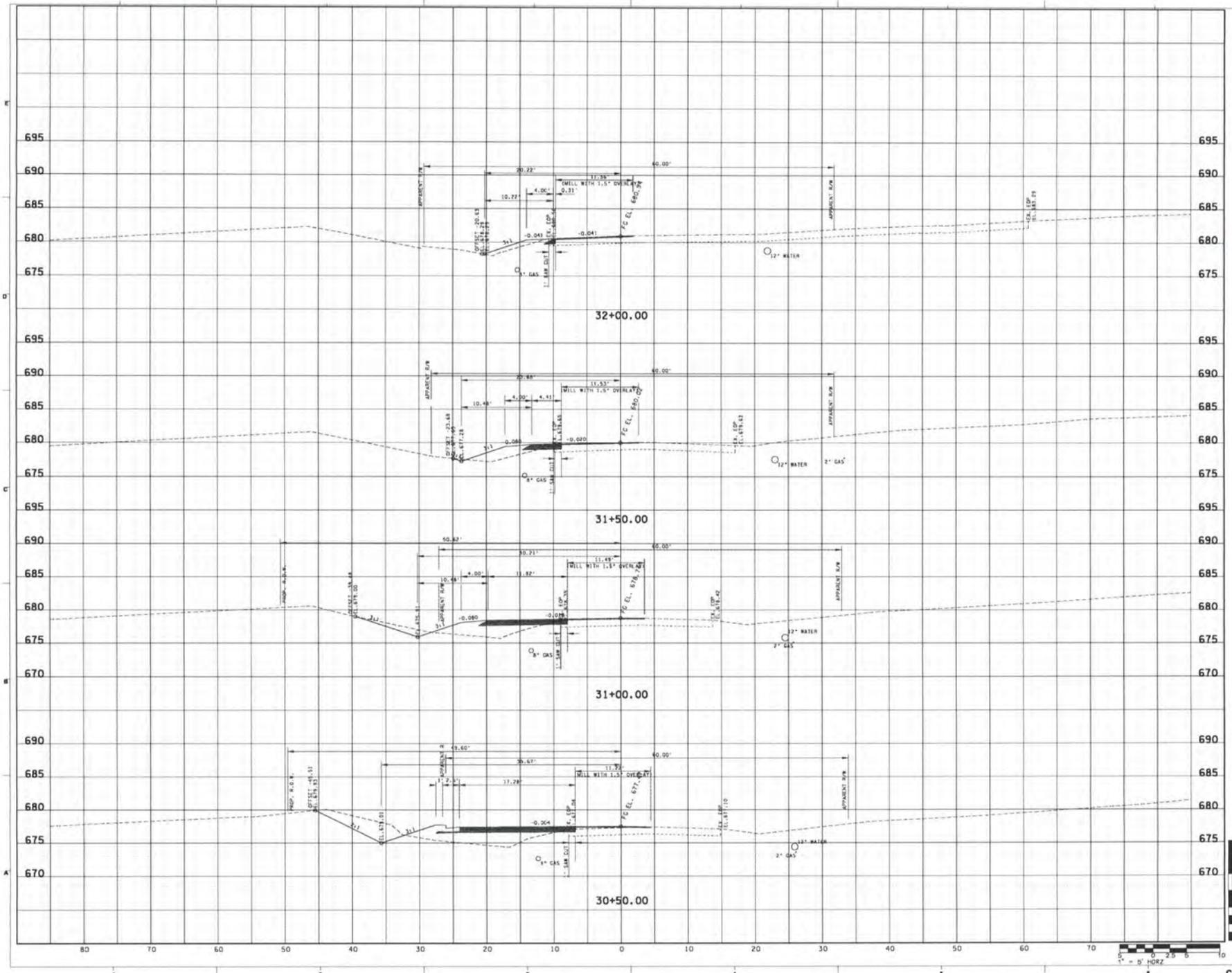
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1	REV. PAVING LIMITS	08-03-2019
2	REVISED PAVL LAYERS	08-08-2019
3	REV. GAS MOD. UTILS.	04-28-2019

PROJECT: 17000144
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ROADWAY CROSS SECTIONS
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1	REV. PAYROLL LIMITS	08-02-2019
2	REVISED PAV. LAYERS	08-06-2019
3	REV. GAS BOD. VTL'S	10-08-2019

PROJECT: 1700144
 DATE: 11-08-2019
 DRAWN BY: S. Goffney
 CHECKED BY: S. Goffney

ROADWAY CROSS SECTIONS
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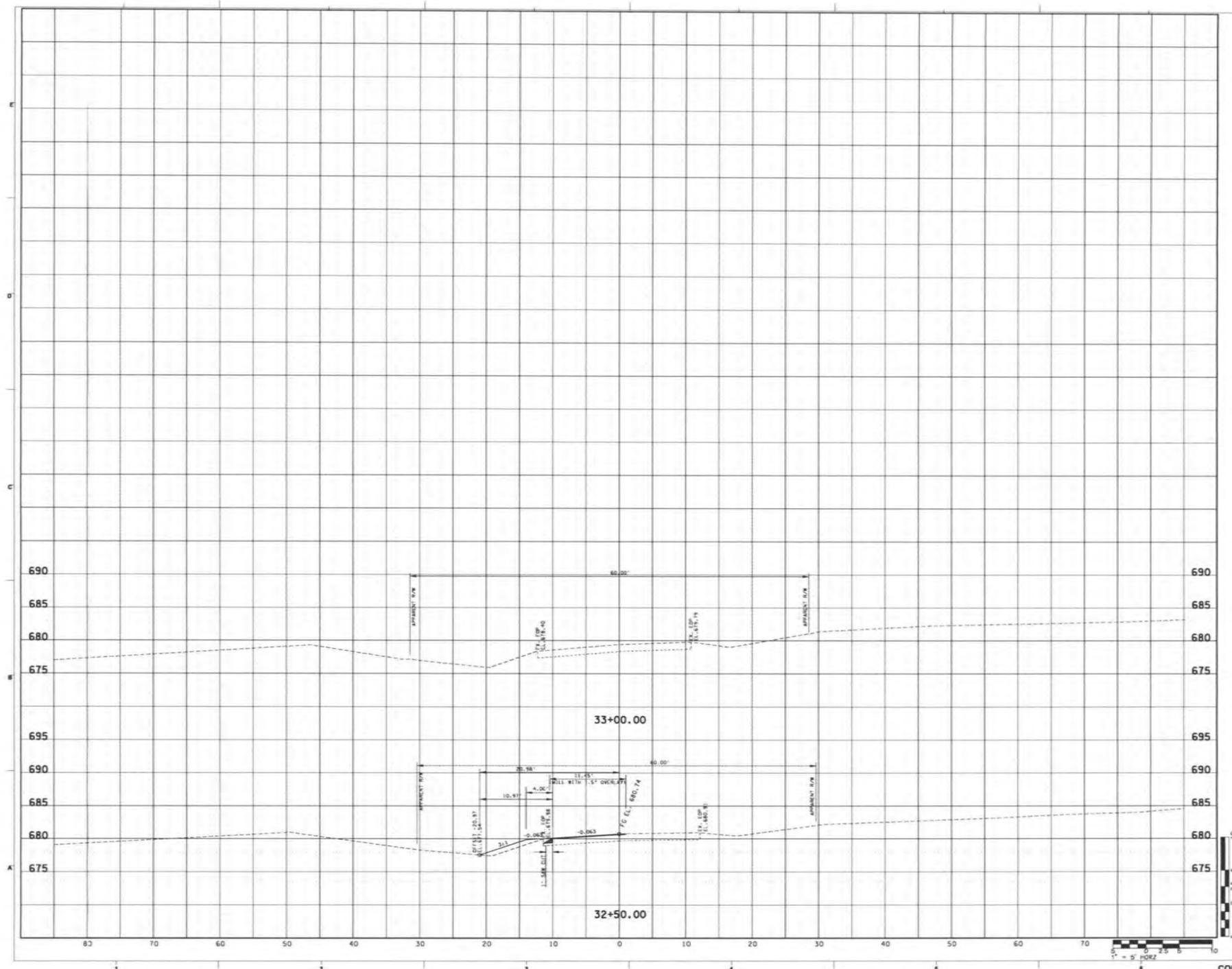
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No.	Description	Date
1	REV. PAVING LIMITS	08-02-2018
2	REVISED PAVING LAYERS	08-06-2018
3	REV. C&G BOD. UTILS.	10-05-2018

PROJECT: 170614
 DATE: 07-04-2018
 DRAWN BY: S. G. GIBNEY
 CHECKED BY: S. GIBNEY

ROADWAY CROSS SECTIONS
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No.	Description	Date

PROJECT: 1700144
 DATE: 01-24-2018
 DRAWN BY: J. GUSTY
 CHECKED BY: M. SHERRILL

Sanitary Sewer Relocation Sheet 2

C611

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Engineer's Seal

Engineer's Seal

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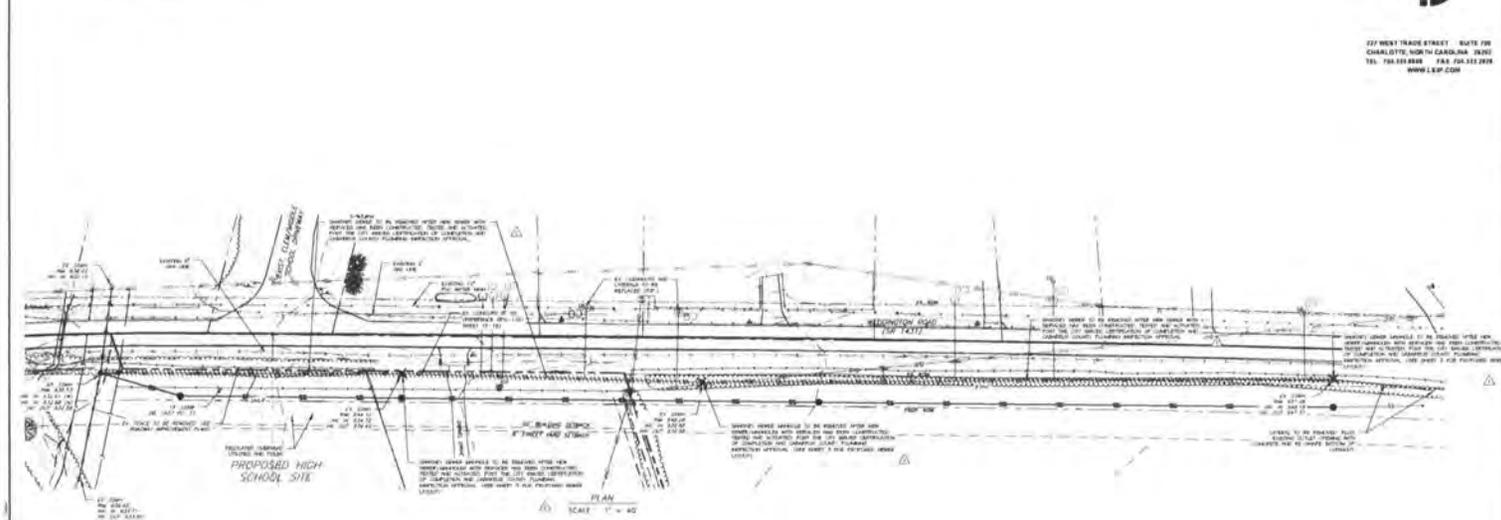
PROJECT BENCHMARK
 110.0' MONUMENT "MARK"
 NC STATE SURVEY
 NORTHING: 508 120.04
 WESTING: 157 269.86
 ELEV: 148.02 (FAD) 148.02
 07/03/2008/08



SEE COVER SHEET FOR
 LEGEND AND NOTES



**PUBLIC SANITARY SEWER
 DEMOLITION PLAN**



PROPOSED HIGH SCHOOL SITE

PLAN
 SCALE: 1" = 40'

SEE COVER SHEET FOR
 LEGEND AND NOTES

**PUBLIC SANITARY SEWER
 DEMOLITION PLAN**

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PROJECT: 1708104
 DATE: 01-24-2019
 DRAWN BY: Benesch
 CHECKED BY: S. KENNEDY

Sanitary Sewer Relocation Sheet 3

C612



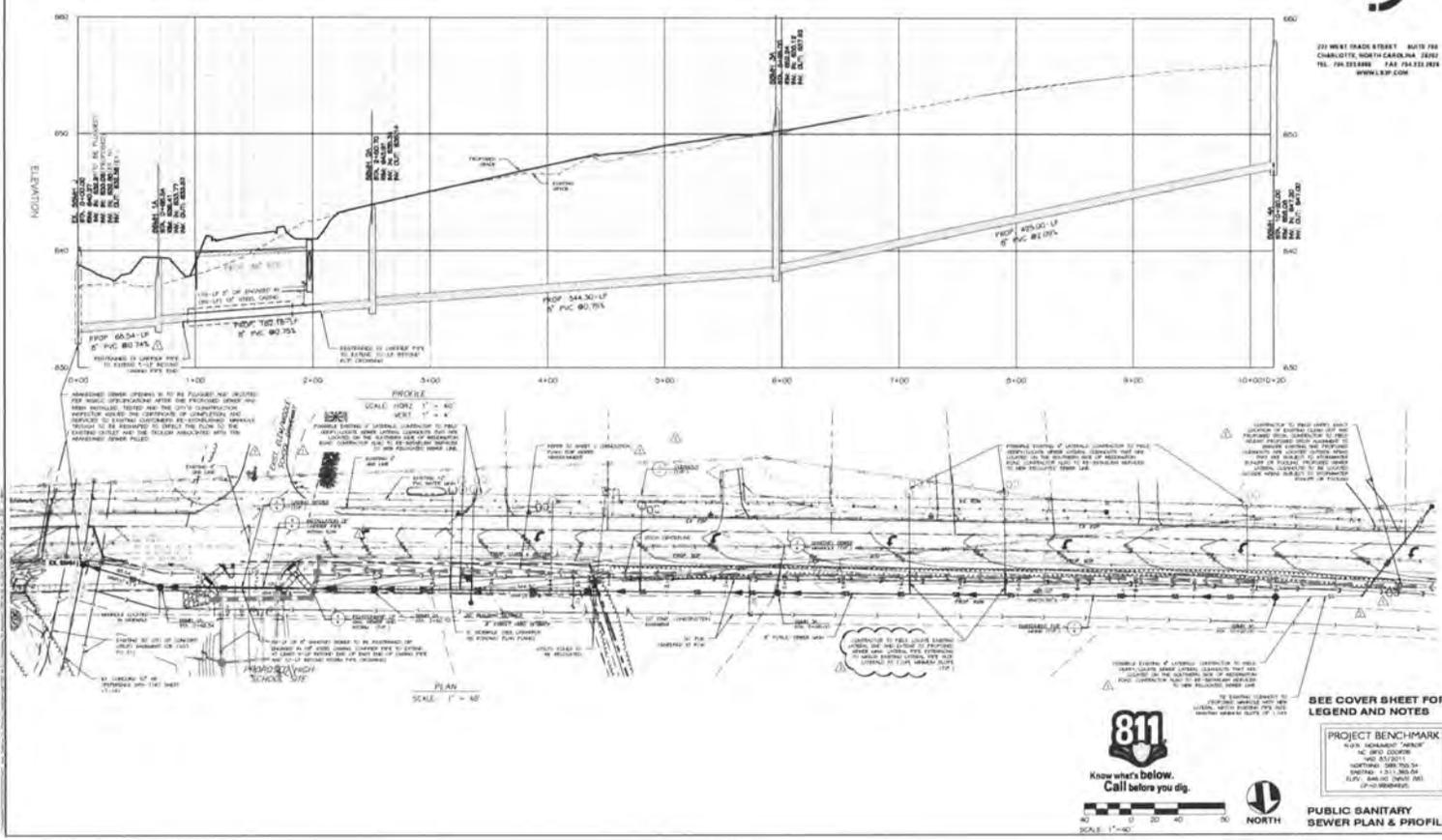
benesch
 Alfred Benesch & Company
 1315 Park Road, Suite 100
 Charlotte, NC 28208
 www.benesch.com
 704.333.8888
 Dave W. Linneman, F. L.S.D.
 Project #17200104

CABARRUS COUNTY SCHOOLS
 Cabarrus County Schools
 1315 Park Road, Suite 100
 Charlotte, NC 28208
 www.benesch.com
 704.333.8888

Concord
 High Performance in Learning
 www.concordschools.org



377 WEST FRANK STREET SUITE 300
 CHARLOTTE, NORTH CAROLINA 28202
 TEL: 704.333.8888 FAX: 704.333.8899
 WWW.LS3P.COM



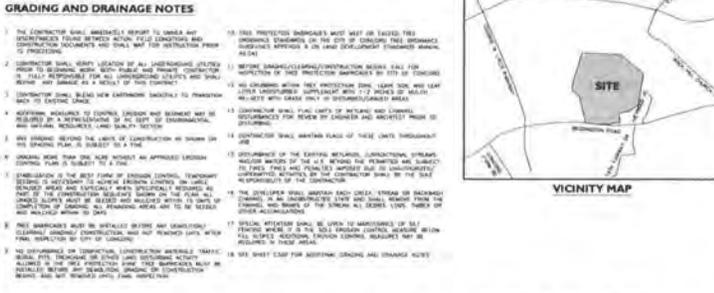
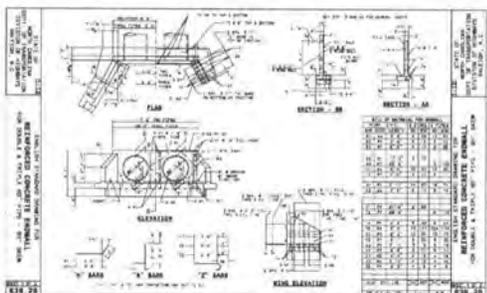
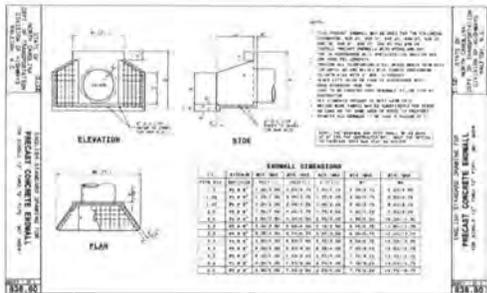
SEE COVER SHEET FOR LEGEND AND NOTES

PROJECT BENCHMARK
 4100 WEDDINGTON ROAD
 4100 WEDDINGTON ROAD
 NORTH CAROLINA 28028
 ELEVATION: +31.365.04
 SURV. BENCH MARK 881
 (2010-08-08)

PUBLIC SANITARY SEWER PLAN & PROFILE

REV.	DATE	DESCRIPTION
1	01/24/2019	Final Review Comments
2	01/24/2019	Project Review Comments

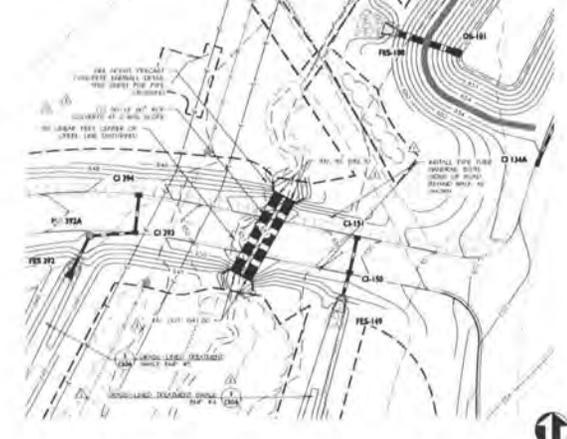
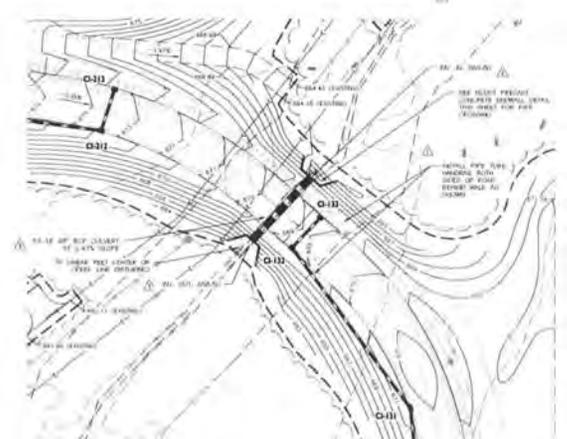
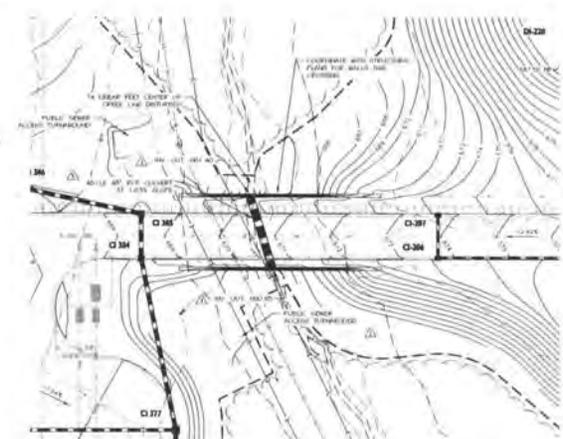
DESIGNED BY: W. SHERRELL
 DRAWN BY: S. KENNEDY
 CHECKED BY: W. SHERRELL
 DATE: 03-30-2019
 PROJECT NUMBER: 2009-XXX
 SHEET: 3 OF 4



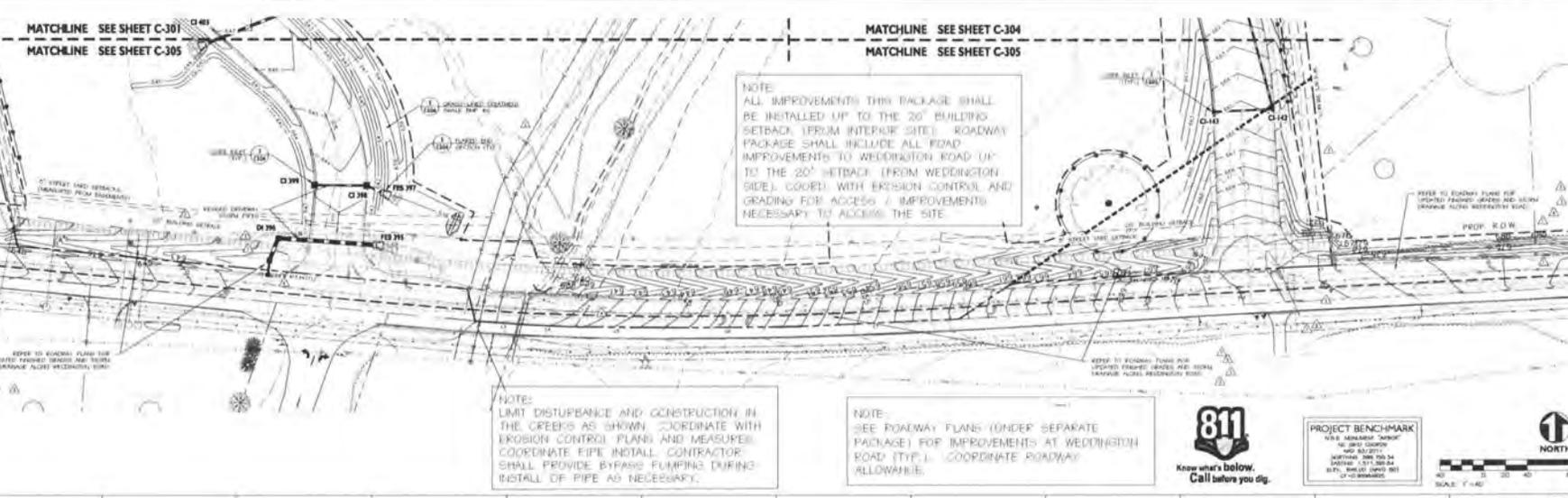
CABARRUS COUNTY SCHOOLS
 Cabarrus County Schools
 4100 Weddington Road
 Concord, North Carolina

benesch
 Alfred Benesch & Company
 2100 Piedmont Parkway, Suite 1500
 Charlotte, NC 28208
 www.benesch.com
 Phone: 704.371.8800
 Fax: 704.371.8800

LS3P
 737 WEST TRADE STREET, SUITE 106
 CHARLOTTE, NORTH CAROLINA 28202
 TEL: 704.333.8800 FAX: 704.333.8800
 WWW.LS3P.COM



CREEK CROSSING ENLARGEMENTS
 SCALE: 1" = 30'



MEMBER OF THE AMERICAN SOCIETY OF ARCHITECTS

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REVISIONS

No.	Description	Date
1	ISSUED	02/17/11
2	REVISED PER COMMENTS	02/18/11
3	REVISED PER COMMENTS	02/18/11
4	REVISED PER COMMENTS	02/18/11
5	REVISED PER COMMENTS	02/18/11
6	REVISED PER COMMENTS	02/18/11
7	REVISED PER COMMENTS	02/18/11
8	REVISED PER COMMENTS	02/18/11
9	REVISED PER COMMENTS	02/18/11
10	REVISED PER COMMENTS	02/18/11

PROJECT: 1709044
DATE: 01/28/11
DRAWN BY: WJW/1104
CHECKED BY: R.CW/1104

Grading & Drainage Plan - Entrance
C616

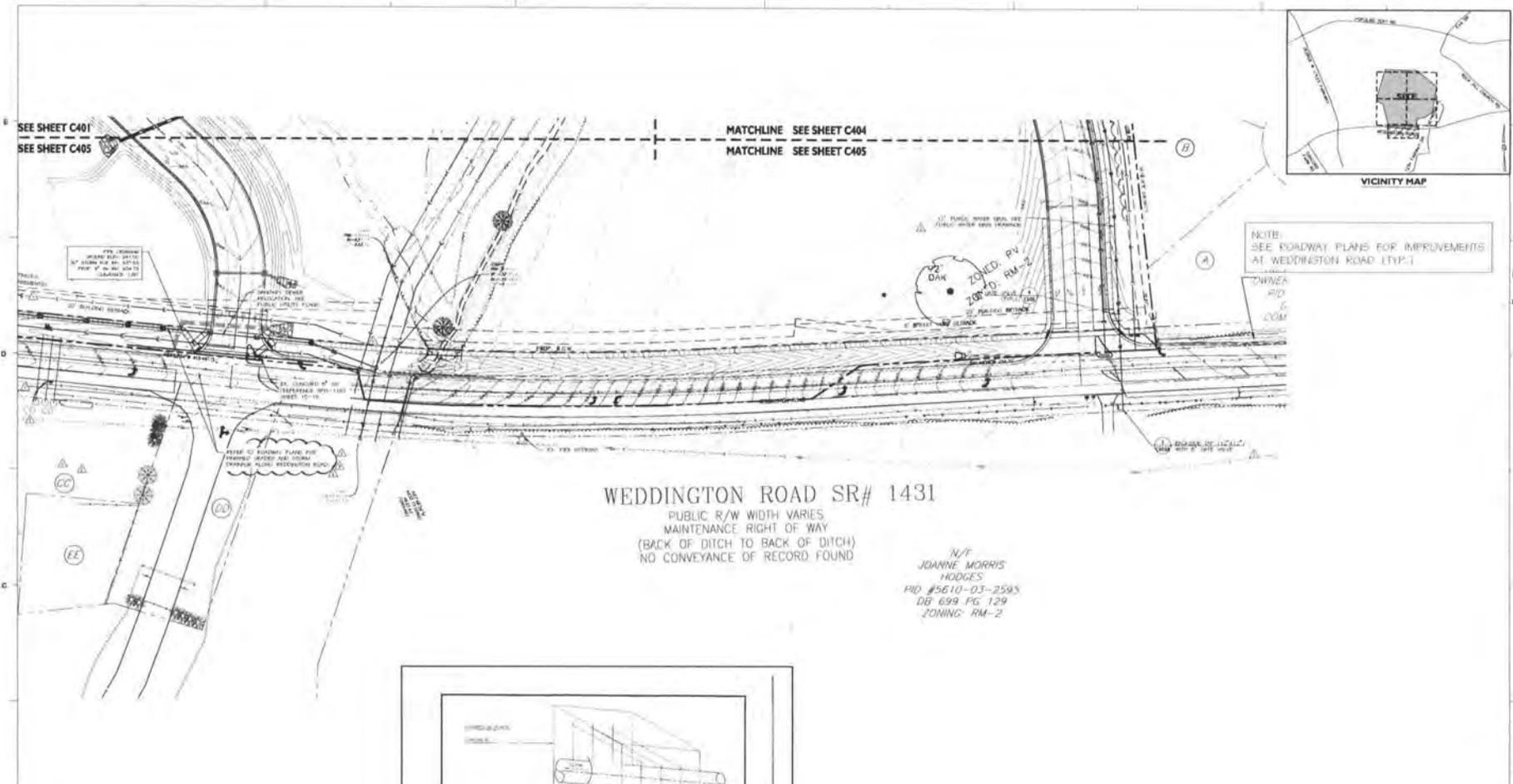
CONSTRUCTION DOCUMENTS

Rev	Description	Date
01	Final Issue	8/1/16
02	Final Issue	8/1/16
03	Final Issue	8/1/16
04	Final Issue	8/1/16
05	Final Issue	8/1/16
06	Final Issue	8/1/16



Know what's below.
Call before you dig.

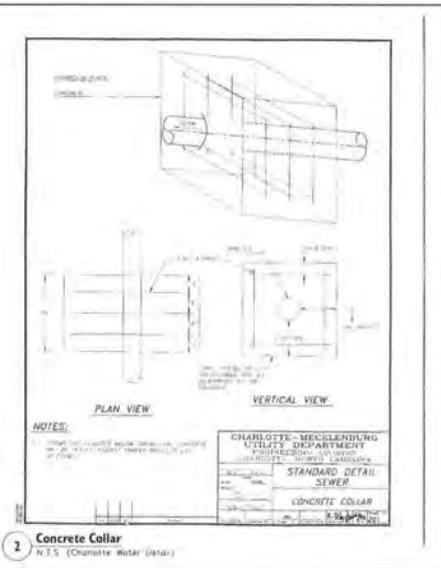
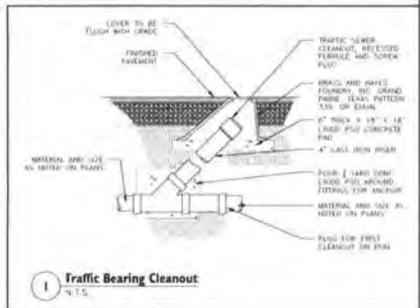
PROJECT BENCHMARK
10.0 N. HUNTER "MAY" RD
NO. 1000
AND 45/2011
NORTHWEST CORNER OF
SECTION 21, T8N R34
E10. PLANNED GOLF COURSE
SITE



WEDDINGTON ROAD SR# 1431

PUBLIC R/W WIDTH VARIES
MAINTENANCE RIGHT OF WAY
(BACK OF DITCH TO BACK OF DITCH)
NO CONVEYANCE OF RECORD FOUND

N/F
JOANNE MORRIS
HODGES
PID #5610-03-2595
DB 699 PG 129
ZONING: RM-2



LEGEND

---	EXISTING SIDE WALK	---	EXISTING SIDE AND SUPER
---	EXISTING SIDE WALK	---	IMPROVED SIDE WALK
---	EXISTING LIGHT POLE	---	PROPOSED ONE
---	PROPOSED LIGHT POLE	---	EXISTING EDGE
---	EXISTING UTILITY POLE	---	IMPROVED EDGE
---	EXISTING UTILITY POLE	---	EXISTING UNDERGROUND ELECTRIC LINE
---	EXISTING FIRE PROTECT	---	EXISTING UNDERGROUND TELEPHONE LINE
---	PROPOSED FIRE PROTECT	---	PROPOSED UNDERGROUND SEWER LINE
---	PROPOSED FIRE BEST CONNECTION	---	EXISTING WATER LINE
---	EXISTING WATER VALVE	---	PROPOSED WATER LINE
---	PROPOSED WATER VALVE	---	PROPOSED GAS LINE
---	PROPOSED CHECK VALVE	---	PROPOSED GAS LINE
---	PROPOSED FLOW INDICATOR VALVE	---	EXISTING GAS LINE
---	EXISTING WATER METER	---	PROPOSED GAS METER
---	PROPOSED WATER METER	---	EXISTING CONDUIT LINE
---	PROPOSED NIGHTFLOW PROTECTOR	---	PROPOSED CONDUIT LINE
---	EXISTING SINK UNITS	---	EXISTING STORM DRAINAGE PIPE
---	PROPOSED SINK UNITS	---	PROPOSED STORM DRAINAGE PIPE
---	EXISTING CLEANOUT	---	EXISTING GAS LINE
---	PROPOSED CLEANOUT	---	PROPOSED GAS LINE
---	EXISTING DRAINAGE STRUCTURE	---	EXISTING STORM MANHOLE
---	PROPOSED DRAINAGE STRUCTURE	---	PROPOSED STORM MANHOLE
---	EXISTING GAS METER	---	
---	EXISTING GAS METER	---	



SEE SHEET C400 FOR UTILITY NOTES

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Appointments - Transportation Advisory Committee (TAC)

BRIEF SUMMARY:

Each year, the Board of Commissioners has to appoint representatives to the Transportation Advisory Committee (TAC). Commissioner Poole currently serves as the representative for Cabarrus County. Commissioner Kiger has been serving as the alternate and has agreed to continue to serve.

REQUESTED ACTION:

Motion to suspend the Rules of Procedure.

Motion to appoint Commissioner Kiger as the alternate member to the TAC for one-year term ending December 31, 2020.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Kelly Sifford, Planning and Development Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Request Letter

November 18, 2019

Mr. Mike Downs, Manager
Cabarrus County
P. O. Box 707
Concord, North Carolina 28026

SUBJECT: 2020 appointments to the Transportation Advisory Committee (TAC) and the Technical Coordinating Committee (TCC) of the Cabarrus-Rowan Urban Area Metropolitan Planning Organization (CRMPO)

Dear Mr. Downs,

As you are aware, each year the North Carolina Department of Transportation (NCDOT) requires the MPO to supply a list of current TAC and TCC representatives along with their alternates. Currently, Commissioner Elizabeth Poole is the appointed member and Commissioner Blake Kiger is the representative serving as the alternate to represent Cabarrus County on the TAC. Mrs. Susie Morris is currently the TCC representative with Mr. Phil Collins serving as the alternate. Please notify the MPO as to who will serve in 2020 as your designated appointees to the TAC, as well as the TCC (staff) appointee and alternate. The TAC and TCC appointees must be available to attend regular monthly meetings and also participate on regional transportation planning committees. Attendance at the meetings is critical to the success of our planning efforts and to bring information back to their respective communities. A schedule of the meetings will be sent to your designated representative.

As all of the current TAC members are aware, there is a requirement from the Ethics Act, Chapter 138A of the NC General Statutes. There are two specific requirements: 1) State of Economic Interest (SEI) application, and 2) Real Estate Disclosure Form. Current MPO TAC members and their alternate must electronically file their SEI and Real Estate Disclosure Form annually by April 15th. This information can be found at <http://www.ethicscommission.nc.gov/sei>. Go to Statement of Economic Interest and click on MPO/RPO filers.

Please provide current contact information for your selected individuals to include mailing address, telephone number, fax number and e-mail address to Connie Cunningham at the CRMPO office by January 8, 2020. You may email your information to ccunningham@mblsolution.com or mail to Connie Cunningham, Cabarrus Rowan MPO, 713 Sternbridge Drive, Concord, NC 28025.

Thank you for your attention to this matter.

Sincerely,

Phil Conrad

Phil Conrad
Cabarrus Rowan MPO Executive Director

*Connie Cunningham
Cabarrus Rowan Metropolitan Planning Organization
713 Sternbridge Drive
Concord, North Carolina 28025
704-795-7528
704-795-7529 fax*



CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

BOC - Appointments to Boards and Committees

BRIEF SUMMARY:

The following appointments to Boards and Committees are recommended for March:

Appointments - Library Board of Trustees

The Library Board of Trustees is nominating Pamela Emmons to complete an unexpired term as the Midland representative. Nominees were considered from the active applications on file, which were sent to the current Trustees for review.

Representative recommendation is Pamela Emmons.

Appointments and Removals - Adult Care Home Community Advisory Committee

The term of appointment for Andrea Johnson on the Adult Care Home Community Advisory Committee ends March 31st. Ms. Johnson is not interested in serving another term.

Appointments and Removals - Public Health Authority of Cabarrus County

Phyllis Wingate has retired from her position at Atrium Health and is no longer eligible to serve on the Public Health Authority of Cabarrus County. Ms. Wingate has served on this Board since 2010. An application has been received from Chris Bowe, a tenured Healthcare Administrator at Atrium Health. A letter of recommendation in regards to Mr. Bowe completing Ms. Wingate's unexpired term is included in the agenda. Mr. Bowe resides in Mecklenburg County. An exception to the "residency" provision of the Appointment Policy will be needed for him.

Representative recommendation is Chris Bowe.

Appointments (Removal) - Early Childhood Task Force Advisory Board

Early Childhood Task Force Advisory Board member Trina Wenzel has resigned from her position on the committee due to scheduling conflicts.

REQUESTED ACTION:

Provide information.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

BOC - Resolution Amending the Board of Commissioners' 2020 Meeting Schedule

BRIEF SUMMARY:

The venue for the Cabarrus Summit 2nd Quarterly meeting was originally scheduled to be held at the Cabarrus Arena and Events Center in Concord. The venue is being moved to the Concord Senior Center.

REQUESTED ACTION:

Motion to adopt the resolution.

EXPECTED LENGTH OF PRESENTATION:

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Resolution



**Resolution Amending the
Cabarrus County Board of Commissioners'
2020 Meeting Schedule**

WHEREAS, on December 16, 2019, the Cabarrus County Board of Commissioners adopted a meeting schedule for calendar year 2020, which sets forth the dates, times and locations of various official county meetings; and

WHEREAS, the Board scheduled the Cabarrus Summit 2nd Quarterly Meeting to be held on April 15, 2020 at the Cabarrus Arena and Events Center; and

WHEREAS, the venue for the Cabarrus 2nd Quarterly Meeting has been changed to the Concord Senior Center in Concord;

NOW, THEREFORE BE IT RESOLVED that the Cabarrus County Board of Commissioners hereby amends its 2020 Meeting Schedule as follows:

1. The Board of Commissioners will hold the Cabarrus Summit 2nd Quarterly Meeting on April 15, 2020 at 6:00 p.m. at the Concord Senior Center, in Concord, North Carolina.

ADOPTED this 23rd day of March, 2020.

Stephen M. Morris, Chairman
Cabarrus County Board of Commissioners

ATTEST:

Lauren Linker, Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - County/CVB Interlocal Agreement

BRIEF SUMMARY:

As part of the synthetic turf project, the Interlocal Agreement between Cabarrus County and the Convention and Visitors Bureau needs to be amended. The primary change is changing the term length for the agreement to match the planned financing of Phase 2 of that project. A revised text draft of the agreement is attached.

REQUESTED ACTION:

Motion to approve the interlocal agreement between Cabarrus County and Cabarrus County Convention and Visitors Bureau subject to review or revisions by the County Attorney.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Jonathan B. Marshall, Deputy County Manager

John Mills, Executive Vice President Cabarrus County Convention and Visitors Bureau

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Interlocal Agreement draft

STATE OF NORTH CAROLINA

COUNTY — CVB

COUNTY OF CABARRUS

INTERLOCAL AGREEMENT

THIS COUNTY — CVB INTERLOCAL AGREEMENT ("Agreement") is made and entered into effective March 23, 2020 by and between CABARRUS COUNTY ("County"), a body politic and political subdivision of the State of North Carolina and the CABARRUS COUNTY TOURISM AUTHORITY aka the CABARRUS COUNTY CONVENTION AND VISITORS BUREAU ("CVB"), a public instrumentality created by the County pursuant to the provisions of Chapter 658 of the 1989 North Carolina Session Laws.

PREMISES

1. Pursuant to N.C. Gen. Stat. §153A-155 and Chapter 658, the CVB receives the proceeds of the room occupancy tax (the "Tax") levied by the County on hotel and motel occupancy revenues in the County.
2. The purpose of such Tax revenues is the promotion of tourism in the County.
3. Previous to amended interlocal agreement in 2011, the County has charged the CVB 5.0% of the gross amount of such Tax revenues for collection and administration of the Tax and has required the CVB annually to contribute 10.0% of the Tax revenues to a Sports Development Fund and \$100,000.00 for the County's Arena.
4. The CVB and the County wanted to rework the financial relationship between them in order to better promote Cabarrus County and all of its venues for tourism.
5. Such an Interlocal agreement was and is permitted by and governed by the provisions of N.C. Gen. Stat. §160A-460 and 153A-445.
6. The CVB and the County wish to rework the agreement to aid and ensure that a project to install synthetic turf athletic facilities at selected Cabarrus County Schools may proceed and be properly funded.

In consideration of the above Premises and the Terms contained below, which the parties agree constitute sufficient consideration to make this Agreement legally sufficient, binding and enforceable, the parties agree as follows.

TERMS

1. Beginning July 1, 2011, the County shall monthly collect and retain from the gross collected proceeds of the Tax an amount equal to 5.0% of the gross Tax as the

administration fee for collecting the Tax and accounting for the proceeds to the CVB.

2. In addition to the administration fee to be collected from the Tax as provided above, beginning July 1, 2011, the County shall monthly collect and retain from the gross collected proceeds of the Tax an amount equal to 5.0% of the Tax as a "Facilities Upgrade Fee".

3. This Facilities Upgrade Fee shall be used by the County to pay for improvements to County and local school parks, recreation and athletic facilities, including the County's Arena, that can be utilized for events by conventions and/or visitors. It is contemplated by both parties that the choice of projects to be funded with the Facilities Upgrade Fee shall be made with the intention to increase the marketability of the project venues for CVB's sales teams.

4. Notwithstanding the preceding paragraph, the purpose for and the timing of the expenditures for improvements to be paid from the proceeds of the Facilities Upgrade Fee shall be determined in the sole discretion of the County, but at least once annually the County shall submit a report in writing to the CVB Board accounting for the Tax proceeds collected as the Facilities Upgrade Fee, any expenditures from such proceeds and any plans for utilization of such proceeds.

5. Effective July 1, 2011, the CVB shall no longer be required to pay to the County and the County shall no longer collect from the CVB the Sports Development Fund and the annual \$100,000.00 CVB contribution for the County's Arena.

6. The County will use reasonable efforts to coordinate the marketing and promotion by the CVB of events utilizing local school facilities and shall cooperate with the CVB to promote and market the County parks, recreation and athletic facilities, including the County's Arena. It is contemplated that local school facilities not specifically needed for school functions and events will be made available for usage by visitors and event participants.

7. The term of this Agreement shall extend from March 23, 2020 to June 30, 2030. The term shall not be extended beyond these dates unless the parties do not meet to review the Agreement as provided below.

8. The parties agree to meet as part of the County budget review process that occurs each fiscal year to review the effectiveness of the provisions of this Agreement.

9. This Agreement document contains the entire understanding and terms relating to its subject matter and may not be amended or modified unless in writing and signed by both parties.

10. This Agreement shall be construed in accordance with North Carolina law.

IN WITNESS, the parties have executed this Agreement, by authority duly given, as shown below.

CABARRUS COUNTY

By: _____ Date: _____
Stephen M. Morris
Chair, Cabarrus County
Board of Commissioners

This instrument has been pre-audited in the manner required by the “Local Government Budget and Fiscal Control Act.”

Susan Ferrington
Finance Director

CABARRUS COUNTY TOURISM AUTHORITY aka
CABARRUS COUNTY CONVENTION AND VISITORS BUREAU

By: _____ Date: _____
Tim Hagler
Board Chair

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Phase 2 Synthetic Turf Project

BRIEF SUMMARY:

The Board of Commissioners previously approved Phase 1 of the synthetic turf project that is being done in partnership with the Cabarrus County Convention & Visitors Bureau and Cabarrus County Schools. Phase 2 of that project includes the installation of two additional synthetic turf practice/play fields at the new West Cabarrus High School. In addition, this phase also includes the turf cooling system, irrigation, lighting, fencing and the installation of a restroom facility. Staff from the County, CVB and Schools met to finalize scope and pricing and will provide that information at the work session. We will also recommend a contingency budget for this phase. The project will be financed by the County with debt payments being paid from the County share of the occupancy tax per the Interlocal Agreement.

REQUESTED ACTION:

Motion to approve Phase 2 of the Synthetic Turf Project and authorize the Finance Director to prepare the associated budget amendments and project ordinances as needed.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Jonathan B. Marshall, Deputy County Manager
Rodney D. Harris, Deputy County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Finance - Audit Contract for Fiscal Years Ending June 30, 2020, 2021 and 2022

BRIEF SUMMARY:

A request for proposal for external auditing services was conducted by the Finance Department. Two firms contacted and notified me that they would not be able to submit proposals. Two firms did provide a proposal. After reviewing the submissions, it was determined that the accounting firm Martin Starnes and Associates best suits Cabarrus County's needs.

Pricing for the auditing services is as follows: Fiscal year ending June 30, 2020 - \$62,000, fiscal year ending June 30, 2021 - \$62,000, and fiscal year ending June 30, 2022 - \$63,860. We were also given two one-year extensions with the following pricing: June 30, 2023 - \$63,860 and June 30, 2024 - \$65,770.

REQUESTED ACTION:

Motion to approve the Martin Starnes and Associates audit pricing commitments for fiscal years, 2020, 2021, 2022, and the two one-year extension options for fiscal years 2023 and 2024.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Susan Fearington, Finance Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ RFP results
- ▣ Audit Fee letter
- ▣ FY2020 Audit Contract

Cabarrus County				
Auditing Services				
Firm	RFP Sent	Proposal Received	First year bid	Notes
Cherry Bekaert LLP	1/17/2020	Did not bid	N/A	Indicated that they could not compete with the price of other firms
Elliott Davis	1/17/2020	2/3/2020	\$59,000	Auditor for six NC Counties
Martin Starnes & Associates	1/17/2020	1/30/2020	\$62,000	Auditor for 21 NC Counties all three partners are GFOA reviewers
RSM	1/17/2020	Did not bid	N/A	Did not have staff to serve us

MARTIN STARNES & ASSOCIATES, CPAs, P.A.

"A Professional Association of Certified Public Accountants and Management Consultants"

February 11, 2020

Cabarrus County
Attn: Susan Fearrington
65 Church Street SE
Concord, NC 28026

Dear Susan,

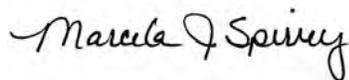
In response to your request for two one-year extensions beyond the fees quoted in our original proposal, we have listed our initial quote below along with the two additional years.

Proposed fees for year ending June 30, 2020 ⁽¹⁾	<u>\$ 62,000</u>
Estimated costs for year ending June 30, 2021 ⁽¹⁾	<u>\$ 62,000</u>
Estimated costs for year ending June 30, 2022 ⁽¹⁾	<u>\$ 63,860</u>
Estimated costs for year ending June 30, 2023 ⁽¹⁾	<u>\$ 63,860</u>
Estimated costs for year ending June 30, 2024 ⁽¹⁾	<u>\$ 65,770</u>
(1) Single Audit fees - per each major program over five (5)	<u>\$ 3,000</u>

Audit contracts must be approved annually by the Local Government Commission. For your planning purposes, our estimated fees to provide our services to you in the future are shown in the table below. These are estimated fees only. Governmental and rule-making boards may add or change their requirements related to our services which may change these estimates. The actual fee agreement will be set forth in the annual contract signed for the relevant year.

Thank you for the opportunity to propose on your audit services. Please contact us if you need additional information.

Sincerely,



Marcela J. Spivey, CPA
Audit Partner

The of and	Governing Board Board of Commissioners
	Primary Government Unit (or charter holder) Cabarrus County, NC
	Discretely Presented Component Unit (DPCU) (if applicable) N/A

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name Martin Starnes & Associates, CPAs, P.A.
	Auditor Address 730 13th Avenue Dr. SE, Hickory, NC 28602

Hereinafter referred to as Auditor

for	Fiscal Year Ending	Audit Report Due Date
	06/30/20	10/31/20

Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).

2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit performed under the requirements found in Subpart F of the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.

4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.

5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2011 revisions, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC staff within four months of fiscal year end. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay shall be submitted to the Secretary of the LGC for approval.

7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.

9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).

11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.

12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.

13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC along with an Audit Report Reissued Form (available on the Department of State Treasurer website). These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing, on the Amended LGC-205 contract form and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to charter schools or hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 28 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the parent government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to charter schools or hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and Governmental Auditing Standards, 2018 Revision (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. Applicable to charter school contracts only: No indebtedness of any kind incurred or created by the charter school shall constitute an indebtedness of the State or its political subdivisions, and no indebtedness of the charter school shall involve or be secured by the faith, credit, or taxing power of the State or its political subdivisions.

29. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 16 for clarification).

30. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx>.

31. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

32. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Governmental Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: Auditor Governmental Unit Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name: Susan B. Fearrington	Title: Finance Director	Email Address: sbfearrington@cabarruscounty.us
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2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees below. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year billings. Should the 75% cap provided below conflict with the cap calculated by LGC staff based on the prior year billings on file with the LGC, the LGC calculation prevails. All invoices for services rendered in an audit engagement as defined in 20 NCAC 3 .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

PRIMARY GOVERNMENT FEES

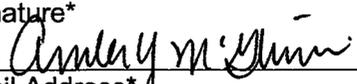
Primary Government Unit	Cabarrus County, NC
Audit Fee	\$ See fee section of engagement letter
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$ See fee section of engagement letter
Writing Financial Statements	\$ N/A
All Other Non-Attest Services	\$ N/A
75% Cap for Interim Invoice Approval <i>(not applicable to hospital contracts)</i>	\$ 50,340.00

DPCU FEES (if applicable)

Discretely Presented Component Unit	N/A
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval <i>(not applicable to hospital contracts)</i>	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Martin Starnes & Associates, CPAs, P.A.	
Authorized Firm Representative (typed or printed)*	Signature*
Amber Y. McGhinnis	
Date*	Email Address*
02/13/20	amcghinnis@martinstarnes.com

GOVERNMENTAL UNIT

Governmental Unit*	
Cabarrus County, NC	
Date Primary Government Unit Governing Board Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)*	Signature*
Stephen M. Morris, Chairman	
Date	Email Address
	smmorris@cabarruscounty.us

Chair of Audit Committee (typed or printed, or "NA")	Signature
N/A	
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer* (typed or printed)	Signature*
Susan B. Fearrington, Finance Director	
Date of Pre-Audit Certificate*	Email Address*
	sbfearrington@cabarruscounty.us

**SIGNATURE PAGE – DPCU
(complete only if applicable)**

DISCRETELY PRESENTED COMPONENT UNIT

DPCU*	
N/A	
Date DPCU Governing Board Approved Audit Contract* (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
N/A	
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)*	Signature*
N/A	
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all required signatures prior to submission.

PRINT



Report on the Firm's System of Quality Control

To the Shareholders of Martin Starnes & Associates CPAs, P.A. and the
Peer Review Committee, North Carolina Association
Of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Martin Starnes & Associates CPAs, P.A. (the firm) in effect for the year ended December 31, 2017. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act and an audit of an employee benefit plan.

As part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Martin Starnes & Associates CPAs, P.A. in effect for the year ended December 31, 2017, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Martin Starnes & Associates CPAs, P.A. has received a peer review rating of *pass*.

Koonce, Wooten & Haywood, LLP

Koonce, Wooten & Haywood, LLP

May 3, 2018

Raleigh
4060 Barratt Drive
Post Office Box 17806
Raleigh, North Carolina 27613

919 782 9265
919 783 8937 FAX

Durham
3500 Westgate Drive
Suite 203
Durham, North Carolina 27707

919 354 2584
919 489 8183 FAX

Pittsboro
10 Sanford Road
Post Office Box 1399
Pittsboro, North Carolina 27312

919 542 6000
919 542 5764 FAX

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Finance - North Carolina Education Lottery Payment Applications for School Debt Service

BRIEF SUMMARY:

Lottery proceeds in the amount of \$2,300,000 were included in the FY 20 General Fund budget to pay a portion of debt service related to public school debt. Upon approval by the Cabarrus County Board of Education, the Kannapolis City Board of Education and the Cabarrus County Board of Commissioners, two payment request applications will be submitted to the Department of Public Instruction.

The Cabarrus County School application is for \$2,017,100 and the Kannapolis City School application is for \$282,900, for a total of \$2,300,000. A budget amendment and Capital Project Ordinance is included for your review.

REQUESTED ACTION:

Motion to authorize the Cabarrus County Chairman to execute the Public School Building Capital Fund applications and to approve the related budget amendment and project ordinance.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Susan Ferrington, Finance Director

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ CCS Application
- ▣ KCS Application
- ▣ Fd 320 Budget Amendment
- ▣ Fd 320 Project Ordinance

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Cabarrus

Contact Person: Kelly Klutz

LEA: Cabarrus County #130

Title: Chief Financial Officer

Address: PO Box 388 Concord, NC 28026

Phone: 704-260-5705

Project Title: 2019/2020 Debt Service for School Construction

Location: Concord, NC

Type of Facility: Debt Service for School Construction (LOBS 2015D)

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Debt Service for LOBS issued to build and renovate School buildings for Cabarrus County Schools #130

Estimated Costs:

Purchase of Land _____	\$ _____	
Planning and Design Services _____		
New Construction _____		
Additions / Renovations _____		
Repair _____		
Debt Payment / Bond Payment _____		2,017,100.00
TOTAL _____	\$ _____	2,017,100.00

Estimated Project Beginning Date: 7/1/19 Est. Project Completion Date: 6/30/20

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 2,017,100.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners) (Date)

(Signature — Chair, Board of Education) (Date)

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Cabarrus

Contact Person: Will Crabtree

LEA: Kannapolis City Schools #132

Title: Director of Business Operations

Address: 100 Denver St. Kannapolis, NC

Phone: 704-938-1131

Project Title: 2019-2020 Debt Service for School Construction

Location: Kannapolis, NC

Type of Facility: Debt Service for School Construction (LOBS 2015D)

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-546.2. Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. **Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.**

Short description of Construction Project: Debt Service for LOBS issued to build and renovate School buildings for the Kannapolis City Schools #132

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		_____
Repair	_____		_____
Debt Payment / Bond Payment	_____		282,900.00
TOTAL	_____	\$	282,900.00

Estimated Project Beginning Date: 7/1/2019 Est. Project Completion Date: 6/30/2020

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 282,900.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)

(Date)

(Signature — Chair, Board of Education)

(Date)

Budget Revision/Amendment Request

Date: 3/23/2020

Amount: 2,300,000.00

Dept. Head: Susan Fearrington, (prepared by Sarah Chesley)

Department: Finance, Fund 320

Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Purpose: This amendment records the Public School Building Capital Lottery funds requested from the Department of Public Instruction. The funds will be used towards the FY20 school debt service payments. Cabarrus County Schools' portion is \$2,107,100 and Kannapolis City Schools' portion is \$282,900.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
320	6	7210-6444	Lottery Proceeds	8,150,000.00	2,300,000.00		10,450,000.00
320	9	7210-9704	Contb to General Fund	6,000,000.00	2,300,000.00		8,300,000.00

Budget Officer

Approved
 Denied

County Manager

Approved
 Denied

Board of Commissioners

Approved
 Denied

Signature

Signature

Signature

Date

Date

Date

PUBLIC SCHOOL BUILDING CAPITAL PROJECTS FUND BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is the various County construction and renovation related projects. Details of the projects are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

Lottery Proceeds	\$10,450,000
Lottery Proceeds – Rowan County	300,000
TOTAL REVENUES	\$10,750,000

- D. The following appropriations are made as listed.

Debt Service	\$8,300,000
Construction	2,150,000
Debt Service – Rowan County	300,000
TOTAL EXPENDITURES	\$10,750,000
GRAND TOTAL – REVENUES	\$10,750,000
GRAND TOTAL – EXPENDITURES	\$10,750,000

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:

1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.

- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 23rd day of March, 2020.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: _____
Stephen M. Morris, Chairman

ATTEST:

Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Human Resources - Changes to Drug Free Workplace Policy

BRIEF SUMMARY:

Based on a recent North Carolina Department of Transportation (NC DOT) audit of the Cabarrus County Transportation Division, the need to split the DOT requirements into a separate policy was identified. The revised Cabarrus County Drug Free Workplace policy and the new Transportation-only DOT policy both need to be reviewed and approved.

REQUESTED ACTION:

Motion to approve the revised Cabarrus County Drug Free Workplace policy and the new Transportation-only DOT policy.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Lundee Covington, HR Director
Anthony Hodges, Adult and Ageing Services, Program Administrator
Bob Bushey, Transportation Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Drug Free Workplace Summary of Changes
- ▣ Drug Free Workplace Policy with Changes
- ▣ Transportation DOT Drug and Alcohol Testing Policy

Drug Free Workplace Policy Updates – March 2020

Based on feedback from NC DOT audit the primary purpose of this update is to pull Transportation employees out of the general policy and create two appendices:

- Appendix A. Employees Covered by DOT Regulations (Non Transportation Employees)**
- Appendix B. Cabarrus County Transportation DOT Policy**

Appendix B is a template provided by the DOT and updated by Cabarrus County Transportation.

Several other changes of note are:

Disclaimer on definition section - Where there is a conflict between these definitions, the Transportation Policy will govern for testing protocol. Discipline of employees for violations of these policies will follow the County Personnel Ordinance.

Testing following an accident or moving traffic violation must be within 2 hours of the accident unless extended by Risk/Safety or HR.

Updates from January 2018 addendum have been incorporated into the policy and the addendum will be deleted.

For purposes of this policy, the Transportation Operations and Training Supervisor will be considered the Transportation Drug and Alcohol Program Manager.

CABARRUS COUNTY DRUG FREE WORKPLACE POLICY

April 20, 2009

Revisions September 21, 2009; April 18, 2011; August 15, 2011; October 17, 2011; July 16, 2012,
October 2016, December 2017, January 2019, [March 2020](#)

- I. [General Statement of Policy](#)
- II. [Definitions](#)
- III. [Prohibited Acts](#)
- IV. [Duties of Employees](#)
- V. [Authority To Test Employees](#)
- VI. [When to Test](#)
- VII. [Testing Procedures for Applicants and County Employees](#)
- VIII. [Test Results](#)
- IX. [Penalties for Non-Compliance](#)
- X. [Confidentiality](#)
- XI. [Drug Free Awareness Program](#)

—Appendix [A. Employees Covered by DOT Regulations \(Non Transportation Employees\)](#)
[Appendix B. Cabarrus County Transportation DOT Policy](#)

[FORMS](#)

[REFERENCES](#)

I. General Statement of Policy

- A. It is the policy of Cabarrus County that the workplace shall be free of the presence of alcoholic beverages or unlawful controlled substances and that employees shall perform their job assignments safely, efficiently, and without the adverse influence of alcohol or controlled substances. This policy shall govern all County employees. Specific requirements for DOT covered employees are set out in the [Appendices](#).
- B. Employees should be aware of the harmful effects, dangers, and impacts of the use and abuse of alcohol and controlled substances in the workplace. Employees working under the influence of alcohol or controlled substances:
 - 1. May create unsafe conditions for themselves and others;
 - 2. May perform unsatisfactorily and adversely affect the performance of others;
 - 3. May discredit Cabarrus County and cause disrespect for the employee, the County, and the citizens we serve.

II. Definitions

- A. Alcohol Test – Any accepted scientific means to determine the presence of alcohol, including but not limited to laboratory analysis of urine, blood, or hair. A DOT regulated alcohol test may only use saliva and breath.
- B. Authorized Provider – A company or organization that has been authorized to conduct alcohol and controlled substance testing of County employees in compliance with this policy.
- C. Auxiliary Employee (Common Law Employee): Person who performs services for Cabarrus County on a temporary basis and is paid for these services through County employee payroll in accordance with IRS regulations.
- D. BAT (Breath Alcohol Technician) – A trained and certified individual who determines a breath alcohol test result.
- E. Cabarrus County Permitted Operators – Authorized persons who drive a County vehicle for any purpose and/or whose job responsibilities require driving a privately owned vehicle on County business; required to have an Operator’s Permit and to comply with Fleet Policy.
- F. CFR - Code of Federal Regulations.
- G. Commercial Motor Vehicle (CMV) –A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:
1. Has a gross combination weight rating of 26,001 pounds or more, inclusive of a towed unit(s) with a gross vehicle weight rating of more than 10,000 pounds;
 2. Has a gross vehicle weight rating of 26,001 pounds or more;
 3. Is designed to transport 16 or more passengers, including the driver;
 4. Is of any size and is used in the transportation of hazardous materials as defined in the Hazardous Transportation Material Act and which requires the motor vehicle to be placarded under the Hazardous Materials Regulations.
- H. Controlled Substance – A drug, substance, immediate precursor, or metabolite of a drug or substance included in Schedule I through V of the Comprehensive Drug Abuse Prevention and Control Act (21 USC 801 *et seq.*) and its amendments.
- I. DOT, The Department, DOT Agency – These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (9FAA, 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.
- J. DOT Regulated Employee (DOT Employee) – Employees with duties regulated by the Department of Transportation (DOT), Federal Motor Carrier Safety Administration (FMCSA), and Federal Transit Administration (FTA).

- K. Drug Test or Screening – Any accepted scientific means to determine the presence of controlled substances, including but not limited to laboratory analysis of urine, blood, or hair. A DOT regulated drug test may only use urine.
- L. Employee - Any person employed (whether full time, part time, or on a temporary basis) by Cabarrus County or considered an employee in accordance with IRS regulations.
- M. 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 to the model specifications available from NHTSA (National Highway Traffic Safety Administration).
- N. Illegal Drugs – Substances that are (1) not legally obtainable; (2) legally obtainable but have been obtained or used in an unlawful manner or in a manner other than as prescribed and directed by an employee’s treating physician or the manufacturer; (3) so called “designer drugs,” “look-a-likes,” “synthetic drugs,” and similar substances, even if not specifically prohibited by state or federal law; (4) substances which are inhaled, injected, ingested or absorbed, but which are not intended for human consumption (such as glue, solvents, or patches), even if not specifically prohibited by state or federal law. Examples of illegal drugs include (but are not limited to) amphetamines, barbiturates, cocaine, marijuana, methaqualone, opioids and phencyclidine (PCP).
- O. Lawful Drugs – Those prescribed or over the counter medications that are lawfully obtained and used as prescribed and directed by an employee’s treating physician or the manufacturer’s recommendations or for the purpose and in the manner for which prescribed or manufactured.
- P. MRO (Medical Review Officer) – A licensed physician trained to make the final determination of whether a test for the presence of a controlled substance is positive or negative.
- Q. Metabolite – The chemical or compound produced when a particular substance is passed through the human body and excreted in the urine.
- R. NCGS – North Carolina General Statutes.
- S. Non-DOT Safety Sensitive Position – Position with duties that involve such a significant risk of injury to others that even a momentary lapse of attention can have disastrous consequences. These positions are identified by human resources, safety and risk management based on duties and responsibilities of the employee. Included are law enforcement officers, emergency medical technicians, employees operating a vehicle owned by the County or a personal vehicle which is used as a major part of their work, employees working with hazardous chemicals. Employees are advised if they occupy a safety-sensitive position.
- T. Policy Administrator – The human resources director or designee responsible for the administration of the Cabarrus County Drug Free Workplace Policy.
- U. Positive Alcohol Test – Identification of an alcohol content level at or above 0.04% by use of an alcohol test. (See Section III, B, 3 and 4 for a possible exception.)
- V. Positive Drug Test - Identification of a controlled substance at or above the threshold values designated by HHS/SAMHSA (or 49CFR Part 40, as amended, for a DOT test) in a drug test and confirmed by gas chromatography with mass spectrometry (GCMS).

W. Reasonable Suspicion - A decision for alcohol or drug testing based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, body odors, or performance of the employee.

X. Retaliatory Actions - The discharge, suspension, demotion, relocation, or other adverse employment action taken against an employee in the terms, conditions, privileges, and benefits of employment.

Y. Safety-Sensitive Position (DOT) – Defined by Federal Transit Administration or FTA, DOT regulated employees. ~~Cabarrus County also defines safety sensitive as a position with duties that involve such a significant risk of injury to others that even a momentary lapse of attention can have disastrous consequences. These positions are identified by the human resources director based on duties and responsibilities of the employee. Included are law enforcement officers, emergency medical technicians, employees operating a vehicle owned by the County or a personal vehicle which is used as a major part of their work, and DOT regulated employees. Employees are advised if they occupy a safety sensitive position.~~

Z. SAMHSA - Substances Abuse and Mental Health Services Administration.

AA. Substance Abuse – For the purpose of this policy any use of alcohol, an illegal drug, or a lawful drug which directly and adversely affects job performance or safety.

BB. Substance Abuse Professional – A person who evaluates employees who have violated a DOT drug and alcohol program regulation and makes recommendations concerning education, treatment, follow-up testing, and after care. This person is 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.

CC. Supervisor/Department Head – A County employee to whom another employee or group of employees report.

DD. USC – United States Code.

~~DD:~~ A Definition section is also contained in Appendix B that applies specifically to Cabarrus County Transportation employees for DOT tests. Where there is a conflict between these definitions, the Transportation Policy will govern for testing protocol. Discipline of employees for violations of these policies will follow the County Personnel Ordinance.

III. Prohibited Acts

- A. The County prohibits the unlawful manufacture, distribution, dispensation, possession, or use of any alcoholic beverage or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance as defined in 21 USC § 812, and as further defined in federal regulations at 21 CFR §1308.11 through 1308.15, and in NCGS 90-86 et seq.
- B. The County prohibits the use of alcoholic beverages by any employee:
 - 1. During work hours including lunch time and breaks;

2. While operating County equipment (including vehicles);
 3. While on any property owned, leased, or rented by Cabarrus County except the Historic Cabarrus Courthouse or the Cabarrus County Arena and Events Center during an event or function in which alcohol use is allowed as provided in B.4. below;
 4. At any time the employee is acting in the course and scope of his or her employment with the County, except while attending business, social and other functions. The business or social situations would normally occur after work hours and the employee would not be returning to his or her normal work site. This would not preclude an employee's return to work on an emergency need basis as long as current state driving standards are met;
 5. When on-call as defined by the On-Call Policy;
 6. County Authorized Drivers are responsible for being in an emotional, mental and physical condition (including free of the effects of alcohol or drugs) necessary to operate a County vehicle safely and properly. [AA1][LC2]
- C. The County prohibits the use of prescription or lawful non-prescription medications by an employee while operating County equipment (including vehicles) or when acting in the course and scope of his or her employment with the County when the use has a direct and adverse effect upon the safe operation of equipment or a vehicle or on the performance of his or her duties. Employees are required to report use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected to a supervisor prior to work.
- D. Employees in safety-sensitive positions may not take prescription medications while at work or expected to be available to work, unless the prescription medications are prescribed by a physician who considered the safety sensitive nature of the employee's job when prescribing the medication. The employee is responsible for alerting his/her supervisor. If requested, the employee is responsible for obtaining required to provide a written release from his/her doctor/their physician or pharmacist indicating that the employee they can perform his/her safety- sensitive functions.

IV. Duties of Employees

- A. As a condition of initial and continuing employment, each employee shall:
1. Comply with the terms of this policy and any rules or procedures promulgated thereunder;
 2. Notify his or her supervisor in writing of any conviction pursuant to any criminal drug or alcohol statute no later than five days after such conviction. For purposes of this policy a plea of guilty, no contest, or nolo contendere is a conviction;
 3. Notify his or her supervisor immediately of an arrest or other action relating to criminal drug or alcohol statutes when at work or when his or her work or ability to work may be impacted.
 4. A violation that occurs in the workplace may result in termination of employment.
- B. Within ten days of receiving actual notice of an employee's conviction of any criminal drug statute for a violation occurring in the workplace or within the course and scope of employment, the County shall notify any federal granting agency from which the County receives a grant regarding such conviction in accordance with the Drug Free Workplace Act of 1988.
- C. Any employee who has cause to suspect that the policy has been or is being violated by another employee shall report such information to his or her supervisor, department head, or the policy administrator. In the event the person suspected of violating the policy is the Cecounty Manager, the employee shall report such information to the Chair of the Board of County Commissioners.

- D. Any employee who voluntarily seeks assistance for a problem regarding alcohol or drug abuse shall be encouraged to participate in an alcohol or drug abuse assistance or rehabilitation program. Voluntary admission is not considered a positive test result. Once a person has been selected for testing, it is too late to step forward and seek assistance. County Permitted Drivers will not be allowed to drive until cleared to do so. DOT drivers and others with primarily driving responsibilities will be placed on administrative leave until cleared to return. This will include follow up testing as specified under 49 CFR Part 40. If unable to return, employment may be terminated as positions cannot be held indefinitely.
- E. A supervisor or department head who has reason to believe that an employee has violated a criminal drug or alcohol law shall contact the Human Resources Director to determine possible appropriate actions. Any County reports made to law enforcement officials or County cooperation in investigations or prosecutions of County employees conducted by state, federal, or local law enforcement officials pursuant to criminal drug or alcohol laws must be in accordance with NCGS 153A-98, Privacy of Employee Records.
- F. No person shall discriminate or take any retaliatory action against an employee because the employee, in good faith: makes a report pursuant to this policy, cooperates in an ensuing inquiry or investigation, testifies in a proceeding resulting from a report, or otherwise participates in the enforcement of this policy.
- G. Cabarrus 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 of employment.

V. Authority to Test Employees

Pursuant to this policy the following persons are required to submit to testing for the presence of alcohol and controlled substances.

1. The final applicant selected for a County position as a pre-employment condition. Testing is for controlled substances only.
2. All eEmployees holding safety-sensitive positions are subject to random testing.
3. All current employees who apply for or are given an assignment, promotion, or transfer to a safety-sensitive position.
4. An employee in a safety-sensitive position who is involved in a traffic accident or violation while operating a County owned vehicle or a personal vehicle while performing his or her duties as a County employee.
5. Any employee involved in an on-the-job accident where:
 - a. Death results;
 - b. Employee is cited for a moving violation
 - a.c. Other situations per the discretion of Supervisor and Safety/Risk Management.
 - b. ~~Any person is injured and is transported from the accident scene for medical attention;~~
 - e. ~~A vehicle must be towed from the scene; or~~
 - d. ~~The employee is cited for a moving violation.~~

6. Any employee when there is reasonable suspicion to believe that he or she is in violation of this policy by observed actions or physical evidence while performing his or her duties as a County employee. See Form D, Observation of Suspect Behavior Form, for observation examples.

VI. When to Test

A. Pre-employment.

1. The County, as a public employer, is entrusted with the health and safety of its citizens. In keeping with this obligation, all final applicants selected for employment with Cabarrus County are required to undergo a pre-employment drug screening.
2. The County includes notice of pre-employment drug screening in job announcements and on the Cabarrus County Government Employment Application.
3. The applicant shall report to the designated test site as directed.
4. Applicants to be tested are required to sign the drug screening consent form.
5. Failure of a pre-employment screen will disqualify the application for a period of one year from the date of testing.

B. Random Testing.

1. Employees occupying safety-sensitive positions or DOT regulated employees are subject to random drug testing. Such testing is unannounced and coordinated by the policy administrator. The policy administrator or designee shall notify the affected employee's supervisor of the time and place the employee should report for testing. Separate pools are maintained for DOT and non-DOT county drivers.
2. A supervisor shall NOT give an employee advance notice of unannounced testing, but shall notify the affected employee on the day of the testing and just prior to the employee being tested. The employee should proceed immediately to the collection site.

C. Promotion or Assignment to a Safety-Sensitive Position.

1. The department head or designee shall explain the drug testing requirements to all current employees who apply for assignment, transfer, or promotion to a safety-sensitive position.
2. Promotion to a position shall be denied to any applicant who refuses to submit to the test, receives a positive test result, or otherwise violates this policy.
3. A negative test result does not guarantee that a current employee will be promoted to the position for which he or she applied.
4. Supervisors for employees being promoted are responsible for ensuring that such employees have completed the required drug testing prior to promotion or assignment.

D. Post-Accident as defined in VI, 4 and 5.

1. Employees involved in on-the-job accidents may be required to submit to drug and alcohol testing based on the potential cause of the accident. This decision will be made at the discretion of the supervisor **and** Safety Officer/Risk Management. The supervisor shall provide or arrange appropriate transportation for testing.
2. An employee required to submit to drug and alcohol testing following an accident or moving traffic violation must make himself or herself available for testing within **three-two hours** of the accident or violation unless a time extension is authorized by Risk/Safety or Human Resources. Failure to be available within such time will be considered a refusal to submit to testing, unless there is a clear hindrance. For example, an employee with life-threatening injuries or injuries that result in death. It

is important to emphasize that **nothing** is to prevent the individual from receiving of required medical attention.

3. If a vehicle operator who is required to submit to drug and alcohol testing following a vehicle accident is unable to report to the regular testing site due to injuries, and drug and/or alcohol testing is conducted pursuant to NCGS 20-16.2 or pursuant to medical treatment, the [vehicle operator testing site](#) shall provide the policy administrator with an authenticated record of the results of that testing.
4. Any [Fleet Management](#) mechanic for a County vehicle involved in an accident may be required to submit to drug and alcohol testing if the reason for the accident was a result or suspected result of mechanical or materials failure.
5. [When requested,](#) The supervisor of a mechanic shall within twenty-four hours of an accident, review the maintenance records for the affected vehicle(s) within one year of the accident and the nature of the work done. As soon as practicable, the supervisor shall obtain the Traffic Accident Report and determine the likelihood that a mechanical or materials failure contributed to the accident. If the supervisor has cause to suspect that a mechanical or materials failure contributed to the accident, he or she shall report the reasons for such suspicion and provide the affected vehicle's maintenance records to the policy administrator. The [Supervisor and Safety/Risk Management policy administrator](#) shall determine whether to require the affected mechanic to undergo drug and/or alcohol testing. The mechanic must make himself or herself available for testing the same day he or she receives notice from the policy administrator or designee that drug and/or alcohol testing is required. Failure to make himself or herself available will be considered a refusal to submit to testing.

E. Reasonable Suspicion.

1. Any employee is subject to drug or alcohol testing when there is reason to believe that the employee has violated this policy. In making such a determination, the County may consider, but is not limited to considering, any of the following factors:
 - a. Excessive absenteeism or tardiness, frequent or increased illness, frequent absences from workstation or lapses in responsibility;
 - b. A pattern of abnormal conduct or unusual, irrational, or erratic behavior;
 - c. Repeated failure to follow instructions or procedures;
 - d. Violation of safety policies or failure to follow safe work practices;
 - e. Deterioration of job performance;
 - f. Abusive behavior, insolence, insubordination, or other significant change in behavior;
 - g. Mood swings, depression, unusual detachment, euphoria, significantly increased energy, unusual talkativeness or sleepiness;
 - h. Changes in appearance, grooming, demeanor, work habits, or interaction with others;
 - i. Reports of substance abuse from other employees;
 - j. Poor motor coordination or muscle controls, unsteady walking, tremors, nervousness, trouble sitting still, slurred speech;
 - k. Evidence of substance abuse (drug paraphernalia, odor) in the employee's vicinity;
 - l. Bloodshot or dull eyes dilated or constricted pupils, runny nose, bruises;
 - m. Impaired short-term memory or illogical thinking;
 - n. Involvement as an operator or mechanic of a County owned vehicle that is involved in an accident;
 - o. Arrest for violation of any criminal drug or alcohol statute.
2. The department head or supervisor will complete Form D, Observation of Suspect Behavior Form, with detailed information on facts, symptoms, and observations of reasonable suspicion and contact

the Human Resources Director. The Human Resources Director will determine whether to order testing and notify the employee's supervisor. The supervisor shall arrange transportation of the employee to and from the testing site. The documentation supporting reasonable suspicion will be retained confidentially by the Human Resources Department.

3. Non-law enforcement personnel shall not use physical force to detain an employee. At any time a supervisor has cause to suspect that an employee is using or is under the influence of alcohol or a controlled substance in the course and scope of his or her duties for the County and the affected employee indicates an intention to leave the premises by his or her own means, the supervisor must notify law enforcement officials regarding the employee's identity, the employee's possible impairment, and the employee's anticipated route and means of travel.

F. Other Circumstances Requiring Immediate Testing.

A supervisor or department head may observe an employee's behavior that is of such extreme, erratic, or unsafe nature that it gives reason to believe that immediate alcohol or drug testing is advisable. In the event that such a situation arises and the supervisor or department head is unable to obtain the authorization of the policy administrator or Safety Officer/ & Risk Manager, the supervisor shall:

1. Ensure that any injuries or other unsafe condition are attended by competent medical or other personnel;
2. Advise the employee of the testing requirement;
3. Direct the employee to report to the designated testing site and arrange transportation of the employee; and
4. Notify the policy administrator or Safety/Risk manager as soon as practicable.

G. Follow-up Testing

~~H.~~ As Cabarrus County has established a zero tolerance policy, follow-up testing if not generally relevant. In the instance of a self-referral the employee will be subject to non-USDOT follow-up tests as specified in 49 CFR Part 40.

~~H.~~ Testing Pursuant to State or Federal Laws, Rules, or Regulations.

Some employees may be required to submit to alcohol and drug testing as required by state or federal laws, rules, or regulations. The procedures for such testing will be in accordance with the particular law, rule, or regulation being followed.

VII. Testing Procedures for Applicants and County Employees

- A. The authorized provider shall determine the procedures for the collection of blood, split sample of urine, saliva, breath, or other scientific samples in accordance with applicable County policies and state and federal laws, rules, and regulations. All blood or urine samples shall be submitted to an SAMHSA approved laboratory for analysis, and the authorized provider shall communicate final test results to the Cabarrus County policy administrator.
- B. Any of the following is considered a refusal to test:
 1. Refusing to sign the consent form, complete the medication form, or submit to a drug test;
 2. Engaging in conduct that clearly obstructs the testing process;
 3. Adulterating, contaminating, or tampering with a blood, urine, saliva, breath, or other sample;

4. Failing to report to the designated test site as directed; or
 5. Failing to remain available for required testing.
- C. An applicant who refuses to submit to a drug test pursuant to this policy will not be considered for employment with the County.
- D. An employee who refuses to submit an alcohol or drug test required pursuant to this policy shall be subject to disciplinary action up to and including dismissal.
- E. 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 Cabarrus County. If a legitimate explanation is found, the MRO will report the test result as negative
- F. A blood, urine, saliva, breath, or other sample that, after initial testing, does not reveal the presence of a controlled substance at or above the threshold values designated by SAMHSA or an alcohol content level below 0.04% shall be considered to have tested negative, and no further testing may be done on that sample. For a DOT drug test the verified presence of the identified drug or its metabolite below the minimum levels specified in 49CFR Part 40, as amended, and the specimen is a valid specimen shall be considered to have tested negative. A DOT regulated alcohol or drug test may only use urine, saliva, and breath sample.
- G. A blood, urine, saliva, breath, or other sample that, after confirmatory testing, does reveal the presence of a controlled substance at or above the threshold values designated by SAMHSA or an alcohol level at or above 0.04% shall be considered to have tested positive. An employee with a confirmed alcohol test result of between 0.02% and 0.039% will be deemed unfit to perform his or her duties and sent home. For a DOT drug test the verified presence of the identified drug or its metabolite at or above the minimum levels specified in 49CFR Part 40, as amended, shall be considered to have tested positive. A DOT regulated alcohol or drug test may only use urine, saliva, and breath sample.

VIII. Test Results:

A. Employees.

1. If the test is negative, the policy administrator or designee informs the department head or supervisor.
2. If the drug test is confirmed as positive, the department head or supervisor schedules a private meeting with the employee to inform the employee in writing of the test results and the employee's rights and responsibilities regarding retesting under NCGS 95-232(f). Split sample testing is at the employee's expense.
3. If the alcohol test is confirmed as positive, the department head or supervisor schedules a private meeting with the employee to inform the employee of the test results.

B. Applicants.

1. If the test is negative, the department head or supervisor is notified and the selection process continues.
2. If the test is confirmed as positive, the applicant must be notified in writing of the test results and the applicant's rights regarding retesting under NCGS 95-232(f).
3. An applicant who receives a confirmed positive test shall not be considered for employment for any position he or she is currently seeking and is ineligible for County employment for a period of one year from the testing date.
4. Employment decisions based on drug screening test results are irrevocable and appeals will not be considered.

IX. Penalties for Non-Compliance

- A. Any employee who violates this policy shall be subject to disciplinary action up to and including dismissal as described in the Cabarrus County Personnel Ordinance Article VII, Separation, Disciplinary Actions, Suspensions and Reinstatement. Employees awaiting disciplinary process will be placed on non-disciplinary administrative leave and relieved of all duties.
- B. Employees who receive a positive drug or alcohol test result will be dismissed.
- C. For DOT regulated employees, the County shall not take an action based solely on test results showing an alcohol concentration of less than 0.02%.
- D. Auxiliary employees who are suspected of violating this policy will be released from employment.

X. Confidentiality

- A. Any tests for the presence of alcohol or controlled substances authorized by this policy shall be designed to protect the privacy of the applicant or employee being required to undergo testing. All tests for the presence of alcohol or controlled substances shall be conducted pursuant to and in compliance with the Controlled Substance Examination Regulations found in NCGS Chapter 95, Article 20.
- B. No sample obtained for the purpose of conducting tests for the presence of alcohol or controlled substances pursuant to this policy shall be used to perform any diagnostic examination that would detect any hidden or latent physical or mental infirmity, disease, or condition. Rather, the analysis of such

sample shall be confined to such procedures as are devised to detect the presence of alcohol or controlled substances.

- C. All information obtained in the course of testing, examining, counseling, rehabilitating, and treating applicants or employees pursuant to this policy shall be protected as confidential medical information. Documents or data concerning this information shall not be open to inspection pursuant to NCGS 153A-98 by persons other than the affected applicant or employee and shall be disseminated only on a need-to-know basis and at the express direction of the Human Resources Director or to comply with applicable laws.
- D. Drug test results from the County's drug testing program may not be used as evidence in a criminal action against an applicant tested except by order of a court of competent jurisdiction.

XI. Drug Free Awareness Program

- A. The Human Resources Director shall provide information regarding this policy and a drug free workplace to employees, to include the following:
 - 1. The dangers of drug abuse in the workplace;
 - 2. The County's policy of maintaining a drug free workplace;
 - 3. Available alcohol or drug counseling, rehabilitation, and employee assistance programs;
 - 4. The penalties that may result for violations of this policy.
 - 5. Employee Assistance Program:
McLaughlin Young Group
5925 Carnegie Blvd., Suite 350
Charlotte NC 28209
(800) 633-3353 or
(704) 529-1428
(704) 529-5917 Fax

Cabarrus County Human Resources Department: 704-920-2200

- B. Supervisors shall receive information on this policy and how to detect the use or abuse of alcohol and controlled substances.
- C. The Human Resources Director will make this policy available to each employee. [This policy is reviewed/acknowledged through New Employee Orientation and is posted on the intranet under Human Resources Policies for viewing at any time.](#)

Appendix A

Employees Covered by Department of Transportation (DOT) Regulations (Non Transportation Employees)

Together with the other Drug Free Workplace Policy requirements employees covered by DOT Regulations must comply with this appendix.

- A. DOT Federal Transit Administration covered employees and functions. Employees who perform safety-sensitive function(s) as defined by the Federal Transit Administration (FTA) are subject to regulation by the United States Government (DOT regulated employees). A FTA safety-sensitive function is any of the following duties when performed by employees for departments that receive federal funding under 49 USC 5307, 5309, 5311, or 23 USC 103(e)(4):
1. Operating a revenue service vehicle, including when not in revenue service;
 2. Operating a nonrevenue service vehicle, when required to be operated by a holder of a Commercial Driver's License;
 3. Controlling dispatch or movement of a revenue service vehicle;
 4. Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service. This section does not apply to the following: an employer who receives funding under 49 U.S.C. 5307 or 5309, is in an area less than 200,000 in population, and contracts out such services; or an employer who receives funding under 49 U.S.C. 5311 and contracts out such services;
 5. Carrying a firearm for security purposes.
- B. DOT Federal Motor Carrier Safety Administration covered employees and functions. Employees who drive or operate a commercial motor vehicle (CMV). The Federal Motor Carrier Safety Administration (FMCSA) has interpreted driving a CMV on a road, street or way which is open to public travel, even though privately-owned or subject to military control, as prima facie evidence of operation in commerce. Employees who drive or operate a CMV must hold a valid appropriate commercial driver's license. FMCSA safety-sensitive function(s) are defined as and include all time from the time an employee begins to work, or is required to be in readiness to work, until the time the employee is relieved from work and all responsibility performing work. Safety-sensitive functions shall include:
1. All time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer. This includes employees who are "eligible" at work to drive a CMV at anytime, e.g., salespersons, clerks, secretaries, supervisors;
 2. All time inspecting equipment as required by 49 C.F.R 392.7, "Equipment, Inspection, and Use," and 49 C.F.R 392.8, "Emergency Equipment and Use," or otherwise inspecting, servicing, or conditioning any CMV at any time;
 3. All driving time, which is any time spent at the driving controls of a CMV in operation;
 4. All time, other than driving time, in or upon any CMV except time spent resting in a sleeper berth;
 5. All time loading or unloading a vehicle, supervising or assisting in loading or unloading, attending a vehicle being loaded or unloaded, remaining ready to operate the vehicle, or giving or receiving receipts for shipments loaded or unloaded;
 6. All time repairing, obtaining assistance for, or remaining with a disabled vehicle.
- C. Applicants and all current employees who apply for assignment, transfer, or promotion to a DOT regulated position must sign an Authorization for Release of Personal Information Form for the release

of alcohol and drug testing data compiled by previous employers covered by 49 CFR Part 40 and provide the County information about drug and alcohol violations. Departments that have DOT regulated positions will contact Human Resources for guidance in obtaining this information (see Form F).

~~D.~~ All drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended. Additionally all FTA employees will be drug and alcohol tested in accordance with Part 655 and FMCSA employees will be tested in accordance with Part 382. A drug test can be performed any time a DOT regulated employee is on duty. A DOT alcohol test can be performed just before, during, or after the performance of a DOT safety-sensitive function. Amphetamines, marijuana, cocaine, opioids, phencyclidine (PCP) can be tested for at any time while on duty.

D.

~~D.E.~~ DOT regulated employees are prohibited from the use or possession of alcohol while on duty or in uniform, while on-call to perform safety sensitive duties, and four hours prior to duty. ~~Alcohol use is also prohibited by any covered employee required to submit to post-accident alcohol testing for four hours following the accident or until the alcohol test is performed. No covered employee shall consume alcohol for eight hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.~~

~~E.F.~~ DOT regulated employees must complete a DOT pre-employment drug test when hired for, or transferred to, a DOT covered position. The candidate must produce a negative drug test result prior to first performing a safety-sensitive duty. If the test is canceled, the employee must retake and pass the test before being hired. Failure of a County pre-employment screen will disqualify the application from employment for one year. Any covered employee or applicant who has previously failed or refused a pre-employment drug test administered under this part, must provide proof of having successfully completing a referral, evaluation, and treatment plan by a substance abuse professional as described in 49 CFR Part 655.62. A covered employee who has not performed a safety sensitive duty for 90 consecutive days or more and has not been in the employer's random selection pool shall take a pre-employment drug test with a verified negative result before returning to safety-sensitive duties.

~~E.G.~~ Together with other accident testing which may be required by the County, DOT regulated employees must complete DOT drug and alcohol tests as soon as possible after they are involved in an accident while operating a County owned or leased vehicle, if the accident involves:

1. FMCSA accident requiring testing: An accident in which a fatality is involved; one or more motor vehicles are towed from the scene or someone is treated medically away from the scene, *and* a citation is issued to the CMV driver within 8 hours of the occurrence under state or local law for a moving violation arising from the accident and either of the aforementioned situations occur.
2. FTA accident requiring testing: An accident in which a fatality is involved, one or more motor vehicle receives disabling damage or someone requires immediate medical attention away from the scene, unless the driver can be completely discounted as a contributing factor. All surviving employees operating the mass transit vehicle at the time of the accident and all other covered employees whose performance could have contributed to the accident must also be tested after an accident involving a fatality.

Alcohol testing must be done as soon as possible following an accident, but not more than eight hours after the accident. Drug testing must be done as soon as possible after the accident, but not more than 32 hours after the accident. If a post-accident alcohol test is not administered within two hours following the accident, the employer shall prepare and maintain on file a record stating the reasons for the delay.

All DOT covered employees must remain readily available for testing after an accident including notifying the employer representative of the employee's whereabouts. Failure to do so will be considered a test refusal. Testing is stayed while the employee assists in the resolution of the accident or receives medical attention.

G.H. DOT regulated employees must complete random DOT drug and alcohol tests from a selection pool that includes only DOT regulated employees. Alcohol testing must occur just before, during, or just after the performance of their covered duties. Random selections will be made at a minimum of a quarterly basis by a scientifically valid computer program. The random tests will be spread reasonably throughout the year during all hours and days in which safety-sensitive functions are performed. All covered employees will have an equal chance of being selected each time selections are made. Testing will be unannounced and the employee must proceed immediately after being notified of the testing requirement.

H.I. 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>.

I.J. DOT regulated employees may also be subject to drug and alcohol testing upon reasonable suspicion of probable drug or alcohol use using non-DOT testing forms. Reasonable suspicion determinations will be made by one or more trained supervisors that can articulate and substantiate physical, behavioral, and performance indicators of probably drug use or alcohol misuse by observing the appearance, behavior, speech, and/or body odors of the covered employee. Reasonable suspicion testing can be conducted just before a DOT regulated employee performs safety-sensitive duties, during that performance, and just after an employee has performed covered duties.

J.K. 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.

K.L. A result of 0.04% or higher on the DOT alcohol test is a positive test result. DOT regulated employees with a DOT alcohol test result between 0.02% and 0.039% are prohibited from performing

their safety-sensitive related duties for a period of 24 hours or one shift, whichever is longer. Employee must submit to and be cleared prior to resuming work.

L.M. DOT regulated employees who receive a positive DOT drug or alcohol test result will be terminated, informed of educational and rehabilitation programs available, and referred to a list of USDOT qualified Substance Abuse Professionals (SAP) for assessment. The DOT regulated employee is responsible for any incurred costs associated with educational and rehabilitation programs or SAP assessments.

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

N.O. If a covered employee provides a negative dilute test result they will be required to undergo a second test. If the second test is negative dilute it will be considered negative and no further testing is required.

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

P.Q. Refusal to submit to a drug/alcohol test shall be considered a positive test result and a direct act of insubordination and shall be subject to disciplinary action up to and including dismissal and referral to SAP. A test refusal includes the following circumstances:

1. A covered employee who leaves the scene of an accident without a legitimate explanation prior to submission to drug/alcohol tests.
2. A covered employee who provides an insufficient volume of urine specimen or breath sample without a valid medical explanation. The medical evaluation shall take place within 5 days of the initial test attempt.
3. A covered employee whose urine sample has been verified by the MRO as substitute or adulterated.
4. A covered employee fails to appear for any test within a reasonable time, as determined by the employer, after being directed to do so by the employer.
5. A covered employee fails to remain at the testing site until the testing process is complete.
6. A covered employee fails to provide a urine specimen for any drug test required by Part 40 or DOT agency regulations.
7. A covered employee fails to permit the observation or monitoring of a specimen collection.
8. A covered employee fails or declines to take a second test the employer or collector has directed you to take.
9. A covered employee fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the employer as part of the "shy bladder" or "shy lung" procedures.

10. A covered employee fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector; behave in a confrontational way that disrupts the collection process).
11. Failure to sign Step 2 of the Alcohol Testing form.
12. Failure to follow the observer's interactions during an observed collection including interactions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
13. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
14. Admit to the collector or MRO that you adulterated or substituted the specimen.

Q.R. If a DOT regulated employee is directed to submit to a collection under direct observation in accordance with 49 CFR Part 40.67, the policy administrator or supervisor must explain to the employee the reason for a directly observed collection. Circumstances requiring direct observation include:

1. All return to duty tests.
2. A follow-up tests.
3. Anytime the employee is directed to provide another specimen because the temperature on the original specimen was out of the acceptable temperature range.
4. Anytime the employee is directed to provide another specimen because the original specimen appeared to have an attempt to tamper with.
5. Anytime a collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen.
6. Anytime the employee is directed to provide another specimen because the laboratory reported to the MRO that the original specimen was invalid and the MRO determined that there was not an adequate medical explanation for the results.
7. Anytime the employee is directed to provide another specimen because the MRO determined that the original specimen was positive, adulterated, or substituted, but had to be cancelled because the test of the split specimen could not be performed.

S. Cabarrus County will notify North Carolina Division of Motor Vehicles within five business days of the date that a DOT regulated employee tests positive or refuses to participate in a drug or alcohol test required under 49 CFR Part 382 and 655, in accordance with NCGS 20-37.19.

Appendix B.

Cabarrus County Transportation DOT Policy

Insert New Policy Here

R.

FORMS:

- Form A. [Acknowledgment of Receipt of Drug Free Workplace Policy](#)
- Form B. [Drug Testing Authorization Form](#)
- Form C. [Observation of Suspect Behavior Form](#)
- Form D. [Post Drug Test Notice](#)

Forms are located on the Cabarrus County Intranet. Navigate to the Human Resources page and select forms to find the document you are looking for. You may also follow the links for forms B – D.

REFERENCES:

- A. Food and Drug, 21 CFR 1308.11-15: http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=7a6623b59fe8ad6517a42dcdf698bdd&tpl=/ecfrbrowse/Title21/21cfr1308_main_02.tpl
- B. United States Code Controlled Substance Act Subchapter 1, Part B, Section 812: <http://www.deadiversion.usdoj.gov/21cfr/21usc/812.htm>
- C. Procedures for Transportation Workplace Drug and Alcohol Testing Programs, 49 CFR Part 40: http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=2f829914d5e4f1fbc6d503782c407c58&c=ecfr&tpl=/ecfrbrowse/Title49/49cfrv1_02.tpl
- D. Federal Transit Administration, 49 CFR Part 655: http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=f621f2c16897d1735c08864c1eff5ed4&c=ecfr&tpl=/ecfrbrowse/Title49/49cfrv7_02.tpl#600
- E. Federal Motor Carrier Safety Administration, 49 CFR Parts 382: http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=7a6623b59fe8ad6517a42dcdf698bdd&c=ecfr&tpl=/ecfrbrowse/Title49/49cfrv5_02.tpl#300
- F. US Dept of Transportation, Office of Drug & Alcohol Policy and Compliance : <http://www.dot.gov/ost/dapc/index.html>
- G. US DOL Drug Free Workplace <http://www.dol.gov/workingpartners/welcome.html>
- H. DHHS Substance Abuse and Mental Health Services Administration (SAMHSA), Division of Workplace Programs <http://www.drugfreeworkplace.gov/>
- I. North Carolina General Statutes, Chapter 95, Article 20-Controlled Substance Examination Regulation: http://www.ncleg.net/enactedlegislation/statutes/html/byarticle/chapter_95/article_20.html

- J. North Carolina Administrative Code, Title 13, Chapter 20-Controlled Substance Examination Regulation: <http://reports.oah.state.nc.us/ncac.asp?folderName=\Title%2013%20-%20Labor>
- K. North Carolina General Statutes, Chapter 90:
http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_90.html
- L. North Carolina General Statutes 153A-98. Privacy of Employee Personnel Records:
http://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_153a/gs_153a-98.html
- M. North Carolina General Statutes, Chapter 20, Article 2C, 37.18 and 37.19-Commercial Driver License:
http://www.ncleg.net/enactedlegislation/statutes/html/byarticle/chapter_20/article_2c.html

**CABARRUS COUNTY GOVERNMENT
ACKNOWLEDGMENT OF RECEIPT OF DRUG FREE WORK PLACE POLICY**

I have been given a copy of and have read the Drug Free Workplace Policy (the "Policy") adopted by CABARRUS COUNTY GOVERNMENT as well as post-accident information, procedures, and instructions to enable me to comply with my obligations under the Policy and information concerning the effects of controlled substances use and alcohol abuse on an individual's health, work, and personal life; signs and symptoms of a controlled substances or alcohol problem (mine or a coworker's); and available methods of intervening when a controlled substances or alcohol problem is suspected. I hereby acknowledge that I understand, accept, and agree to be bound by the conditions specified in the Policy and these materials.

I further understand and agree that:

To be retained as an employee, the following will apply:

As a condition of employment and continued employment with CABARRUS COUNTY GOVERNMENT, I may be required to provide blood, urine, saliva, breath, or other accepted scientific samples for drug and alcohol testing under the circumstances described in the Policy, and I hereby consent to such testing.

Failure of a drug or alcohol test, my refusal to submit to drug or alcohol tests under the circumstances set forth in the Policy, violation of the items listed in the "PROHIBITED ACTS" section of the Policy and other provisions of the Policy, and certain other occurrences described in the Policy may result in disciplinary action, up to and including dismissal, as described in the Policy.

The Policy may be modified at any time and in any way at the discretion of CABARRUS COUNTY GOVERNMENT and will become effective immediately upon posting of a notice indicating to me the changes made therein.

The Policy is not a contract of employment with CABARRUS COUNTY GOVERNMENT but compliance with its terms and conditions is a condition to my employment and continued employment with CABARRUS COUNTY GOVERNMENT.

Date

Printed Name

Signature

HR reviewed 4/20/2009

DRUG AND ALCOHOL POLICY ADDENDUM

EFFECTIVE: JANUARY 1, 2018

~~This section will be eliminated as it has been incorporated into the new policy and current employees were retrained when this was adopted in January 2018.~~

~~The United States Department of Transportation (USDOT)—Office of Drug and Alcohol Policy and Compliance (ODAPC) has issued an update to USDOT’s drug and alcohol testing regulation (49 CFR Part 40). The new regulation has been revised and the changes (summarized below) will become effective on January 1, 2018. Therefore, the Cabarrus County drug and alcohol testing policy is amended as follows:~~

~~1. CHANGES TO THE DRUG TESTING PANEL~~

~~a. Four new opioids added to the drug testing panel—~~

- ~~i. The USDOT drug test remains a “5-panel” drug test; however, the list of opioids for which are tested will expand from three to seven opioids.~~
- ~~ii. The “opioid” category will continue to test for codeine, morphine, and heroin; however, the “opioid” testing panel will now be expanded to include four (4) new semi-synthetic opioids:~~
- ~~1. (1) Hydrocodone, (2) Hydromorphone, (3) Oxycodone, and (4) Oxymorphone.~~

~~2. Common brand names for these semi-synthetic opioids include, but may not be limited to: OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®.~~

~~b. ‘MDA’ will be tested as an initial test analyte~~

~~c. ‘MDEA’ will no longer be tested for under the “amphetamines” category.~~

~~2. BLIND SPECIMEN TESTING~~

~~a. The USDOT no longer requires blind specimens to be submitted to laboratories.~~

~~3. ADDITIONS TO THE LIST OF “FATAL FLAWS”~~

~~a. The following three circumstances have been added to the list of “fatal flaws”:~~

- ~~i. No CCF received by the laboratory with the urine specimen.~~
- ~~ii. In cases where a specimen has been collected, there was no specimen submitted with the CCF to the laboratory.~~
- ~~iii. Two separate collections are performed using one CCF.~~

4. MRO VERIFICATION OF PRESCRIPTIONS

a. ~~When a tested employee is taking a prescribed medication, after verifying the prescription and immediately notifying the employer of a verified negative result, the MRO must then (after notifying the employee) wait five (5) business days to be contacted by the employee's prescribing physician before notifying the employer of a medical qualification issue or significant safety risk.~~

i. ~~Specifically, in cases where an MRO verifies a prescription is consistent with the Controlled Substances Act, but that the MRO has still made a determination that the prescription may disqualify the employee under other USDOT medical qualification requirements, or that the prescription poses a significant safety risk, the MRO must advise the employee that they will have five (5) business days from the date the MRO reports the verified negative result to the employer for the employee to have their prescribing physician contact the MRO. The prescribing physician will need to contact the MRO to assist the MRO in determining if the medication can be changed to one that does not make the employee medically unqualified or does not pose a significant safety risk. If in the MRO's reasonable medical judgment, a medical qualification issue or a significant safety risk still remains after the MRO communicates with the employee's prescribing physician, or after five (5) business days, whichever is shorter, the MRO must communicate this issue to the employer consistent with 49 CFR Part 40.327.~~

5. DEFINITIONS

a. ~~The term "**DOT, the Department, DOT Agency**"~~

i. ~~Modified to encompass all DOT agencies, including, but not limited to, FAA, FRA, FMCSA, FTA, PHMSA, NHTSA, Office of the Secretary (OST), and any designee of a DOT agency.~~

ii. ~~For the purposes of testing under 49 CFR Part 40, the USCG (in the Department of Homeland Security) is considered to be a DOT agency for drug testing purposes.~~

b. ~~The term "**Opiate**" is replaced with the term "**Opioid**" in all points of reference.~~

c. ~~The definition of "**Alcohol Screening Device (ASD)**" is modified to include reference to the list of approved devices as listed on ODAPC's website.~~

d. ~~The definition of "**Evidential Breath Testing Device (EBT)**" is modified to include reference to the list of approved devices as listed on ODAPC's website.~~

e. ~~The definition of "**Substance Abuse Professional (SAP)**" will be modified to include reference to ODAPC's website. The fully revised definition includes:~~

i. ~~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.~~

NOTE: The revisions listed in this addendum include only those revisions to 49 CFR Part 40 which may be referenced in our drug & alcohol testing policy. A list of all the revisions made to 49 CFR Part 40 can be found at <https://www.transportation.gov/odape>.

Addendum Authorization Date:

Authorized Official (Printed Name):

Printed Name: _____

Signature: _____

Appendix B
Cabarrus County Transportation DOT
DRUG AND ALCOHOL TESTING POLICY

Adopted March 23, 2020

This template was provided by the NC DOT for use by Cabarrus County Transportation on December 6, 2019 for use as a Zero Tolerance Policy.

A. PURPOSE

1. Cabarrus County Transportation provides public transit and paratransit services for the residents of Cabarrus 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, Cabarrus County Transportation declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
2. Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. 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 Cabarrus County Transportation and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of Cabarrus County Transportation will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all Cabarrus County Transportation safety-sensitive employees (full- or part-time) when performing safety sensitive duties.

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 non-revenue service vehicle that requires a Commercial Driver's License to operate. Maintenance functions include the repair, overhaul, and rebuild of engines, vehicles and/or equipment used in revenue service. A list of safety-sensitive positions who perform one or more of the above mentioned duties is provided in Attachment A. Supervisors are only safety sensitive if they perform one of the above functions. Volunteers are considered safety sensitive and subject to testing if they are required to hold a CDL, or receive remuneration for service in excess of actual expense.

C. DEFINITIONS

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

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

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 creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS/SAMHSA-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 (Transportation Employees): 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.

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 for a DOT/FTA employee is they:

- (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.
 - (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 Cabarrus County Transportation supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions. The Transportation Supervisor must report this to Cabarrus County Safety/Risk Management.

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

F. PROHIBITED CONDUCT

- 1) 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) Cabarrus County Transportation, under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.
 - 8) Consistent with the Drug-free Workplace Act of 1988, all Cabarrus County Transportation employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place including transit system premises and transit vehicles.

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify Cabarrus County Transportation management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy – Result of Drug/Alcohol Test.

H. TESTING REQUIREMENTS

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.

- 1) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under Cabarrus County Transportation authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.
- 2) All covered employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with Cabarrus County Transportation. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in 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) or Liquid Chromatography/Mass Spectrometry (LC/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 or LC/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 Cabarrus County Transportation. If a legitimate explanation is found, the MRO will report the test result as negative.

- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
- 5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Cabarrus County Transportation will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however Cabarrus County Transportation will seek reimbursement for the split sample test from the employee.
- 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.
- 7) 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 Cabarrus County Transportation that there was not an adequate medical explanation for the result;
 - ii. The MRO reports to Cabarrus County Transportation that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
 - iii. The laboratory reported to the MRO that the 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) Cabarrus County Transportation affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

- 1) All applicants for covered transit positions shall undergo 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, Cabarrus County Transportation will require the applicant to take and pass another pre-employment drug test.
 - f. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.

- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- h. Applicants are required (even if ultimately not hired) to provide Cabarrus County Transportation with signed written releases requesting USDOT drug and alcohol records from all previous, USDOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. Cabarrus County Transportation is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a USDOT covered employer, the applicant must provide Cabarrus County Transportation proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

L. REASONABLE SUSPICION TESTING

- 1) All Cabarrus County Transportation FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Cabarrus County Transportation' authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
- 2) Cabarrus County Transportation shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves

and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in 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. Refer to County Policy for non-disciplinary investigatory suspension.

- 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 Cabarrus County Transportation. Utilize the form provided with the general _____ County _____ policy.
- 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. Cabarrus County Transportation 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 Cabarrus County Transportation. **Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority.** However, self-referral does not exempt the covered employee from testing under Federal authority as specified in 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, unless the covered employee can be completely discounted as a contributing factor to the accident.
 - b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident.
 - c. Any other incidents/accidents as required by Cabarrus County. Employee will be under County testing protocol.

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, within two hours but not longer than eight (8) hours accident for alcohol and drug. If a 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 attempts to conduct the test must cease and the reasons for the failure to test documented. Failure to be available within such time will be considered a refusal to submit to testing, unless there is a clear hindrance. For example, an employee with life-threatening injuries or injuries that result in death. It is important to emphasize that **nothing** is to prevent the individual from receiving of required medical attention.

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

N. RANDOM TESTING

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 Transportation safety-sensitive employees. Employees who may be covered under company authority will be selected from a pool of non-DOT-covered employees.

- 1) 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.
- 2) 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>.
- 3) 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.

- 4) 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 Cabarrus County Transportation authority.
- 5) 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 Cabarrus County Transportation authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- 6) Employees are required to proceed immediately to the collection site upon notification of their random selection.

O. RETURN-TO-DUTY TESTING

Cabarrus County Transportation 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. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

P. FOLLOW-UP TESTING

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

frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

Q. RESULT OF DRUG/ALCOHOL TEST

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be 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.
 - 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 ≥ 0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours or the remainder or 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 Cabarrus County Transportation/Cabarrus 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 Cabarrus County Transportation and will be performed using non-DOT testing forms.

- c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. All tests conducted as part of the return to work agreement will be conducted under company authority and will be performed using non-DOT testing forms.
 - d. A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in 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 Cabarrus County Transportation.
 - g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

R. GRIEVANCE AND APPEAL

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

S. PROPER APPLICATION OF THE POLICY

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

T. INFORMATION DISCLOSURE

- 1) Drug/alcohol testing records shall be maintained by the Cabarrus County Transportation Drug and Alcohol Program Manager (Operations and Training Supervisor) 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 Cabarrus County Transportation or the employee.

- 10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken
- 11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the Cabarrus County Board of Commissioners on March 23, 2020.

[APPLICABLE SIGNATURES]

Attachment A

<u>Job Title</u>	<u>Job Duties</u>	<u>Testing Authority</u>
Driver Supervisor	Operation of a transit revenue service vehicle even when the vehicle is not in revenue service.	FTA
Operations and Training Supervisor	1) Operation of a transit revenue service vehicle even when the vehicle is not in revenue service. 2) Controlling the movement of a revenue service vehicle. 3) Maintaining a revenue service vehicle or equipment used in revenue service.	FTA
Transportation Driver	Operation of a transit revenue service vehicle even when the vehicle is not in revenue service.	FTA
Transportation Driver/Dispatcher	Controlling the movement of a revenue service vehicle.	FTA
Transportation Manager	1) Operation of a transit revenue service vehicle even when the vehicle is not in revenue service. 2) Controlling the movement of a revenue service vehicle. 3) Maintaining a revenue service vehicle or equipment used in revenue service.	FTA

Attachment B Contacts

Updated 3/4/20

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

Cabarrus County Transportation Drug and Alcohol Program Manager

Name: Jessie Hillie
Title: Cabarrus County Transportation Operations & Training Supervisor
Address: 1303 S Cannon Blvd, Kannapolis NC
Telephone Number: 704 920-2236

Medical Review Officer

Name: Dr. Owensby
Title: MRO
Address: 681 Cabarrus Ave West
Concord NC 28027
Telephone Number: 800-451-3743

HHS Certified Laboratory Primary Specimen

Clinical Reference Lab
8433 Quivira, Lenexa, KS, 66215

HHS Certified Laboratory Split Specimen

Name: Quest Diagnostics
Address: 1010 Renner Blvd
Lenexa KS 66219
Telephone Number: 800-877-7484

Or

Name: LabCorp
Address: 1904 Alexander Dr.
RTP NC 27709
Telephone Number: 336-553-0780 Ext. 304

Substance Abuse Professional Referral List

John Trombello
McLaughlin Young Group
5925 Carnegie Blvd
Suite 350
Charlotte, NC 28209

704-529-1428

Mary Kay Berhalter
McLaughlin Young Group
5925 Carnegie Blvd
Suite 350
Charlotte, NC 28209
704-529-1428

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Human Resources - Health Insurance Renewal for FY21

BRIEF SUMMARY:

Human Resources will present proposed changes and rates for the health insurance renewal to be a part of the FY21 budget.

REQUESTED ACTION:

Motion to approve proposed changes.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Lundee Covington, HR Director
Johanna Ray, Health & Wellness Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Proposed Changes

Health Insurance Proposal FY21

- Continue with Cigna
- Implement waist/weight incentive
- Divide the H S A amount in two payments (July/January)
- Both plan designs will remain the same
 - OAP (30% of employees)
 - HSA (70% of employees and all new hires as of 7/1/17)
- Dependent premiums will remain the same on both plans
- Cost increase to County: \$1,241,280 (12.03%)
\$665 per employee per month (PEPM) to \$745 PEPM



CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Approval of Regular Meeting Agenda

SUBJECT:

BOC - Approval of Regular Meeting Agenda

BRIEF SUMMARY:

The proposed agenda for the March 23, 2020 regular meeting is attached.

REQUESTED ACTION:

Motion to approve the agenda for the March 23, 2020 regular meeting.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Propsed March 23, 2020 Agenda

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**March 23, 2020
6:30 PM**

MISSION STATEMENT

THROUGH VISIONARY LEADERSHIP AND GOOD STEWARDSHIP, WE WILL ADMINISTER STATE REQUIREMENTS, ENSURE PUBLIC SAFETY, DETERMINE COUNTY NEEDS, AND PROVIDE SERVICES THAT CONTINUALLY ENHANCE QUALITY OF LIFE

CALL TO ORDER BY THE CHAIRMAN

PRESENTATION OF COLORS

INVOCATION

Pastor Richard Wilson, Calvary Foursquare Church

MOMENT OF SILENCE

Linda Johnson

A. APPROVAL OR CORRECTIONS OF MINUTES

1. Approval or Correction of Meeting Minutes

B. APPROVAL OF THE AGENDA

C. RECOGNITIONS AND PRESENTATIONS

1. Proclamation - National County Government Month April 2020
2. Proclamation - National Donate Life Month April 2019
3. Resolution - 100th Anniversary of the Nineteenth Amendment
4. Human Resources - Recognition of Stanley Parnell on His Retirement from Cabarrus County Department of Human Services, Transportation Division

D. INFORMAL PUBLIC COMMENTS

E. OLD BUSINESS

F. CONSENT AGENDA

(Items listed under consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from

a general action, to be discussed and voted upon separately at the discretion of the Board.)

1. Appointments - Library Board of Trustees
2. Appointments and Removals - Adult Care Home Community Advisory Committee
3. Appointments and Removals - Public Health Authority of Cabarrus County
4. Appointments (Removal) - Early Childhood Task Force Advisory Board
5. BOC - Resolution Amending the Board of Commissioners' 2020 Meeting Schedule
6. County Manager - County/CVB Interlocal Agreement
7. County Manager - Phase 2 Synthetic Turf Project
8. Finance - Audit Contract for Fiscal Years Ending June 30, 2020, 2021 and 2022
9. Finance - North Carolina Education Lottery Payment Applications for School Debt Service
10. Human Resources - Changes to Drug Free Workplace Policy
11. Human Resources - Health Insurance Renewal for FY21
12. Tax Administration - Refund and Release Reports – February 2020

G. NEW BUSINESS

H. REPORTS

1. BOC - Receive Updates From Commission Members who Serve as Liaisons to Municipalities or on Various Boards/Committees
2. BOC - Request for Applications for County Boards/Committees
3. County Manager - Monthly Building Activity Reports
4. County Manager - Monthly New Development Report
5. EDC - February 2020 Monthly Summary Report
6. Finance - Juvenile Crime Prevention Council (JCPC) Funding Update
7. Finance - Monthly Financial Update

I. GENERAL COMMENTS BY BOARD MEMBERS

J. WATER AND SEWER DISTRICT OF CABARRUS COUNTY

K. CLOSED SESSION

L. ADJOURN

Scheduled Meetings

April 6	Work Session	4:00 p.m.	Multipurpose Room
April 15	Cabarrus Summit	6:00 p.m.	Concord Senior Center
April 20	Regular Meeting	6:30 p.m.	BOC Meeting Room
May 4	Work Session	4:00 p.m.	Multipurpose Room
May 18	Regular Meeting	6:30 p.m.	BOC Meeting Room

Mission: Through visionary leadership and good stewardship, we will administer state requirements, ensure public safety, determine county needs, and provide services that continually enhance quality of life.

Vision: Our vision for Cabarrus is a county where our children learn, our citizens participate, our dreams matter, our families and neighbors thrive, and our community prospers.

**Cabarrus County Television Broadcast Schedule
Cabarrus County Board of Commissioners' Meetings**

The most recent Commissioners' meeting is broadcast at the following days and times. Agenda work sessions begin airing after the 1st Monday of the month and are broadcast for two weeks up until the regular meeting. Then the regular meeting begins airing live the 3rd Monday of each month and is broadcast up until the next agenda work session.

Sunday - Saturday	1:00 P.M.
Sunday - Tuesday	6:30 P.M.
Thursday & Friday	6:30 P.M.

In accordance with ADA regulations, anyone who needs an accommodation to participate in the meeting should notify the ADA Coordinator at 704-920-2100 at least forty-eight (48) hours prior to the meeting.

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**March 9, 2020
4:00 PM**

AGENDA CATEGORY:

Closed Session

SUBJECT:

Closed Session - Pending Litigation and Economic Development

BRIEF SUMMARY:

A closed session is needed to discuss matters related to pending litigation and economic development as authorized by NCGS 143-318.11(a)(3) and (4).

REQUESTED ACTION:

Motion to go into closed session to discuss matters related to pending litigation and economic development as authorized by NCGS 143-318.11(a)(3) and (4).

EXPECTED LENGTH OF PRESENTATION:

30 Minutes

SUBMITTED BY:

Mike Downs, County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:
