

**AGENDA – MEETING**  
**GREENE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**10:00 AM — GREENE COUNTY OPERATIONS CENTER**  
**TUESDAY, SEPTEMBER 5, 2023**

**A. CALL TO ORDER**

Invocation/Pledge to the Flag

**B. APPROVAL OF AGENDA**

**C. CONSENT AGENDA**

1. August 21, 2023 Regular Meeting Minutes
2. Releases/Refunds
3. Consideration of Late Applications for Property Tax Relief

**D. PUBLIC COMMENTS**

**E. PRESENTATIONS**

1. Rich Moore, McDavid Associates; Asset Inventory Grant
2. Trey Cash; Regional Coalition Brownfield Assessment Grant

**F. COUNTY MANAGERS REPORT**

1. Speights Bridge Boat Landing
2. Drug-Free Workplace and Drug and Alcohol Testing
3. Request for Public Hearing

**G. COUNTY ATTORNEY COMMENTS**

**H. COMMISSIONER'S REPORT AND RECOMMENDATION**

**I. CLOSED SESSION - PERSONNEL**

**J. ADJOURN**

**Board of Commissioners**

Bennie Heath, Chairman  
James T. Shackleford, Vice-  
Chair  
Derek Burress  
Ray Johnson  
Jerry Jones



**County Manager**

Kyle J. DeHaven

**County Attorney**

Gay Stanley

**Finance Director**

Paula Loftin

From: Kyle J. DeHaven, County Manager

Re: Consent Agenda

Date: September 5, 2023

The Consent Agenda for the September 5, 2023 Regular meeting consists of the following items:

- 1.) August 21, 2023 Regular Meeting Minutes
- 2.) Release/Refunds
- 3.) Consideration of late applications for property tax relief

Action Recommended:

**Motion to accept the Consent Agenda**

**Board Action is Needed**

NORTH CAROLINA  
COUNTY OF GREENE

The Greene County Board of Commissioners met in regular session on Monday, August 21, 2023, at 7:00 p.m. in the Greene County Operations Center. Present for the meeting: Chairman Bennie Heath, Vice Chairman James T. Shackleford Jr, Commissioners Jerry Jones, Ray Johnson and Derek Burress, County Manager Kyle DeHaven, County Attorney Gay Stanley and Deputy Clerk Kathy Mooring.

**A. Call to Order**

Chairman Bennie Heath called the meeting to order at 7 p.m.; gave the invocation; and, led the Pledge to the Flag.

There were two Greene County staff in attendance and no public was present.

**B. Approval of Agenda**

Chairman Heath asked for any changes to the Agenda. Commissioner Burress made a motion to remove F1 (EMS Contract; Fort Run). No one seconded this motion.

On motion by Commissioner Jones and seconded by Commissioner Johnson, the Board voted 4 to 1 (Commissioner Burress) to approve the agenda as presented.

**C. Consent Agenda**

Chairman Heath asked for any changes to the Consent Agenda. Seeing as there were none he called for a motion to approve.

On motion by Commissioner Jones and second by Commissioner Shackleford, the Board voted unanimously to approve the Consent Agenda.

- August 7, 2023 Regular Meeting Minutes
- Release/Refunds
- Monthly Collection Report
- Consideration of Late Application for Property Tax Exemption or Exclusion
- Budget Amendment; Senior Center

Refunds: NCVTS Tax & Tag

|                     |        |                     |        |                        |         |
|---------------------|--------|---------------------|--------|------------------------|---------|
| Ralph Wayne Turnage | \$6.10 | Ralph Wayne Turnage | \$3.25 | Eustacio Aguilar Rubio | \$16.37 |
|---------------------|--------|---------------------|--------|------------------------|---------|

Releases: Ad Valorem Tax

|                                  |          |                       |          |                                               |         |
|----------------------------------|----------|-----------------------|----------|-----------------------------------------------|---------|
| Royal Treatment Home Health, LLC | \$48.46  | Michael & Matthew Gay | \$426.43 | Johnny L Watson dba J & L Auto Solutions, LLC | \$44.37 |
| Linda Williams Spikes            | \$450.00 | Rory & Misty Wood, Jr | \$50.00  | Rory & Misty Wood, Jr                         | \$50.00 |
| Rory & Misty Wood, Jr.           | \$100.00 | Rory & Misty Wood, Jr | \$50.00  | Rory & Misty Wood, Jr                         | \$50.00 |
| Rory & Misty Wood, Jr            | \$50.00  | Rory & Misty Wood, Jr | \$50.00  | Rory & Misty Wood, Jr                         | \$50.00 |
| Rory & Misty Wood, Jr            | \$50.00  | Rory & Misty Wood, Jr | \$50.00  | Rory Allen Wood                               | \$50.00 |
| Rory & Katie Wood                | \$50.00  | Rory & Katie Wood     | \$50.00  |                                               |         |

**D. Public Comments**

None.

**E. Presentations**

1. Stephanie Wiggins, Tax Administrator

Mr. Tinoco filed an appeal by telephone on April 28, 2023 on tax parcel 0100361. Being this was done the Friday afternoon before the 2023 Board of Equalization and Review adjourned on May 1, 2023 the Board voted to hear any evidence and render a decision at a later date to allow time for the taxpayer to present evidence and for the tax office to review. As of today, the taxpayer has not presented any evidence, nor has the taxpayer complied with the request by the tax office for an interior inspection of the property. A certified letter was mailed to the taxpayer on 5-2-2023, as well as an email requesting supporting documentation. The letter was returned by the post office as "unclaimed" on 5-19-2023. Calls were made to Mr. Tinoco, a second certified letter was mailed on 7-18-2023 informing Mr. Tinoco of the appointment date and time for the hearing. This letter was also returned "unclaimed". The tax office reviewed the data on the property record card and re-visited the property for an exterior inspection, and the 2021 Schedules of Value have been applied correctly. Since the Board of Equalization and Review has



adjourned, the decision will be rendered by the Greene County Board of Commissioners. Ms. Wiggins said it is their recommendation that the 2023 assessed value of \$72,460 be affirmed by the Board considering all their information is correct after considering all evidence.

On motion by Commissioner Jones and seconded by Commissioner Shackleford, the Board voted unanimously to affirm the appraised value of \$72,460.

#### **F. County Manager Report**

1. Mr. DeHaven presented a contract for Fort Run Volunteer EMS to participate in our County EMS System Plan. Commissioner Burress moved that this be tabled and that this be looked over more and requested that a better agreement be presented that will benefit all. No one seconded this.

On motion by Commissioner Jones and seconded by Commissioner Shackleford, the Board voted 4 to 1 (Commissioner Burress) to approve the contract for Fort Run Volunteer EMS.

2. Mr. DeHaven next presented a Participant Provider Agreement for Alliance Health. This agreement is for emergency medical response. Alliance Health is a provider that recipients of Medicaid can select as a health care provider. This agreement allows our billing company (Coleton) to bill this health care provider for emergency transport of its patients.

On motion by Commissioner Jones and seconded by Commissioner Shackleford, the Board voted unanimously to approve the agreement with Alliance Health.

3. Mr. DeHaven next presented a thorough list of Board terms ending in 2024 as requested by Commissioner Jones. This is for informational purposes only and Mr. DeHaven asked that the Board share this information to promote participation in the County to fill open seats on the many boards.

#### **G. County Attorney Report**

No Comments.

#### **H. Commissioner's Report and Recommendations**

Chairman Heath noted there will be a Job Fair at the Wellness Center on September 13<sup>th</sup> from 9 a.m. to 12 noon. Chairman Heath also noted a letter received from the Greene County Pregnancy Center thanking all for the support of their center and the work they do and provide to the county residents. They also invited the Commissioners to their fund raising dinner September 14<sup>th</sup> at 6 p.m. at the Wellness Center. Chairman Heath also noted that Greene Central football is back and that school starts next week. Commissioner Burress wished all Greene County students a good school year. Commissioner Shackleford is very happy to have the Greene County Pregnancy

Center here in the county as it is a much needed service. They do more than just provide service to women who are pregnant.

## **I. ADJOURN**

On motion by Commissioner Shackleford and second by Commissioner Jones to adjourn the meeting, the Board voted unanimously to adjourn. The meeting adjourned at 7:25 p.m.

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Bennie Heath, Chairman

Attest:

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Kyle J. DeHaven, Clerk to the Board

C2

[illegible]



[illegible]



Stephanie C. Wiggins  
Tax Administrator



229 Kingold Blvd  
P.O. Box 482  
Snow Hill, NC 28580

Phone 252-747-3615  
Fax 252-747-5067

To: Mr. Kyle DeHaven, Greene County Manager  
Greene County Board of Commissioners

From: Stephanie C. Wiggins, Greene County Tax Administrator

Date: September 5, 2023

Re: Tax Office Issues

Consideration of Late Applications for Elderly or Disabled Exclusion

The assessor has no authority to approve a late application for the Elderly or Disabled Exclusion. However, GS 105-282.1(a1) states "upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the date of the listing period may be approved by the Board of Commissioners". If approved, the application is for the current year and is not retroactive. Due to information on the application being confidential, a copy of the application is not attached.

Attached are letters from the taxpayers requesting your consideration of their late applications. The applicants and parcels meet the eligibility requirements. Consideration of these late applications would be appreciated and is recommended since the Board has previously considered other late applications.

Elderly/Disabled Exclusion

Loretta Harper - Parcel 0407997  
Frances Craig Craft – Parcel 0900065

RECEIVED

AUG 15 2023

GREENE COUNTY  
TAX DEPARTMENT

TO: Greene County Board of Commissioners

FROM: Loretta Harper

DATE: 8/15/23

RE: Request for acceptance of late application for property tax relief  
for the 2023 tax year on tax property 236 Gray.

Turnage Rd  
SNOW HILL N.C.

Please accept my late application for property tax relief. My reason for filing  
untimely is; My Sister has Cancer I was so  
busy with her it slip my mind. There was  
other matters, helping take her to  
Appt and other things I am sorry I am late

Thank you,

Loretta Harper

RECEIVED

TO: Greene County Board of Commissioners

AUG 29 2023

FROM: Francis Craig Craft

GREENE COUNTY  
TAX DEPARTMENT

DATE: 8-28-, 2023

RE: Request for acceptance of late application for property tax relief  
for the 2023 tax year on parcel number 0900065

Please accept my late application for property tax relief. My reason for filing  
untimely is I just learned about the program.

Thank you,

Francis Craig Craft  
Francis Craig Craft

**Board of Commissioners**

Bennie Heath, Chairman  
James T. Shackleford, Vice-  
Chair  
Derek Burress  
Ray Johnson  
Jerry Jones



**County Manager**

Kyle J. DeHaven

**County Attorney**

Gay Stanley

**Finance Director**

Paula Loftin

E1

From: Kyle J. DeHaven, County Manager

Re: Rich Moore, McDavid and Associates; Asset Inventory Grant

Date: September 5, 2023

Mr. Rich Moore will present an application to be submitted to DWI for Asset Inventory Mapping.

Action Recommended:

**Motion to approve the submission of the Asset Inventory Mapping Grant Proposal**

**Board Action is Needed**

# REQUEST TO BE ON THE AGENDA FOR THE GREENE COUNTY BOARD OF COMMISSIONERS

BOARD MEETING YOU WISH TO PRESENT: September 5, 2023

TOPIC(S) TO BE PRESENTED: Greene County Regional Water System Asset  
Inventory and Assessment Application to Division of Water Infrastructure

PRESENTER'S NAME: Richard B. Moore, P.E.

PRESENTER'S MAILING ADDRESS: McDavid Associates, Inc.

P.O. Drawer 49, Farmville, NC 27828

PHONE #: (252) 753-2139

FAX #: (252) 753-7220

PRESENTER'S EMAIL ADDRESS: [rbm@mcdavid-inc.com](mailto:rbm@mcdavid-inc.com)

THE GREENE COUNTY BOARD OF COMMISSIONERS MEET ON THE 1<sup>ST</sup> AND 3<sup>RD</sup> MONDAY AT 7:00 P.M. EVERY MONTH EXCEPT MONDAY HOLIDAYS, WHEN THE MEETING IS USUALLY HELD ON THE FOLLOWING TUESDAY.

EVERY EFFORT IS MADE TO COMPLETE THE AGENDA BEFORE 12:00 P.M. ON THE THURSDAY BEFORE THE MEETING.

EVERY PRESENTER LISTED ON THE AGENDA WILL BE MAILED OR EMAILED A COPY OF THE AGENDA AS A REMINDER OF THEIR SCHEDULED PRESENTATION AND/OR REQUEST. IF THE PRESENTER WANTS TO PROVIDE HANDOUTS TO THE BOARD PRIOR TO THE MEETING, THE MATERIAL(S) MUST BE RECEIVED BY THE GREENE COUNTY MANAGER'S OFFICE NO LATER THAN 12:00 NOON OF THE WEDNESDAY PRIOR TO THE MEETING.

IN ORDER TO BE LISTED ON THE AGENDA PRESENTER'S MAY:

- CALL (252) 747-3446 OR (252) 747-2866
- EMAIL [kmooring@co.greene.nc.us](mailto:kmooring@co.greene.nc.us)
- MAIL OR DELIVER TO GREENE COUNTY OFFICE COMPLEX, COUNTY MANAGER'S OFFICE, 229 KINGOLD BLVD., SUITE D, SNOW HILL, NC 28580.





Board of Commissioners Meeting Presentation  
Division of Water Infrastructure – October 2, 2023 Application Round  
Asset Inventory and Assessment Grant Application

Following up on inquiry from the County Manger related to the County's designation as "distressed" and a grant opportunity to support providing the funds to generate the items needed to comply with the designation.

North Carolina General Assembly Session Law 2020-79 (House Bill 1087) placed the following requirements on any community identified as a "distressed unit":

1. Conduct an asset assessment and rate study, as directed and approved by the Authority and the Local Government Commission.
2. Participate in a training and educational program approved by the Authority and the Local Government Commission for that distressed unit. Attendance shall be mandatory for any governing board members and staff whose participation is required by the Authority and Local Government Commission. The scope of training and education, and its method of delivery, shall be at the discretion of the Authority and Local Government Commission.
3. Develop an action plan, taking into consideration all of the following:
  - a. A short-term and a long-term plan for infrastructure repair, maintenance, and management.
  - b. Continuing education of the governing board and system operating staff.
  - c. Long-term financial management to ensure the public water system or wastewater system will generate sufficient revenue to adequately fund management and operations, personnel, appropriate levels of maintenance, and reinvestment that facilitate the provision of reliable water or wastewater services.
  - d. Any other matters identified by the Authority or the Local Government Commission.

To aid in meeting the distressed designation requirements, the Division of Water Infrastructure is accepting applications on October 2, 2023 for Asset Inventory and Assessment (AIA) grants. AIA grants can provide the financial assistance to address the requirements. Without grant funding, the County will have to face using local funds to perform activities.

McDavid Associates, Inc. will be present to discuss the grant opportunity for Greene County.

**Action Recommended:** Adoption of Resolution Approving Filing an Application to the Division of Water Infrastructure for an Asset Inventory and Assessment Grant on October 2, 2023.

**Board of Commissioners**

Bennie Heath, Chairman  
James T. Shackleford, Vice-  
Chair  
Derek Burress  
Ray Johnson  
Jerry Jones

**County Manager**

Kyle J. DeHaven

**County Attorney**

Gay Stanley

**Finance Director**

Paula Loftin

E2

From: Kyle J. DeHaven, County Manager

Re: Trey Cash; Regional Coalition Brownfield Assessment Grant

Date: September 5, 2023

Mr. Trey Cash will present an agreement with the GTP EDR members to allow the region to submit a grant to the EPA for Brownfield accessions. Lenoir County will be the lead applicant. Trey will be available for any questions at this time.

Action Recommended:

**Motion to approve the Agreement to Participate**

**Board Action is Needed**

**Board of Commissioners**  
Bennie Heath, Chairman  
James T. Shackleford, Vice-Chair  
Derek Burress  
Ray Johnson  
Jerry Jones



**County Manager**  
Kyle J. DeHaven  
**County Attorney**  
Gay Stanley  
**Finance Director**  
Paula Loftin

**TO:** Greene County Board of Commissioners  
**FROM:** Trey Cash  
**DATE:** September 5, 2023  
**SUBJECT:** Agreement to Participate in Lenoir-Greene-Wayne County Coalition Brownfields Coalition Assessment Grant

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We've been collaborating closely with Lenoir and Wayne County to explore the possibility of applying for the Brownfields Assessment Coalition Grant from the United States Environmental Protection Agency (EPA). A part of the application process is to sign an agreement to participate with Lenoir and Wayne County as a coalition with Lenoir County as the lead member.

A brownfield refers to a property that might face challenges in terms of its expansion, redevelopment, or reuse due to the presence or potential presence of hazardous substances, pollutants, or contaminants. The objective of the EPA's Brownfield program is to aid in the planning, cleanup, development, and repurposing of properties that could be complicated by such hazardous elements. These properties can be revitalized for purposes like housing, industry, or creating public green spaces.

Brownfield Assessment Grants provide funding to support various tasks, including compiling lists of brownfield sites, prioritizing these sites, engaging with the community, planning, conducting site assessments, designing site-specific cleanup strategies, and formulating reuse plans connected to brownfield sites.



**Board of Commissioners**  
Bennie Heath, Chairman  
James T. Shackelford, Vice-Chair  
Derek Burress  
Ray Johnson  
Jerry Jones



**County Manager**  
Kyle J. DeHaven  
**County Attorney**  
Gay Stanley  
**Finance Director**  
Paula Loftin

September 5, 2023

Mr. Adam Short  
Lenoir County  
130 South Queen Street  
Kinston, North Carolina 28501

Subject: **AGREEMENT TO PARTICIPATE  
LENOIR-GREENE-WAYNE COUNTY COALITION  
BROWNFIELDS COALITION ASSESSMENT GRANT**

Dear Mr. Short:

Greene County is pleased to participate as a member in the Lenoir-Wayne-Greene Brownfields alongside Lenoir County and Wayne County. It is our understanding that Lenoir County will be the lead member and the North Carolina Global Transpark Economic Development Region will assist our team with community outreach, strategic planning, economic development strategies and site selection. It will be exciting to collectively apply for and implement EPA Brownfields Assessment funding to further the development and growth of our region.

We look forward to working together on this important regional project.

Sincerely,

Bennie Heath  
Chair, Greene County Board of Commissioners

**Board of Commissioners**

Bennie Heath, Chairman  
James T. Shackleford, Vice-  
Chair  
Derek Burrese  
Ray Johnson  
Jerry Jones

**County Manager**

Kyle J. DeHaven

**County Attorney**

Gay Stanley

**Finance Director**

Paula Loftin

P3

From: Kyle J. DeHaven, County Manager

Re: Speights Bridge Boat Landing

Date: September 5, 2023

The Manager will have a discussion with the Commissioners regarding the Speights bridge boat ramp. The manager will present a series of questions to continue communication with Wildlife as to the maintenance of property.

Action Recommended:

**Informational**

**NO Board Action is Needed**

## Kyle DeHaven

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**From:** Kyle DeHaven  
**Sent:** Tuesday, August 8, 2023 1:33 PM  
**To:** Bennie Heath; Jerry Jones; James Shackleford; Ray Johnson; Derek Burress; Gay Stanley; Trey Cash  
**Subject:** FW: [External] follow-up

2<sup>nd</sup> request, good afternoon all, I wanted to follow up on how you would like to proceed here. Please feel free to share any ideas.

Kyle

---

**From:** Kyle DeHaven  
**Sent:** Wednesday, July 19, 2023 1:23 PM  
**To:** Bennie Heath <bennie.heath@greenecountync.gov>; Jerry Jones <jerry.jones@greenecountync.gov>; James Shackleford <james.shackleford@greenecountync.gov>; Ray Johnson <ray.johnson@greenecountync.gov>; Derek Burress <derek.burress@greenecountync.gov>; Gay Stanley <gay.stanley@greenecountync.gov>  
**Subject:** FW: [External] follow-up

Commissioners, I wanted to forward the information from Wildlife so you can be thinking of solutions on how to proceed. Thanks for your input.

Kyle

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**From:** Ridgeway, William N <William.Ridgeway@ncwildlife.org>  
**Sent:** Wednesday, July 19, 2023 8:25 AM  
**To:** Kyle DeHaven <kyle.dehaven@greenecountync.gov>  
**Subject:** RE: [External] follow-up

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CAUTION: This email originated from outside of county organization. Do not click links or open attachments unless you were expecting it or know the content is safe.

Hey Kyle, I apologize for not having more information for you yesterday. I had to go back to my notes and emails in this property, and I not sure exactly what has been asked and answered. I have a list of questions below from your Chiefs. If we can get these questions answered we will have a better understanding of what the options are to move forward. Normally we do an MOU with the County in these circumstances, and take over the infrastructure responsibilities for the site. Meaning we maintain the parking lot, docks, ramp and any other infrastructure, but the mowing and cleaning of the site stays with the County. If an upgrade/renovation of the site is desired then it will most likely need to be funded and the WRC will help with the design, permitting, and construction. Let me know if you have any questions.

1. Is the County interested in a MOU with NCWRC as a partnership as the site is with the county retaining ownership, or for NCWRC taking ownership with intent to maintain the site as Boating Access Area?
2. What is the history of the property? Was it a donation? Does it have any stipulations of use?
3. Is the county interested in maintaining the property as is, or is there interest in upgrading/renovating the site to accommodate more parking?
4. If a renovation is desired would the county be able to support funds to the project?
5. Why does the County want NCWRC to take it over now?

**William "Gator" Ridgeway**  
Northern Coastal Region Conservation Tech Supervisor  
**NC Wildlife Resources Commission**  
Mailing Address: 1133 Don Juan Road  
Hertford, North Carolina 27944  
office: 252-426-2255 // cell: 252-312-4658

**From:** Kyle DeHaven <[kyle.dehaven@greenecountync.gov](mailto:kyle.dehaven@greenecountync.gov)>  
**Sent:** Tuesday, July 18, 2023 9:33 AM  
**To:** Ridgeway, William N <[William.Ridgeway@ncwildlife.org](mailto:William.Ridgeway@ncwildlife.org)>  
**Subject:** [External] follow-up

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CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

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Gator, good morning sir! I wanted to follow up on the next steps for the Speights Bridge Property. In a conversation a while back, we discussed options of turning it over to Wildlife, to include, long term leasing, gifting, etc....As that is above my paygrade, if the cumulative list of options could be given so I can seek my Boards decision on how they'd like to proceed, I'd appreciate it. Thanks for all your hard work in making this happen, we appreciate you!

**Kyle J. DeHaven**  
County Manager  
Greene County  
252-747-3446

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**Board of Commissioners**

Bennie Heath, Chairman  
James T. Shackleford, Vice-  
Chair  
Derek Burress  
Ray Johnson  
Jerry Jones

**County Manager**

Kyle J. DeHaven

**County Attorney**

Gay Stanley

**Finance Director**

Paula Loftin

F2

From: Kyle J. DeHaven, County Manager

Re: Drug-Free workplace and Drug and Alcohol Testing

Date: September 5, 2023

The Manager will present a Drug-Free and Drug and Alcohol Testing Policy for review by the Board of Commissioners. The policy outlines expectation of the employee and employer in regards to Drugs and Alcohol in the workplace, and testing policies for alcohol and controlled substances, and illegal drugs. The manager will be available for questions at this time.

Action Recommended:

**Informational, The Manager asks for discussion and review of proposed policy.**

**NO Board Action is Needed**

## **APPENDIX D: DRUG-FREE WORKPLACE AND DRUG AND ALCOHOL TESTING**

### **Purpose**

Greene County is committed to protecting the safety, health and well-being of all employees in our workplace, and the general public. Furthermore, Greene County recognizes that alcohol abuse and drug use pose a significant threat to our goals.

This article establishes zero tolerance for the use of illegal drugs or controlled substances, such as alcohol, and the abuse of prescription medications while at work or doing the business of Greene County. In order to maintain a drug-free workplace, Greene County requires drug testing for all applicants as part of our pre-employment screening and as a condition of hire and performs random drug testing of employees in safety sensitive positions and those in possession of a commercial driver's license, as per the requirements of state and federal law.

Greene County reserves the right to search employer-owned items used by the employee (i.e. desk, lockers, computers, Greene County vehicles/equipment, etc.) and employees cannot expect privacy for anything placed on or in any employer-owned item. Law enforcement officials and Department Heads will be notified in appropriate cases.

Any employee found in violation of this article will be subject to immediate dismissal.

#### **A. Covered Workers**

Any individual who conducts business for this organization, is applying for a position or is conducting business on the organization's property is covered by this drug-free workplace article. Our article includes but is not limited to all full and part time employees of this organization and applicants.

#### **B. Applicability**

Our drug-free workplace article is intended to apply whenever anyone is representing or conducting business for Greene County. Therefore, this article applies during all working hours, whenever conducting business or representing Greene County, while on call or on standby duty and while on Greene County property.

#### **C. Shared Responsibility**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles.

##### **1. Responsibility of Employees**

- Greene County employees are expected and required to report to work on-time and fit for duty in appropriate mental and physical condition for work. All Greene County employees regardless of job assignment, are subject to direct contact with the public and at no time should be impaired by any substance to any degree.
- Greene County employees who have a reasonable basis to believe that another employee is illegally using or selling drugs or narcotics or violating any section of this article shall immediately report the facts and circumstances to their supervisor.
- Submit immediately to reasonable request for testing when requested by a superior.



- Notify his/her supervisor before beginning work when taking any medication of drugs, prescription or nonprescription, which may interfere with the safe and effective performance of duties or operation of Greene County equipment.
- Provide within 24 hours of request a current valid prescription in the employee's name for any drug or medication identified when a drug screen/analysis is positive.

### **Reporting of Drug/Alcohol Arrests and/or Convictions**

Greene County employees shall notify their supervisor or Department Head and the Human Resources Director within five (5) calendar days of any drug or alcohol-related offense or conviction. If that offense or conviction results in the immediate suspension or revocation of driving privileges, however, the employee must report that revocation or suspension immediately upon returning to work if the employee's position at Greene County requires the employee to drive a Greene County vehicle as part of the employee's job duties.

Failure to comply with these responsibilities or other reasonable request by a responsible supervisor or other Greene County representative may result in immediate disciplinary action up to and including dismissal.

## **2. Responsibility of Department Heads and Supervisors**

- Inform employees of drug-free workplace article through the dissemination of this article and all future article revisions.
- Attend and utilize all training.
- Comply with this article and enforce the article fairly and consistently.
- Prevent any employee reasonably believed to be under the influence of drugs or alcohol from working and arrange for testing, if appropriate.
- Inform local law enforcement if an employee is observed to be in possession of illegal drugs.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Inform employees experiencing unexplained changes in work performance or behavior of the availability of the Employee Assistance Program encouraging voluntary referral or mandatory referral, when warranted and as necessary and appropriate, within established guidelines.
- Clearly state consequences of article violation.
- Take appropriate actions to investigate any allegations of impairment or other violations of this article, in consultation with Human Resources.
- Maintain confidentiality in all matters relating to this article; access to confidential employee information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

### **Supervisor Restrictions**

Supervisors shall not:

- Forcibly detain any employee.
- Search any employee's person, personal belongings, possessions or personal vehicles. A search may only be conducted in the event of exigent circumstances or life-threatening conditions.

Failure to comply with these responsibilities, restriction or failure to take other reasonable actions related to maintaining a drug-free workplace may result in disciplinary action up to and including dismissal.

**D. Prohibited Behaviors**

- a. It is a violation of our drug-free workplace article to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants.
- b. With regards to the use of alcohol, an employee will not:
  - a. Consume alcohol while on duty;
  - b. Report to work under the influence of alcohol;
  - c. Consume alcohol up to eight (8) hours following an accident or until the completion of post-accident testing; whichever is sooner.
- c. The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace article to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or accidents occur.

**E. Prescription Drugs**

Prescriptions and over the counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over the counter medications will be responsible for consulting the prescribing physician and/or pharmacist to determine whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees, or the public, it is the employee's responsibility to use appropriate personnel procedures (such as requesting leave, requesting a change of duty, notifying supervisor, etc.) to avoid unsafe work practices. If necessary, the supervisor may temporarily re-assign the employee to duties that can be safely performed while the employee is taking the prescribed medication if alternate work is available.

**F. Drug and Alcohol Testing**

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to North Carolina General Statute § 95-232 and will include a screening test; a confirmation test; a split sample which shall be retained by the laboratory that conducts the confirmatory examination; and review by a Medical Review Officer (MRO). In addition, testing will include an opportunity for employees who test positive to provide legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug testing information will be maintained by Human Resources in separate confidential records.

**1. Employees and Applicants Subject to Testing**

Every employee of Greene County, as a condition of employment, will be required to participate in reasonable suspicion, return to duty, and follow-up testing upon request of management in accordance with this article. Employees in safety sensitive positions and/or commercial vehicle drivers required to hold a commercial driver's license will additionally be required to participate in pre-employment, post-accident and random testing, as per the requirements of this article. A driver, as defined by the Federal Motor Carriers Safety Administration (FMCSA), is any person who operates a commercial motor vehicle and is subject to commercial driver's license requirements. A driver means anyone who operates



a commercial motor vehicle, whether full-time, part-time, casual, intermittent, occasional, volunteer, leased or independent. This also refers to other employees who may not have been driving a commercial motor vehicle as part of the regular job duties, but who sometimes operate a commercial motor vehicle.

## **2. What We Test For**

Greene County will test for substance in accordance with state and federal regulations; including, but not limited to:

- a. Amphetamines (including ecstasy)
- b. Marijuana; cannabis; THC
- c. Cocaine
- d. Opioids
- e. Phencyclidine (PCP)
- f. Methamphetamines
- g. Benzodiazepines
- h. Barbiturates
- i. Alcohol

Testing for the presence of alcohol will be conducted by analysis of breath. Testing for the presence of metabolites of drugs will be conducted by the analysis of urine.

**Any employee who tests positive will be subject to immediate termination with no opportunity to resign. Greene County has a zero-tolerance policy.**

An employee's request for referral for an approved employee assistance provider will not be granted if the request is submitted after the employee is notified of the requirement to submit to testing.

Consequences for the following behaviors relating to drug and alcohol testing are the same as if an employee tested positive:

- j. employee attempts to or adulterates or dilutes specimen;
- k. employee substitutes the specimen with that from another person or sends an imposter;
- l. employee refuses to sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test;
- m. inability to produce sufficient quantities of saliva or urine to be tested without a valid medical reason;
- n. failure to immediately report to the collection sight when directed to do so.

More information on each testing condition follows.

## **3. Reasons for Drug Testing**

In keeping with Greene County's mission to serving and protecting employees and the public, Greene County will test applicants and employees under the following conditions.

### **a. Pre-Employment Testing**

Individuals who seek employment in safety-sensitive and finance positions will be required to undergo a drug test for controlled substances prior to his or her appointment. Employees selected for promotion or transferring to a safety-sensitive or finance position will be required to undergo a drug test. Refusal to take the test will result in disqualification for consideration for

employment, promotion or transfer into the position sought.

Human Resources will refer applicants for whom testing is required to the facility within a specified time frame as part of the pre-employment screening process. Applicants will be required to present identification when reporting to the testing facility. Applicants will be notified in writing of positive test results and receive notice of the right to re-test.

**b. Reasonable Suspicion**

Reasonable suspicion is defined as the belief, based on the totality of the circumstances, that an employee is using or has used drugs or alcohol in violation of Greene County's article. This belief will be based on specific observations, facts and reasonable inferences. Employees may be required to undergo drug testing whenever an employee's conduct on the job suggests a reasonable suspicion of the influence of drugs or alcohol. A recommendation that an employee be tested based on reasonable suspicion must be individually corroborated and documented and based on specific objective facts and reasonable inferences presented by a supervisor-level Greene County employee.

Some factors that may constitute reasonable suspicion include, but are not limited to:

- Direct observation of drug use or possession
- Direct observation of the physical symptoms of being under the influence of drugs (e.g.; slurred speech, odor of alcohol on body or breath, incoherence, loss of coordination, etc.)
- Impairment of motor functions, coordination, speech
- Pattern of abnormal or erratic conduct or behavior
- Arrest/conviction of drug-related offense
- ID of employee as focus of criminal investigation involving illegal drugs
- Tips from reliable or credible sources
- Anonymous tips only if they can be independently corroborated

**Procedures**

- i. Supervisors are required to state, and to record for the file the specific facts, symptoms, or observations which formed the basis for their recommendation that an employee should be required to have a drug test. Testing for reasonable suspicion requires corroboration and documentation presented by a supervisor-level Greene County employee.
- ii. When available, supervisors should confer with the Human Resources Director or the County Manager prior to requiring testing; however, the corroboration of two trained supervisors for circumstance that meet the guidelines for reasonable suspicion is enough to proceed with the testing.



- iii. Once a supervisor suspects an employee may be under the influence of drugs or alcohol, the employee should be prevented from operating equipment or vehicles or performing other potentially hazardous duties. The supervisor must notify Human Resources and the employee being referred must be escorted to the testing facility within two (2) hours by the supervisor or another supervisor-level Greene County employee.
- iv. Once the test sample is obtained, the supervisor-level Greene County employee shall escort the employee home or obtain transportation for the employee using every available means to ensure the employee reaches their destination safely. If the employee refuses transportation and insists on being returned to their vehicle to drive themselves, the supervisor should contact law enforcement.
- v. While awaiting test results, an employee may not return to work and may be placed on either leave with pay, disciplinary suspension without pay, or non-disciplinary suspension with pay depending on the circumstances leading up to the reasonable suspicion testing and in accordance with Greene County's personnel policy.

**c. Post Accidents**

Under Greene County authority, an employee who is involved in a work place accident or observed performing an unsafe workplace practice may be required to take a drug and alcohol test when warranted by the nature of the situation, as recommended by the supervisor and with the approval of the Department Head and the Human Resources Director.

With regards to motor vehicle accidents, Greene County requires that any employee in a safety sensitive position, and any employee with a CDL requirement, as required by the FMSCA, who is involved in a motor vehicle accident will be required to take a drug and alcohol test following a vehicular accident under the following conditions:

- The accident involves a fatality;
- The driver receives a moving traffic violation arising from the accident that requires a vehicle being towed or an injury requiring medical attention away from the scene.
- Anyone operating Greene County equipment or operating a Greene County vehicle.

In the interest of safety, it is Greene County's policy to immediately transport the employee involved in the accident to the testing facility accompanied by the supervisor, the safety officer or another supervisor-level Greene County employee. In the event the employee is injured and transported for medical treatment, the testing will be performed within the required time frame. The employee will not be allowed to return to their regular duties pending receipt of test results but may be allowed alternate duties that do not involve driving or pose any safety risk as assigned by the



supervisor while awaiting results.

**d. Random Testing**

Employees in identified safety-sensitive positions and employees whose positions may require the employee to drive a commercial motor vehicle and hold a commercial driver's license will be subject to random testing for alcohol and/or controlled substances as per the established Random Drug/Alcohol Testing Program.

Greene County contracts with a certified medical provider for this purpose and participates in a consortium for CDL drivers. The third-party medical provider maintains separate random testing employee "pools" for both safety sensitive and CDL positions, as per the FMCSA. Under the selection process used by the third-party provider, each employee subject to random testing shall have an equal chance of being tested each time selections are made.

Once notified of their selection for random testing by the safety officer, an Human Resources representative, or supervisor, employees must complete notification of rights form and then must report immediately to the testing facility. Employees will be required to present identification upon arrival. A random test may include tests for alcohol using a Breath Analysis Test and/or controlled substances using a urine test. If an employee is selected for random testing, their name is returned to the selection pool from which it was drawn to ensure all drivers have an equal chance of being selected at any time.

The FMCSA requires that random testing for alcohol for CDL holders be performed immediately before, during or immediately following the performance of a safety-sensitive function.

**e. Return to Duty and Follow-Up Testing**

Employees who have sought voluntary counseling for substance abuse will be required to undergo drug testing prior to returning to work with additional follow up testing required after returning to work as dictated by a substance abuse professional.

**f. Voluntary Testing**

Testing conducted on an employee where the employee volunteers to be tested (for example, where the employee wants to refute an allegation of drug use) is acceptable

**g. Consent to Be Tested**

Before a drug test is administered, the employee or applicant will be asked to sign a consent form authorizing the test and permitting the release of test results to Greene County only after the employee has been notified of the results. The consent form provides space for employees and applicants to acknowledge that they have been notified of Greene County's drug and alcohol testing article. A refusal to sign the consent form by a current employee will result in termination of employment. Applicants who refuse to sign will not be considered for employment.

**h. Notification of Rights**

Prior to testing, Greene County shall provide the applicant or employee written notification of their rights and responsibilities under the Controlled Substance Examination Regulation Act.

**i. Confidentiality of Records**

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

**j. Actions Following Receipt of Test Results**

**i. Negative Test Results**

The employee may return to work, providing he/she is otherwise able and there are no other disciplinary considerations based on job performance or violations of the law.

**ii. Positive Test Results**

o. In the event of a positive test result, the MRO will contact the employee and conduct an interview to determine if there are any legitimate reasons for the positive result (such as over the counter prescription medications). The MRO is required to attempt to contact the employee three times; once the MRO tries three times is unable to contact the employee, the MRO will release the test to the employer and mark it that they could not contact the donor.

p. If the MRO determines there is legitimate medical explanation for the presence of drugs, the result may be reported as negative. A second examination of the sample utilizing gas chromatography with mass spectrometry test shall be performed current employees in the event of a positive test. A second examination of the sample utilizing gas chromatography with mass spectrometry test shall be performed for prospective employees in the event of a positive result unless the prospective employee signs a written waiver at the time or after the person receives the preliminary test result. Any request for a same sample retest must be made to the MRO of the 3rd party Program Administrator for the Authority, in whatever form it requires, within 72 hours from the time the results of the confirmed positive examination are mailed or otherwise delivered to the examiner. Employees will not be allowed to return to work until the results of the re-test are obtained. The status of an employee while out of work under these circumstances shall be recorded in keeping with the Personnel Policy. If



there is no medical reason as determined by the MRO, the positive results stand.

- q. The second test shall be done in accordance with the requirements of North Carolina General Statute, 95-232(c1).

**r. Consequences**

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an employee of Greene County violates this article, the consequences are serious.

**i. Applicants**

Applicants, including employees seeking promotion, demotion or transfer to certain safety sensitive positions, who refuse testing or who test positive will no longer be considered as candidates for employment, promotion, demotion or transfer for that position.

Applicants will be informed in writing if they are rejected on the basis of a confirmed positive drug test.

**ii. Employees**

Greene County maintains a zero tolerance. Employees found in violation of the drug-free workplace article will be subject to immediate dismissal.

**G. Treatment and Counseling for Substance Abuse Problems**

Greene County recognizes that alcohol and drug abuse and addiction are treatable illness and that early intervention and support improve the success of rehabilitation. To support employees, Greene County's drug-free workplace article:

- s. Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- t. Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- u. Offers all employees and family members assistance with alcohol and drug problems through the Employee Assistance Program
- v. Allows for leave for treatment of substance abuse by a health care provider or by a provider of health care services on referral by a health care provider as allowed under the Family and Medical Leave Act, if eligible.

**Formal Referral**

If the employee self-discloses a drug or alcohol problem to management, Greene County will provide a formal referral to the employee assistance provider. The employee will not be disciplined for the disclosure. The following will apply:

- The Greene County approved employee assistance program provider will assess the employee's level of substance use and make recommendations to the employee about the appropriate level of treatment necessary for rehabilitation.
- To continue employment when a referral is made under this section an employee must participate in the program recommended by the employee assistance program provider and his or her physician.
- Failure of the employee to enter or to continue participation in the program recommended by the employee assistance provider and his or her physician, or failure to follow the treatment recommendations of the approved program, will result in dismissal.
- Employees must sign a release form to ensure information on attendance for rehabilitation and at subsequent treatment or evaluation programs is provided to Greene County. Failure to sign the appropriate releases constitutes failure to participate in treatment will result in dismissal.
- The employee may use accumulated sick leave and/or vacation leave while participating in the treatment program. If an absence is designated as Family and Medical Leave, the sick leave/vacation leave use and FMLA time run concurrently.
- The employee will be responsible for any expense not covered under the group health care plan and failure to participate and comply may result in dismissal.

Employees will not be penalized for seeking help on their own; however, an employee's request for referral to an approved Employee Assistance Program provider or other community resource will not be granted if the request is submitted after the employee is notified of the requirement to submit to testing.

**Reinstatement: Conditions for Return to Work**

If return to work is recommended by the facility/ treatment agencies and employee's physician employees may be allowed to return to work. Employees may be required to meet several conditions including:

- Periodic unannounced follow-up testing for up to one year. Minimum of six (6) tests in the next twelve (12) months.
- Random pool testing, if position is classified as Safety Sensitive, or subject to FMCSA Regulations.
- A Fitness for Duty Evaluation will be required to return to work.
- Greene County will require the employee to sign an agreement acknowledgement acceptance of these and other reasonable conditions prior to the return to work.

**H. Education and Training**

Communicating our drug free workplace article and educating employees regarding the dangers of drug and alcohol use is critical to our success in maintaining a drug free workplace. To ensure employees are aware of their role in supporting a drug free workplace program, employees will 1) be provided a copy of this article during their initial new employee orientation; 2) employees will receive any updates of this article; and 3) supervisors will receive periodic training to assist with recognizing and managing employees with potential alcohol and other drug problems.



I. Notification to Grant Agencies

Greene County will notify the federal grant agency within ten (10) days of receiving notice in the event that any employee who is working directly in an activity funded in whole or in part by a federal grant is convicted of a drug related violation on Greene County premises.

DRAFT

**Board of Commissioners**

Bennie Heath, Chairman  
James T. Shackleford, Vice-  
Chair  
Derek Burress  
Ray Johnson  
Jerry Jones

**County Manager**

Kyle J. DeHaven

**County Attorney**

Gay Stanley

**Finance Director**

Paula Loftin

F3

From: Kyle J. DeHaven, County Manager

Re: Request for Public Hearing; Transportation

Date: September 5, 2023

Greene County Transportation has requested a public hearing to hear public comment concerning the annual NCDOT 5311 Grant Application. The application allows the opportunity to apply for administrative and Capital Funding. The public hearing request is for 7:00 pm on September 18<sup>th</sup>, 2023 at the regularly scheduled Commissioners meeting located at 312 SE 2<sup>nd</sup> St. Snow Hill NC, 28580.

Action Recommended:

**Chairman, Set Public Hearing for 7:00pm, September 18<sup>th</sup>, 2023 at the Greene County Operations Center located at 312 SE 2<sup>nd</sup> St. Snow Hill NC 28580**

## Kathy Mooring

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**From:** Mike Lovett  
**Sent:** Wednesday, August 30, 2023 4:08 PM  
**To:** Kyle DeHaven  
**Cc:** Kim Howell; Kathy Mooring  
**Subject:** Request for PUBLIC HEARING

Short notice apologies. Just made aware of GRANT APPLICATION DUE and application finalization for presentation.

Request to Schedule a **PUBLIC HEARING** with the **Greene County Commissioners September 18<sup>th</sup> 2023**  
And present our annual application to NCDOT Public Transportation Division. This is our opportunity to apply for Administrative and Capital Funding.

This FY 25 application is for period July 1, 2024 through June 30 2025

We will be responsible for placing the appropriate advertisements in the local newspaper.

Thanks

Mike/for Kim