

**OFFICIAL**  
**OCTOBER 22, 2012 (a), 7th DAY OF**  
**THE OCTOBER ADJOURN TERM**

The County Commission met in the Commission Hearing Room at 8:30 a.m. with Ron Houseman, Danny Strahan and Jim Strafuss present. The following proceedings were had and made a matter of record:

**PRELIMINARY STUDY MEETING**

The Commission met to review previous meeting minutes and accounts payables.

**PUBLIC COMMENT**

There was no public comment.

**CALL TO ORDER**

Commissioner Houseman called the October 22, 2012 meeting to order at 9:00 a.m.

**PRAYER**

Sherrie Veltkamp led the prayer.

**PLEDGE OF ALLEGIANCE**

Commissioner Strahan led the Pledge of Allegiance.

**PREVIOUS MEETING MINUTES**

Commissioner Strafuss moved to approve previous meeting minutes dated October 18, 2012 with corrections and changes. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye), and Strafuss (aye).

**ACCOUNTS PAYABLE/JOURNAL ENTRIES/TRANSFERS**

Commissioner Strahan moved to approve accounts payables as follows:

## ACCOUNTS PAYABLE

DATE 10/22/2012

CHECKS	WARRANTS
330940 to 331009	5693
_____ to _____	5694
_____ to _____	_____
_____ to _____	_____

### TRANSFERS

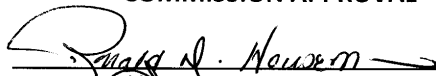
1. TRANSFER FROM PA BAD CHECK TO GCR \_\_\_\_\_
2. JE FOR PAPER USAGE \_\_\_\_\_
3. Transfer J.E. forelections to Road + Budge \_\_\_\_\_
4. Transfer from GCR to AF \_\_\_\_\_


Please sign and date that you have reviewed the included information.

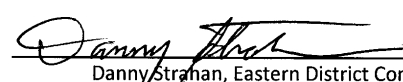
Date	Time	Signature	Comments
11:45AM		JJ	

NOT APPROVED	COMMENTS:
CHECKS	TRANSFERS
_____	_____
_____	_____
_____	_____

### COMMISSION APPROVAL

  
 \_\_\_\_\_  
 Ronald D. Houseman, Presiding Commissioner

  
 \_\_\_\_\_  
 Jim Strafuss, Western District Commissioner

  
 \_\_\_\_\_  
 Danny Strahan, Eastern District Commission

Please keep accounts payable in the order in which you receive them.

Commissioner Strafuss seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye), and Strafuss (nay).

## **APPROVAL OF PAYROLL**

Commissioner Strafuss moved to approve payroll.

*PAYROLL DATE: October 26, 2012*

*GCR: 113624 - 113646*

*RB: 113608 - 113617*

*AF: 113618 - 113621*

*TS: 113622 - 113623*

*911: None*

*Manual Warrants: 5696 - 5697*

*Accounts Payable: 331010 - 331032*

Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye), and Strafuss (aye).

## **AGENDA REQUESTS REVIEW**

Nikki Lawrence came before the Commission to review agenda requests.

## **MODOT MONTHLY UPDATE**

Beth Schaller from MODOT appeared before the Commission to give an update for projects MoDOT is completing in Taney County. The Overlay projects for portions of Hwy 160 and Hwy 125 are near completion. The signalized improvement at James Street in Hollister is underway and near completion. On South Hwy 65 at Rochester Road they are completing a safety improvement that includes a "J" turn. Projects that are scheduled for next year are overlayments for portions of Hwy 160, 176, 165, and 265. There are 4 intersections that will have improvements Hwy F at 160, Hwy H at 160, Hwy 176 the eastern leg on the north side of Forsyth, and Casey Road at Hwy 160. MoDOT will also be adding shoulders with a rumble on Hwy 160 and 176. She informed the Commission that \$3,659,726.40 will be spent in Taney County next year, during the construction season of March – November, for road improvements.

MoDOT is also in the “scoping” stage for safety improvements along Hwy 76 from Lake Shore Drive to Swan Court, about a 10 mile stretch of road, possibly for the year of 2014.

Randy Haes asked if MoDOT could examine the bridge on Hwy 76 at Coon Creek. Commissioner Strahan commented that rebar is showing. He also asked Randy to have the bridge added to TCTAB’s priority list.

### **BUDGET REQUESTS PRESENTATION**

Auditor Rick Findley came before the Commission to present the 2013 Budget Requests. He informed the Commission that the deadline was September 1<sup>st</sup> but they could be turned in as late as September 10<sup>th</sup>. If a department did not meet the September 10<sup>th</sup> deadline then the budget officer is to present estimates. He recommends the same process as the previous year which is no changes in salaries until discussed for consideration next June or July. Commissioner Houseman suggests the Commission set November 13, 2012 for the first budget hearing.

### **APPROVAL OF EXECUTIVE SESSION MINUTES**

Commissioner Strafuss moved to approve executive session minute meetings with corrections and changes. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye), and Strafuss (aye).

### **REVISE SUBSTANCE ABUSE POLICY**

Linda Sorenson came before the Commission to present the substance abuse policy.

# TANEY COUNTY, MISSOURI

## POLICY: SUBSTANCE ABUSE

**Policy:** It is the policy of Taney County to provide a safe environment for our employees. Taney County recognizes that the use of drugs and alcohol in today's society poses a very serious problem in the work place. Not only can the use and/or abuse of these substances jeopardize the health, safety and well-being of the individual user and all of our employees, but it can also endanger the safety of the general public, cause accidents and injuries, adversely affect productivity and morale and contribute to excessive absenteeism and tardiness. Since our employees are our most valuable resource, and the safety and well being of our employees and the general public are of major concern to us, we have developed a substance abuse policy to help with this very difficult problem.

Taney County's Substance Abuse Policy, which includes provisions calling for the use of drug and alcohol testing under certain circumstances, has been developed to keep our workplace free from drug and alcohol-influenced employees in a manner which respects and recognizes the dignity and privacy of all our employees. Use of illegal drugs and consuming alcoholic beverages is strictly prohibited in the work place, which will be outlined in this policy. Taney County wants all of our employees to know that information is available to an employee who may have a problem with chemical dependency or alcoholism.

For the purpose of this policy, drugs are defined as any controlled substance which is illegal to possess, manufacture, distribute, sell, or conspire to distribute or sell by state or federal law, and prescription drugs which are not taken in conformity with the prescription or which may impair the employee's judgment, faculties or abilities, if the County has not received written notice of this possible effect. Alcohol is defined as, but not limited to, liquor, beer, wine, malt liquor or any other intoxicants use for beverage purposes. Taney County reserves the right to test in its sole discretion, for any drug or alcohol use.

As a condition for employment with Taney County, all employees must abide by the term of this Policy. Violations of policy will result in disciplinary action up to and including termination.

The Benefits Coordinator and the Human Resources Director are the designated Alcohol and Drug Policy Administrators.

### GENERAL POLICY:

1. No employee shall report for work while under the influence of any drug or alcohol.
2. No employee shall manufacture any drug, or possess any quantity of drugs or alcohol,

lawful or unlawful, at any worksite. Furthermore, no employee shall sell or transfer, or attempt to sell or transfer, to any other person, any drug or alcohol at any worksite. The term "worksite" means any motor vehicle, office, building or other property owned by the County or any other location at which the employee is to perform work including off-site County functions.

3. Use of any illegal drug is prohibited by all employees while on County property, on duty or conducting County business, or while operating a vehicle or equipment owned or leased by the County. Use of alcohol or being under the influence of alcohol is prohibited by all employees while on company property or while operating a vehicle or equipment owned or leased by the County.
4. An employee may use, in the manner prescribed, a drug prescribed or administered by a physician, if the physician has advised the employee that the drug will not affect the employee's ability to safely perform his/her duties. If using the prescription will result in the employee's inability to safely perform his/her duties, or result in a direct threat to others, then the employee must immediately notify their supervisor. Taney County will do whatever possible to accommodate an employee in this situation, which includes having the employee perform other duties. In some instances, the employee may be asked to stay at home while taking the prescription.
5. All drug or alcohol testing will be conducted by Employee Screening, either on-site or at Skaggs' Occupational Health Clinic. (In certain circumstances, testing may be conducted at Skaggs' Emergency Room when the Occupational Health Clinic is closed).
6. All drug testing will be a 10-panel test and sent for Laboratory Testing.
7. Drug and Alcohol testing will be conducted for all work-related injuries, accidents or illnesses. If an accident is caused involving a vehicle, the employee(s) involved must submit to a drug and alcohol test even if there is no injury or there is little or no damage to the vehicle. The key word for workers' compensation is "accident".

#### **TESTING CIRCUMSTANCES:**

1. **Post Offer Testing (Drugs only):** All new employees, including re-hires, will be given a position contingent upon the passing of a drug test. Any person who receives a positive drug test result, which is not medically justified by a licensed doctor, will have the offer of employment retracted. Post Offer Testing includes both Non-DOT testing for new hires and DOT testing for new Hires.
2. **Random Testing: (Drugs and Alcohol).** Employees that serve in a Safety Sensitive Position; a DOT employee and are required to have a CDL License in order to drive a vehicle for work are subject to Random Testing. In addition, employees that regularly drive a vehicle for work are subject to Random Testing. These employees

will be subject to random testing from time to time without notice. Employees chosen for Random Testing is a result of a computer-based choosing. No person may control the choosing for Random Testing, therefore, some employees may be chosen more often than others.

3. **Post Accident Testing (Drugs and Alcohol).** With the exception of basic first aid treatment, any employee injured while working in any capacity for Taney County, or any employee who causes an injury to another person or damage to any company property, or becomes involved in a vehicle accident will be required to undergo a drug and alcohol test. (Whether or not there is damage to the vehicle or other County Property as a result of the accident, a drug and alcohol test must be completed). This includes all medical treatments by a licensed physician and lost time injuries/illnesses. Testing for Post Accidents will be either Non-DOT or DOT. The County may also utilize drug and/or alcohol test results obtained from law enforcement officials from a vehicle accident. All employees are prohibited from consuming alcohol after an accident until he/she has been tested. After giving a valid sample, a determination will be made by the supervisor and a representative of the Human Resources Department as to whether the employee may return to work. Part of this decision will be based upon the doctor releasing the employee to work, and what type of duties the employee will be able to safely perform. He/she may be reassigned to a non-safety sensitive position until the results of the drug and alcohol tests are known. If it is determined that the employee cannot return to work to a non-safety sensitive position and there is no other duties the employee can perform, but the doctor approves that the employee can go back to work during that time, the County has elected to pay back pay for that time, if:
  - A. The result of the test is negative, and
  - B. It is determined by the County that the employee's conduct is completely discounted as a contributing factor to the accident.
  
4. **Reasonable Suspicion (Drugs and/or Alcohol):** An employee will be tested for drugs and/or alcohol when the employee's actions, appearance, speech, odor or conduct suggest to Taney County that the employee has engaged in the use of drugs and/or alcohol while on County property, on duty, or conducting County business or while operating a vehicle or equipment owned or leased by Taney County, or came to work while still under the influence. Reasonable suspicion will also be considered to exist in the case of the discovery of drugs or controlled substances in an employee's possession near the employee's work place, or unexplained or frequent absenteeism. Non-DOT Testing and DOT Testing will be performed for Reasonable Suspicion.

**REFUSAL TO SUBMIT TO A DRUG OR ALCOHOL TEST:**

Refusal to submit to a drug and/or alcohol test as discussed in this policy will result in termination of employment. **NOTE:** a “refusal to submit” means that an employee:

1. Fails to provide adequate breath for alcohol testing, without a valid medical explanation;
2. Fails to provide an adequate urine sample for drug testing, without a genuine inability to provide a specimen (as determined by a medical evaluation);
3. Engages in conduct that clearly obstructs the test process; or
4. Simply refuses to be tested which will be considered direct insubordination.

**POSITIVE TEST RESULTS AND CONSEQUENCES:**

If a positive drug and/or alcohol test is confirmed, the following action will be taken:

1. A positive test will result in disciplinary action up to and including termination.
2. If the situation is combined with Workers’ Compensation, these benefits will be reduced or denied in accordance with applicable Missouri statutes. The employee will face disciplinary action up to and including termination.

**DRUGS:** If an employee tests positive for drugs, the County may institute any or all of the following alternatives as a matter of continued employment:

1. Suspension or probation;
2. Require the employee to enroll in a rehabilitation program at the employee’s cost;
3. Be evaluated by a substance abuse professional at the employee’s cost;
4. Successfully complete any recommended treatment by the substance abuse professional at the employee’s cost;
5. Pass a return-to-duty test at the employee’s cost; or
6. Termination.

**ALCOHOL:** If an employee tests above .04 for alcohol, the County may require the employee to undergo any or all of the following alternatives as a matter of continued employment:

1. Suspension or probation;
2. Require the employee to enroll in a rehabilitation program at the employee’s cost;
3. Be evaluated by a substance abuse professional at the employee’s cost;
4. Successfully complete any recommended treatment by the substance abuse professional at the employee’s cost;
5. Pass a return-to-duty test at the employee’s cost; or
6. Termination.



**OFF SITE VIOLATIONS AND CONVICTIONS/GUILTY PLEAS:**

Disciplinary action may be administered to those employees who violate this County policy and/or are convicted of, or plead guilty to criminal drug statute violations. Employees who are arrested and out on bail on their own recognizance pending trial, or who are convicted for drug-related offenses, raise a question as to compliance with County policy. In determining what action to take, the County will consider the nature of the charge, the circumstances of the offense, the employee's record with the County, current job assignment, and the impact the arrest or conviction may have on customers, employees, the public or the County's general reputation.

**EDUCATION AND REHABILITATION:**

Rehabilitation will be available to any employee who voluntarily admits to having a drug or alcohol problem, and requests assistance prior to the County identifying a drug or alcohol problem on the job. The County will not bear any of the treatment expense. The employee will be placed on a medical leave of absence for the time allotted for rehabilitation. FMLA will be administered if eligible. Upon successful completion of Rehabilitation Program, the employee may be eligible for job reinstatement.

**CONFIDENTIALITY:**

The Testing Laboratory and the Human Resources Department will maintain all records developed or acquired pursuant to this policy under strict confidentiality. The records will be:

- Maintained separately from other personnel records;
- Kept in a secured location.

Materials shall not be released to others without the written consent of the affected employee. Exceptions to this policy will be:

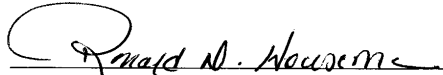
- As required by federal law or regulations;
- As necessary with regard to a rehabilitation contract;
- In litigation, quasi-judicial and administrative proceedings related to positive test results;
- Matters initiated by the employee; and
- By court order.


**POLICY ACKNOWLEDGEMENT:** All employees shall be required to confirm receipt of this policy and any revisions by signing and dating a Policy Acknowledgement.

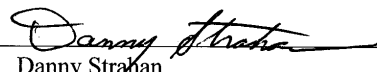
**ROAD AND BRIDGE EMPLOYEES:** The United States Department of Transportation has established drug-testing rules for persons employed in positions requiring them to have and maintain a commercial driving license. Parts of this policy differ for these employees.

Substance Abuse Policy: First Revision, 06/12/12 2<sup>nd</sup> Revision, 10/22/12

**POLICY: SUBSTANCE ABUSE**

  
\_\_\_\_\_  
Ronald D. Houseman  
Presiding Commissioner

  
\_\_\_\_\_  
Jim Strafuss  
Western District Commissioner

  
\_\_\_\_\_  
Danny Strahan  
Eastern District Commissioner

Commissioner Strafuss moved to approve the new substance abuse policy as presented. Commissioner Strahan seconded the motion. The motion passed by vote: Houseman (aye), Strahan (aye), and Strafuss (aye).

Linda will email the new version to all employees.

Commissioner Strahan moved to adjourn. Commissioner Strafuss seconded. The motion passed by vote: Houseman (aye), Strahan (aye), and Strafuss (aye).

**ADJOURN**

**10:18 AM**

The minutes were taken and typed by Stacey Clemans, Deputy Clerk.