

COLUMBUS COUNTY BOARD OF COMMISSIONERS
Monday, November 15, 2021
6:30 P.M.

The Honorable Columbus County Commissioners met on the above stated date and time at the Dempsey B. Herring Courthouse Annex, 112 West Smith Street, Whiteville, North Carolina 28472, for the purpose of conducting the Regular Session.

COMMISSIONERS PRESENT:

Ricky Bullard, **Chairman**
 Jerome McMillian, **Vice Chairman**
 Chris Smith
 Giles E. Byrd
 Lavern Coleman
 Brent Watts
 Charles T. McDowell

APPOINTEES PRESENT:

Eddie Madden, Jr., **County Manager**
 Boyd Worley, **Board Attorney**
 Amanda B. Prince, **Staff Attorney/Clerk to Board**
 Jay Leatherman, **Finance Director**

Agenda Items #1, #2 and #3: MEETING CALLED to ORDER, INVOCATION and PLEDGE of ALLEGIANCE:

At 6:30 P.M. Chairman Ricky Bullard called the Monday, November 15, 2021 Columbus County Board of Commissioners Regular Session Meeting to order. The invocation was delivered by Commissioner Charles McDowell. Everyone in attendance stood and pledged Allegiance to the Flag of the United States of America which was led by Commissioner Lavern Coleman.

Agenda Item #4: APPROVAL OF NOVEMBER 15, 2021 AGENDA:

MOTION:

Commissioner McDowell made a motion to remove closed session from the agenda, seconded by Commissioner Smith. The motion unanimously passed.

MOTION:

Commissioner Coleman made a motion to approve the November 15, 2021 agenda with the change, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #5: PUBLIC INPUT:

Curtis Lamont Hill, 777 Vinson Blvd, Whiteville, NC 28472 stated the following:

- I am here to talk about the redistricting process in Columbus County.
- We want the redistricting process to be fair and equitable in the maps you draw.
- We want to maintain the districts in manner to ensure we have minority representation across the county.

Anthony Andy Anderson, 118 E Oliver St, Whiteville, NC 28472 stated the following:

- Thank you for allowing me to speak.
- I stand to emphasize that fair elections are very important.
- We have a tendency sometimes to say, "let's just leave it like it is", but if you left it like it is I would still be calling a bunch of you master and I'd be working for you for free, if we left it like it is.
- If we left it like it is, there wouldn't be an NC Central University where I had the chance to graduate.
- If we left it like it is, I wouldn't have had a chance to work at the courthouse with all the wonderful people who mentored me.
- If we leave it like it is.
- Status quo is good for those in position, it's terrible for those who have aspirations.
- The reason why the Voting Rights Act is in place, the reason why there are voting laws, is to make sure we're studious about it.
- Not to just say, I'm okay because I'm elected, that may be good for you but what if I decide to run?
- My opportunity needs to be preserved.
- There's been a significant shift in demographics and that has to be addressed.
- It needs to be addressed, especially when it pertains to a minority district.
- It's just one district and a possibility of yours Commissioner Byrd if everything aligns.
- So for me as a minority in Columbus County, I have a very slim chance to represent.
- For four hundred years, we have a slim chance and we need to preserve that chance.
- The analysis has already been made and even your attorney from Brooks Pierce said there's been a significant change.

- Please don't make us susceptible to another legal issue that we had when we first tried to ignore this.
- I was here then and Mr. C.W. Williams would have never been County Commissioner, if we just went ahead with people who said "let's just vote at large, it's good for my people, it's good for me".
- It certainly is, if you own everything and run everything, but that's not the case for a lot of people.
- When you're sitting here, you represent a group, you do not represent yourselves.
- You're representing the possibilities, the dreams and aspirations of others.
- Thank you. dedication

Agenda Item #6: HUD – LANDLORD FAIR AND INCENTIVE PROGRAM:

Rebecca Tyson, Director, requested Board approval to allocate \$100,000 to this program in order to offer a \$500 signing bonus to property owners renting to new HCVP (Housing Choice Voucher Participant) tenants.



**COLUMBUS COUNTY
HOUSING AUTHORITY**



The landlord Incentive Program

Program Overview

We all need a safe place to call home. Yet that basic need is increasingly out of reach for many people. The Landlord Incentive Program recognizes the investment of landlords willing to help individuals who need affordable housing. The program offers participating landlords a sign on bonus when they rent their home or apartment to a low-income renter with a housing voucher. The effort helps preserve the investment of a participating landlord while ensuring safe, affordable housing for someone in need.

Requirements

- Signing bonuses only apply to new HCVP participants
- The property owner must rent a home or apartment to a new housing choice voucher participant, execute the Lease and sign the Housing Assistance Payment Contract with the Housing Authority to be eligible.

**Program Information
and Process**

- \$500 Signing Bonus is limited to leases executed from October 1, 2021 to Dec. 31, 2022. (unless funds allocated for the program runs out before then)
- This is as one-time payment per owner
- Signing bonuses only apply to new HCVP participants
- Landlords and HCVP participants cannot be family members.

612 N. Madison St. •Whiteville NC 28472• 910-640-6618

MOTION:

Commissioner McDowell made a motion to approve the allocation of funds, seconded by Commissioner Coleman. The motion unanimously passed.

Agenda Item #7: HUD – APPROVAL of LEASE of 612 N. MADISON STREET to COLUMBUS COUNTY HOUSING AUTHORITY:

Jay Leatherman, Finance Director, requested Board approval.

LEASE AGREEMENT

This Lease Agreement (hereinafter referred to as the “Agreement”) is made and entered into as of this 15th day of November, 2021, by and between Columbus County, North Carolina, (hereinafter referred to as “Lessor”) and Columbus County Public Housing Authority, (hereinafter referred to as “Lessee”).

WITNESSETH:

THAT WHEREAS, Lessor owns certain property located 612 N. Madison Street, Whiteville, North Carolina.

THAT WHEREAS, Lessee desires to lease the above described property from Lessor to be used for HUD (Housing Authority).

NOW, THEREFORE IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS HEREINAFTER SET OUT, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

- 1. Lessor hereby agrees to demise, lease, and let unto Lessee the property located at 612 N. Madison Street, Whiteville, North Carolina. The term of this Lease Agreement shall commence the 1st day of December, 2021, and shall continue until the 1st day of December, 2026.
- 2. Lessee agrees to pay Lessor the sum of One Thousand Dollars and 00/100 (\$1,000.00) per month for the term of the Lease.
- 3. Lessee does hereby agree to the following:
 - a. Provide housekeeping on the premises at no cost to the Lessor, and
 - b. Pay all utilities for the premises.
- 4. This Lease Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina.
- 5. Either Party may terminate the Lease Agreement with Thirty (30) Days prior written notice.

IN WITNESS WHEREOF, this Lease Agreement has been executed by the parties hereto as of the day and year first above written.

LESSOR

Columbus County

By: _____
Name: Ricky Bullard
Title: Chairman, Columbus
County Board of
Commissioners

LESSEE

Columbus County Public Housing
Authority

By: _____
Name: Rebecca Tyson
Title: Housing Authority
Director

This instrument has been preaudited in the manner required by Local Government Budget and Fiscal Control Act.

Columbus County Finance Officer

MOTION:
Commissioner Byrd made a motion to approve the lease, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #8: EMERGENCY SERVICES – APPROVAL of FAIR BLUFF TOWER REPLACEMENT AGREEMENT BETWEEN DUKE ENERGY PROGRESS, LLC and COLUMBUS COUNTY and APPROVAL to CONTRIBUTE \$300,000 in AMERICAN RESCUE FUNDS to EXPEDITE the REPLACEMENT:

Kay Stephens, Director, requested Board approval.

Tower Replacement Agreement

THIS TOWER REPLACEMENT AGREEMENT (“Agreement”) is made and entered into effective as of September ____, 2021 (the “Effective Date”), between **DUKE ENERGY PROGRESS, LLC**, a North Carolina limited liability company (“Duke Energy”) and **COLUMBUS COUNTY**, a political subdivision of the State of North Carolina (the “County”). Duke Energy and the County shall each individually be referred to herein as a “Party” and collectively as the “Parties”.

WITNESSETH:

WHEREAS, pursuant to a Co-Location License Agreement between the Parties dated June 18, 2012, as amended (the “Co-Location Agreement”), the Parties currently maintain communications equipment on an existing Duke Energy owned tower located on land leased by Duke Energy in Fair Bluff Township in Columbus County, North Carolina; and

WHEREAS, the Parties agree to jointly participate in a project to construct a new telecommunications tower (the “New Tower”) to replace the existing tower (the “Project”); and

WHEREAS, subject to the terms of this Agreement, the County will contribute funding for the Project, as stated herein.

NOW THEREFORE, in consideration of the promises and mutual covenants herein made, the Parties hereto agree as follows:

Terms of Agreement

1. The foregoing recitals are, by this reference, hereby incorporated into this Agreement as a substantive and integral part hereof.
2. Duke Energy will be responsible for management of all aspects of the engineering and construction for the Project, including but not limited to obtaining any required federal, state and local permits. The New Tower will be constructed in accordance with plans that have been reviewed and approved by all Parties. Duke Energy will be responsible for the cost of relocating all equipment onto the New Tower and removing all existing equipment from the existing tower. Duke Energy shall notify the County when the New Tower is fully operational.
3. The County agrees to contribute funding for the Project in the amount of Three Hundred Thousand and 00/100 (\$300,000.00) (the “Project Contribution”).
4. All work related to the County’s ground equipment will be done by and paid for by the County. The County will be responsible, at its sole expense, for the cost and purchase of the new shelter and the installation of electrical facilities and any equipment in the shelter. Duke Energy will install the shelter and the concrete pad only.

- 5. This Agreement shall terminate when the New Tower construction is complete, and the County has paid the Project Contribution in full. The Project Contribution shall be paid in full to Duke Energy within thirty (30) days of the New Tower being fully operational.
- 6. Duke Energy will own the New Tower and shall be responsible for all ongoing operation and maintenance of the New Tower. The Co-location Agreement shall continue in effect as to the New Tower.
- 7. In no event under this Agreement shall any Party be liable to any other Party under any theory of recovery, warranty or otherwise, for any indirect, incidental, consequential, punitive, exemplary or special damages (regardless of fault or cause) stemming from any personal injury, property damage, or economic loss (including any purported loss of business, loss of revenues, or lost profits) or otherwise as a result of this Agreement or any construction or delay in construction of the New Tower to the extent possible by law.
- 8. By signing this Agreement, the Parties agree to be bound by the terms set forth herein. The Parties agree that this Agreement is mutually beneficial and by signing below their representatives state they have the right and authority to enter into this Agreement on their behalf.
- 9. This Agreement shall be governed by the laws of the State of North Carolina except that the North Carolina conflict-of-law provisions shall not be invoked in order to apply the laws of any other state or jurisdiction.
- 10. Reference attached executed agreement between Progress Energy Carolinas, Inc. and the County of Columbus.

[signature page follows]

COLUMBUS COUNTY a
political subdivision of the State of
North Carolina

DUKE ENERGY PROGRESS, LLC
a North Carolina limited liability company

BY: _____
NAME (printed): _____
TITLE: _____
DATE: _____

BY: _____
NAME: (printed): _____
TITLE: _____
DATE: _____

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

Finance Officer Date

MOTION:

Commissioner Smith made a motion to approve the agreement and additional funding, seconded by Commissioner Watts. The motion unanimously passed.

Agenda Item #9: EMERGENCY SERVICES – APPROVAL of CHANGE ORDER 002 and APPROVAL of \$178,868 in AMERICAN RESCUE FUNDS to use for the COUNTY VIPER and PAGING PROJECT and REMEDIATION of the LAKE WACCAMAW WATER TANK:

Kay Stephens, Director, requested Board approval.



CHANGE ORDER
002

Change Order No.	002
Date:	September 17, 2021
Project Name:	Columbus Co, NC Viper Migration, VHF Paging, Viper Subs - Project No. NCA18200AG
Customer Name:	Columbus County
Customer Project Mgr:	Kay Stephens

The purpose of this Change Order is to: *(highlight the key reasons for this Change Order)*

This Change Order is to address the cost for the remediation of the Lake Waccamaw water tank to allow for the installation of the paging antenna and the microwave dish required by the project. Also included in this change order are the cost changes for the deletion of microwave services, fees paid by the County, and an additional path survey.

Due to the failure of the Lake Waccamaw and Fair Bluff towers and the time to determine the solution to each site, this change order is also changing the final completion date of the project to August 17, 2022.

Contract #	254458	Contract Date:	12-13-19
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In accordance with the terms and conditions of the contract identified above between Columbus County, NC and Motorola Solutions, Inc., the following changes are approved:

Contract Price Adjustments

Original Contract Value:	\$4,873,149.00
Previous Change Order amounts for Change Order numbers <input type="text" value="1"/> through <input type="text" value="1"/>	\$29,160.00
This Change Order:	\$178,868.00
New Contract Value:	\$5,081,177.00


MOTOROLA SOLUTIONS

CHANGE ORDER

002

Completion Date Adjustments

Original Completion Date:	6/28/2021
Current Completion Date prior to this Change Order:	6/28/2021
New Completion Date:	8/17/2022

Changes in Equipment: (additions, deletions or modifications) Include attachments if needed

Deletion of the microwave equipment for the 911 Center to Whiteville path.

Changes in Services: (additions, deletions or modifications) Include attachments if needed

Included in this change order are the additional services required to perform the upgrades on the Lake Waccamaw water tank as per the design performed by Engineered Tower Solutions, PLLC on Sept. 2, 2021 and the additional path survey between Hallsboro monopole and Whiteville sites.

Also included is the deletion of services for the microwave path between 911 Center and the Whiteville sites and for the fees paid by Columbus County at the Whiteville (Chadburn) site (\$4,000).

Schedule Changes: (describe change or N/A)

Final Completion changed to August 17, 2022

Pricing Changes: (describe change or N/A)

Contract increased by \$178,868.00

Customer Responsibilities: (describe change or N/A)

none

Payment Schedule for this Change Order:

(describe new payment terms applicable to this change order)

Payment for this Change Order (CO#2) will be due upon installation.

Unless amended above, all other terms and conditions of the Contract shall remain in full force. If there are any inconsistencies between the provisions of this Change Order and the provisions of the Contract, the provisions of this Change Order will prevail.



IN WITNESS WHEREOF the parties have executed this Change Order as of the last date signed below.

Motorola Solutions,
Inc.

Customer

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Reviewed by: Barry Hill
Motorola Solutions Project Manager

Date: Sept. 21, 2021


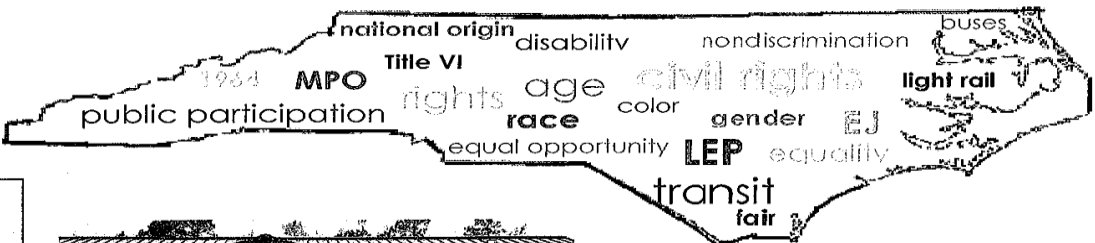
MOTION:

Commissioner Byrd made a motion to approve the change order and additional funding, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #10: TRANSPORTATION – COLUMBUS COUNTY TRANSPORTATION TITLE VI PLAN:

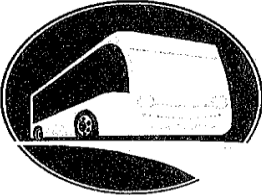
Joy Jacobs, Director, requested Board review and approval of the Title VI Plan.

Columbus County Transportation



Date Adopted
11/15/2021

Title VI Program Plan



PLAN REVIEW AND APPROVAL

On behalf of the Board of Commissioners of Columbus County for Columbus County Transportation (CCT), I hereby acknowledge receipt of the Title VI Nondiscrimination Plan. We, the Board of Commissioners of Columbus County, have **reviewed and hereby approve** this Plan. We are committed to ensuring that all decisions are made in accordance with the nondiscrimination guidelines of this Plan, to the end the no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any CCT transportation services and activities on the basis of race, color, national origin, sex, age, religion, or disability, as protected by Title VI of the Civil Rights Act of 1964 and the nondiscrimination provisions of the Federal Transit Administration.

Chairman of Columbus County Board of Commissioners

DATE

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Appendix B – Columbus County Transportation Organizational Chart

Appendix C– NCDOT’s Transit Review Checklist

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Appendix G – Demographic Table- Commissioners

TITLE VI NONDISCRIMINATION AGREEMENT
BETWEEN
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
AND
COLUMBUS COUNTY TRANSPORTATION

In accordance with DOT Order 1050.2A, Columbus County Transportation (CCT) assures the North Carolina Department of Transportation (NCDOT) that no person shall, on the ground of **race, color, national origin, sex, religion, age, or disability**, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related nondiscrimination authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by CCT .

Further, CCT hereby agrees to:

1. Designate a Title VI Coordinator that has a responsible position within the organization and has easy access to the Director of the organization.
2. Issue a policy statement, signed by the Director of the organization, which expresses a commitment to the nondiscrimination provisions of Title VI and related applicable statutes. The signed policy statement shall be posted and circulated throughout the organization and to the general public, and published where appropriate in languages other than English. The policy statement will be re-signed when there is a change of Director.
3. Insert the clauses of the contract language from Section 6.1 in every contract awarded by the organization. Ensure that every contract awarded by the organization's contractors or consultants also includes the contract language.
4. Process all and, when required, investigate complaints of discrimination consistent with the procedures contained within this Plan. Log all complaints for the administrative record.
5. Collect statistical data (race, color, national origin, sex, age, disability) on participants in, and beneficiaries of, programs and activities carried out by the organization.
6. Participate in training offered on Title VI and other nondiscrimination requirements. Conduct or request training for employees or the organization's subrecipients.
7. Take affirmative action, if reviewed or investigated by NCDOT, to correct any deficiencies found within a reasonable time period, not to exceed 90 calendar days, unless reasonable provisions are granted by NCDOT.
8. Document all Title VI nondiscrimination-related activities as evidence of compliance. Submit information and reports to NCDOT on a schedule outlined by NCDOT.

THIS AGREEMENT is given in consideration of, and for the purpose of obtaining, any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding.

Authorized Signature

Date

Joy Jacobs
Director

1.0 INTRODUCTION

Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d provides that: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The broader application of nondiscrimination law is found in other statutes, executive orders, and regulations, which provide additional protections based on age, sex, religion, and disability, including the 1987 Civil Rights Restoration Act, which extended nondiscrimination coverage to all programs and activities of federal-aid recipients, subrecipients, and contractors, including those that are not federally-funded (see Appendix A – Applicable Nondiscrimination Authorities).

Columbus County Transportation (CCT) is a recipient of Federal financial assistance from the North Carolina Department of Transportation (NCDOT) and the United States Department of Transportation (USDOT), receiving Federal Transit Administration (FTA) funds through the NCDOT. As the primary recipient of USDOT funds in North Carolina, the NCDOT's comprehensive Title VI Nondiscrimination Program includes compliance oversight and technical assistance responsibilities towards its subrecipients and those subrecipients must use federal and state funds in a nondiscriminatory manner.

Columbus County Transportation establishes this Title VI Nondiscrimination Plan for the purpose of complying with Title VI of the Civil Rights Act of 1964, as required by FTA Circular 4702.1B, and related requirements outlined under Group 01.D, "Nondiscrimination Assurance," of the FTA Certifications and Assurances. This document details the nondiscrimination program, policies, and practices administered by this organization, and will be updated periodically to incorporate changes and additional responsibilities as they are made. This Plan will be submitted to NCDOT or FTA, upon request.

2.0 DESCRIPTION OF PROGRAMS AND SERVICES

2.1 PROGRAM(S) AND SERVICES ADMINISTERED

Columbus County Transportation provides public transportation options to its customers within Columbus County, North Carolina. CCT operates from 6:00 AM to 6:00 PM Monday thru Friday. We offer transportation to all citizens in Columbus County to destinations within Columbus County. Prices are \$3.00 per person per one way trip within the Whiteville or Brunswick Township and \$10.00 per person per one way trip outside of Whiteville or Brunswick Township, but within the county. Veteran services are provided to take Veterans to the VA hospital in Fayetteville, Wilmington, and Pembroke at a cost of \$6.00 round trip. We partner with Smart Start and offer transportation assistance to children 5 and under as well as expecting mothers, who are not eligible for Medicaid reimbursements, to health care and WIC appointments. We also contract with the Columbus County Department of Social Services to transport Medicaid clients to their doctors' appointments. All trips are by appointment only and must be called in to the office by 2:00 PM the day before the scheduled appointment.

Columbus County Transportation contracts out the operations and management of the transportation service which is overseen by a Director that is hired by Columbus County. The current contractor has a general manager, office manager, dispatcher, safety officer and 16 drivers. The Director oversees all grant funding and makes sure that everything is in compliance with NCDOT and Columbus County guidelines. The general manager oversees all operations and management of the transportation and reports to the Director to provide the information needed to make sure everything is compliant. The office manager handles scheduling of the drivers and billing. The dispatcher handles the driver manifests and helps to keep the drivers on schedule when schedules or routes may change. The safety officer is responsible for training of all personnel and maintenance and upkeep of all transportation vehicles.

2.2 FUNDING SOURCES / TABLES

For the purpose of federally-assisted programs, "federal assistance" shall include:

1. grants and loans of Federal funds;

2. the grant or donation of Federal property and interest in property;
3. the detail of Federal personnel;
4. the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
5. any Federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

Each FTA Formula Grant received by our system, and whether the funds were received through NCDOT or directly from FTA, is checked below. Additional details are provided on how often each of the grants is received (*annually, first time, etc.*).

Grant Title	NCDOT	FTA	Details (i.e., purpose, frequency, and duration of receipt)
5311 (b)(3) (Rural Transit Assistance)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Received annually to transport citizens of Columbus County
Other: Capital	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Received annually to replace vehicles and other worn out equipment.

2.3 DECISION-MAKING PROCESS

Columbus County Transportation is governed by the Board of Commissioners of Columbus County and is advised by the Columbus County Transportation Advisory Board (TAB). The TAB board meets once a quarter and will advise and approve on all policy making decisions before they are presented to the Board of Commissioners. The final approval will come from the commissioners who meet twice a month. Their meeting schedules for the year are posted and sent out at the beginning of each year. All policies are voted on by the Board of Commissioners and the majority vote determines if it is approved.

Board or Committee Name	Appointed	Elected	# of Members
Transit Advisory Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13
County Board of Commissioners	<input type="checkbox"/>	<input checked="" type="checkbox"/>	7

2.4 TITLE VI COORDINATOR

The individual below has been designated as the Title VI Coordinator for Columbus County Transportation, and is empowered with sufficient authority and responsibility to implement the Title VI Nondiscrimination Program:

Joy Jacobs
 Director
 290 Legion Dr, Whiteville, NC 28472
 910-641-3929
joy.jacobs@columbusco.org

Key responsibilities of the Coordinator include:

- Maintaining knowledge of Title VI and related requirements.
- Attending civil rights training when offered by NCDOT or any other regulatory agency.
- Administering the Title VI Nondiscrimination Program and coordinating implementation of this Plan.

- Making sure internal staff and officials are familiarized and complying with their Title VI nondiscrimination obligations.
- Disseminating Title VI information internally and to the general public, including in languages other than English.
- Presenting Title VI-related information to decision-making bodies for input and approval.
- Ensuring Title VI-related posters are prominently and publicly displayed.
- Developing a process to collect data related to race, national origin, sex, age, and disability to ensure minority, low-income, and other underserved groups are included and not discriminated against.
- Ensuring that non-elected boards and committees reflect the service area and minorities are represented.
- Implementing procedures for prompt processing (receiving, logging, investigating and/or forwarding) of discrimination complaints.
- Coordinating with, and providing information to, NCDOT and other regulatory agencies during compliance reviews or complaint investigations.
- Promptly resolving areas of deficiency to ensure compliance with Title VI nondiscrimination requirements.

2.5 CHANGE OF TITLE VI COORDINATOR /DIRECTOR

If Title VI Coordinator or Director changes, this document and all other documents that name the Coordinator, will immediately be updated, and an updated policy statement and assurance will be signed by the new Director.

2.6 ORGANIZATIONAL CHART

An organizational chart showing the Title VI Coordinator's place within the organization is located in **Appendix B**. Columbus County Transportation is governed by the County. The director is an employee of and reports to Columbus County, while the operations and management of Columbus County Transportation is contracted out to a third party. The director is responsible for overseeing the grant application and making sure the contractor adheres to all requirements set forth by NCDOT-PTD.

2.7 SUBRECIPIENTS

Columbus County Transportation does not have pass through funds to any other organizations and, therefore, does not have any subrecipients.

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3.0 TITLE VI NONDISCRIMINATION POLICY STATEMENT

It is the policy of Columbus County Transportation, as a federal-aid recipient, to ensure that no person shall, on the ground of **race, color, national origin, sex, religion, age or disability**, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs and activities, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all other related nondiscrimination laws and requirements.

Joy Jacobs, Director

Date

Title VI and Related Authorities

Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d) provides that, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The 1987 Civil Rights Restoration Act (P.L. 100-259) clarified and restored the original intent of Title VI by expanding the definition of "programs and activities" to include all programs and activities of federal-aid recipients (such as, Columbus County Transportation), subrecipients, and contractors, whether such programs and activities are federally-assisted or not.

Related nondiscrimination authorities include, but are not limited to: U.S. DOT regulation, 49 CFR part 21, "Nondiscrimination in Federally-assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act"; 49 U.S.C. 5332, "Nondiscrimination (Public Transportation)"; FTA Circular 4702.1B - Title VI Requirements and Guidelines for Federal Transit Administration Recipients; DOT Order 5610.2a, "Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"; FTA C 4703.1 - Environmental Justice Policy Guidance For Federal Transit Administration Recipients; Policy Guidance Concerning (DOT) Recipient's Responsibilities to Limited English Proficient (LEP) Persons, 74 FR 74087; The Americans with Disabilities Act of 1990, as amended, P.L. 101-336; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 790; Age Discrimination Act of 1975, as amended 42 U.S.C. 6101; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601; Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. 794d.

Implementation

- This statement will be signed by the Director of Columbus County Transportation, and re-signed whenever a new person assumes that position.
- The signed statement will be posted on office bulletin boards, near the receptionist's desk, in meeting rooms, inside vehicles, and disseminated within brochures and other written materials.
- The core of the statement (signature excluded) will circulate *internally* within annual acknowledgement forms.
- The statement will be posted or provided in languages other than English, when appropriate.

4.0 NOTICE OF NONDISCRIMINATION

- Columbus County Transportation operates its programs and services without regard to **race, color, national origin, sex, religion, age, and disability** in accordance with Title VI of the Civil Rights Act and related statutes. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice may file a complaint with Columbus County Human Resources.
- For more information on Columbus County Transportation's civil rights program, and the procedures to file a complaint, contact 910-641-3929; email joy.jacobs@columbusco.org; or visit our office at 290 Legion Dr, Whiteville, NC 28472. For more information, visit columbusco.org.
- If information is needed in another language, contact 910-640-6615.
- A complainant may file a complaint directly with the North Carolina Department of Transportation by filing with the Office of Equal Opportunity and Workforce Services, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511, Attention: Title VI Nondiscrimination Program; phone: 919-508-1808 or 800-522-0453, or TDD/TTY: 800-735-2962.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Implementation

- The notice will be posted in our offices and on our vehicles.
- The notice will be posted in its entirety on our website and in any documents and reports we distribute.
- Ads in newspapers and other publications shall include the first three (3) bullets.
- The statement will be posted or provided in languages other than English, when appropriate.

5.0 PROCEDURES TO ENSURE NONDISCRIMINATORY ADMINISTRATION OF PROGRAMS AND SERVICES

We are committed to the nondiscriminatory administration of our programs and services. As with the implementation of our programs in general, organization-wide compliance is required. Thus, employees and staff will periodically be reminded of our Title VI nondiscrimination obligations through staff training and use of the **Annual Education and Acknowledgment Form** below. The Title VI Coordinator will periodically assess program operations to ensure that this policy is being followed. A single copy of the form is located in Appendix D.

Annual Education and Acknowledgement Form

Title VI Nondiscrimination Policy
(Title VI and related nondiscrimination authorities)

No person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of a Federal-aid recipient.

All employees and representatives of Columbus County Transportation are expected to consider, respect, and observe this policy in their daily work and duties. If any person approaches you with a civil rights-related question or complaint, please direct him or her to Virginia Taylor, Human Resources Director at 910-914-4119.

In all dealings with the public, use courtesy titles (e.g., Mr., Mrs., Miss, Dr.) to address or refer to them without regard to their race, color, national origin, sex, age or disability.

Acknowledgement of Receipt of Title VI Program

I hereby acknowledge receipt of Columbus County Transportation's Title VI Program and other nondiscrimination guidelines. I have read the Title VI Program and I am committed to ensuring that no person is excluded from participation in or denied the benefits of Columbus County Transportation's programs, policies, services and activities on the basis of race, color, national origin, sex, age, or disability, as provided by Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes.

Signature

Date

Implementation

- Periodically, but not more than once a year, employees and representatives will receive, review and certify commitment to the Title VI Program.
- New employees shall be informed of Title VI provisions and expectations to perform their duties accordingly, asked to review the Title VI Program, and required to sign the acknowledgement form.
- Periodic review of operational practices and guidelines by the Title VI Coordinator to verify compliance with the Title VI Program.
- Signed acknowledgement forms and records of internal assessments will remain on file for at least three years.

6.0 CONTRACT ADMINISTRATION

Columbus County Transportation ensures all contractors will fulfill their contracts in a nondiscriminatory manner. While contractors are not required to prepare a Title VI Program, they must comply with the nondiscrimination requirements of the organization to which they are contracted. CCT and its contractors will not discriminate in the selection and retention of contractors (at any level) or discriminate in employment practices in connection with any of our projects.

6.1 CONTRACT LANGUAGE

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

(1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, religion, age, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

(4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by Columbus County Transportation or the North Carolina Department of Transportation (NCDOT), the Federal Highway Administration (FHWA) and/or Federal Transit Administration (FTA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to CCT or the NCDOT, FHWA and/or FTA as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination

provisions of this contract, the CCT shall impose such contract sanctions as it or the NCDOT, FHWA and/or FTA may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) cancellation, termination or suspension of the contract, in whole or in part.

(6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the CCT or the NCDOT, FHWA and/or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request CCT to enter into such litigation to protect the interests of CCT, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

II. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits

discrimination on the basis of disability); and 49 CFR Part 27;

- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority

Populations, and Low-Income Populations, which ensures Nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

*The Contractor has read and is familiar with the terms above:

Contractor's Initials

Date

Implementation

- The nondiscrimination language above (with initials line) will be appended to any existing contracts, purchase orders, and agreements that do not include it, and initialed by the responsible official of the other organization.
- The nondiscrimination language above (without initials line) will be incorporated as standard language before the signature page of our standard contracts, purchase orders, and agreements.
- The Title VI Coordinator will review existing contracts to ensure the language has been added.

6.2 NONDISCRIMINATION NOTICE TO PROSPECTIVE BIDDERS

The Columbus County Transportation, in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities, and Title 49 Code of Federal Regulations, Parts 21 and 26, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority and women business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

Implementation

- The nondiscrimination language above will be included in all solicitations for bids for work or material and proposals for negotiated agreements to assure interested firms that we provide equal opportunity and do not discriminate.
- Outreach efforts will be made to minority and women-owned firms that work in requested fields, and documented.
- Unless specifically required under Disadvantaged Business Enterprise (DBE) or Affirmative Action programs, all contractors will be selected without regard to their race, color, national origin, or sex.

7.0 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

These discrimination complaint procedures outline the process used by Columbus County Transportation (CCT) to process complaints of alleged discrimination filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws that are applicable to CCT programs, services, and activities. Complaints will be investigated by the appropriate authority. Upon completion of an investigation, the complainant will be informed of all avenues of appeal. Every effort will be made to obtain early resolution of complaints at the lowest level possible by informal means.

FILING OF COMPLAINTS

1. **Applicability** – These procedures apply to the beneficiaries of our programs, activities, and services, such as the members of the public and any consultants/contractors we hire.
2. **Eligibility** – Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities based upon race, color, sex, age, national origin, creed (religion) or disability, may file a written complaint. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative, and must be in writing.
3. **Time Limits and Filing Options** – A complaint must be filed no later than 180 calendar days after the following:
 - The date of the alleged act of discrimination; or
 - The date when the person(s) became aware of the alleged discrimination; or
 - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Complaints may be submitted to the following entities:

- **Columbus County Transportation, 290 Legion Dr, Whiteville, NC 28472, 910-641-3929**
 - **North Carolina Department of Transportation, Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453**
 - **US Department of Transportation, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070**
Federal Transit Administration, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
 - **US Department of Justice, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228**
4. **Format for Complaints** – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone or in person will be reduced to writing, may be recorded and will be provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.
 5. **Discrimination Complaint Form** – The Discrimination Complaint Form is consistent with the FTA Certifications & Assurances, "Nondiscrimination Assurance."
 6. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, creed (religion) or disability. The term "basis" refers to the complainant's membership in a protected group category.

Protected Categories	Definition	Examples	Applicable Statutes and Regulations
			FTA
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 49 U.S.C. 5332(b); FTA Circular 4702.1B
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.	
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered.	Mexican, Cuban, Japanese, Vietnamese, Chinese	
Sex	Gender	Women and Men	49 U.S.C. 5332(b); Title IX of the Education Amendments of 1972
Age	Persons of any age	21 year old person	Age Discrimination Act of 1975
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, paraplegic, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990
Creed	Religion.	Muslim, Christian, Hindu, Atheist	49 U.S.C. 5332(b)

Complaint Processing

1. When a complaint is received by Columbus County Transportation, a written acknowledgment and a Consent Release form will be mailed to the complainant within ten (10) business days by registered mail.
2. **Columbus County Transportation cannot investigate Title VI complaints filed against itself**, but can investigate ADA complaints against itself. Columbus County Transportation will consult with the NCDOT External Civil Rights Section to determine the acceptability and jurisdiction of all complaints received. (Note: If NCDOT has jurisdiction, the External Civil Rights Section will be responsible for the remainder of this process. Columbus County Transportation will record the transfer of responsibility in its complaints log).
3. Additional information will be requested if the complaint is incomplete. The complainant will be provided 15 business days to submit any requested information and the signed Consent Release form. Failure to do so may be considered good cause for a determination of no investigative merit.
4. Upon receipt of the requested information and determination of jurisdiction, Columbus County Transportation will notify the complainant and respondent of whether the complaint has sufficient merit to warrant investigation.
5. If the complaint is investigated, the notification shall state the grounds of the Columbus County Transportation's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. If the complaint does not warrant investigation, the notification to the complainant shall specifically state the reason for the decision.

Complaint Log

1. When a complaint is received by Columbus County Transportation, the complaint will be entered into the Discrimination Complaints Log with other pertinent information, and assigned a **Case Number**. (Note: All complaints must be logged).
2. The complaints log will be submitted to the NCDOT's Civil Rights office during Title VI compliance reviews. (Note: NCDOT may also be request the complaints log during pre-grant approval processes).
3. The **Log Year(s)** since the last submittal will be entered (e.g., 2012-2015, 2014-2015, FFY 2015, or 2015) and the complaints log will be signed before submitting the log to NCDOT.
4. When reporting **no complaints**, check the **No Complaints or Lawsuits** box and sign the log.

Columbus County Transportation
DISCRIMINATION COMPLAINT FORM

Any person who believes that he/she has been subjected to discrimination based upon race, color, religion, sex, age, national origin, or disability may file a written complaint with Columbus County Transportation, within 180 days after the discrimination occurred.			
Last Name:		First Name:	
		<input type="checkbox"/> Male <input type="checkbox"/> Female	
Mailing Address:		City	State
			Zip
Home Telephone:	Work Telephone:	E-mail Address	
Identify the Category of Discrimination:			
<input type="checkbox"/> RACE	<input type="checkbox"/> COLOR	<input type="checkbox"/> NATIONAL ORIGIN	<input type="checkbox"/> AGE
<input type="checkbox"/> RELIGION	<input type="checkbox"/> DISABILITY	<input type="checkbox"/> SEX	
*NOTE: Title VI bases are race, color, national origin. All other bases are found in the "Nondiscrimination Assurance" of the FTA Certifications & Assurances.			
Identify the Race of the Complainant			
<input type="checkbox"/> Black	<input type="checkbox"/> White	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Asian American
<input type="checkbox"/> American Indian	<input type="checkbox"/> Alaskan Native	<input type="checkbox"/> Pacific Islander	<input type="checkbox"/> Other _____
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.			
Names of individuals responsible for the discriminatory action(s):			
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).			
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.			
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).			
<u>Name</u>	<u>Address</u>	<u>Telephone</u>	
1. _____			
2. _____			
3. _____			
4. _____			

DISCRIMINATION COMPLAINT FORM

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

- ☐ NC Department of Transportation _____
☐ Federal Transit Administration _____
☐ Federal Highway Administration _____
☐ US Department of Transportation _____
☐ Federal or State Court _____
☐ Other _____

Have you discussed the complaint with any Columbus County Transportation representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, are you seeking for the alleged discrimination.

****WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.**

COMPLAINANT'S SIGNATURE _____

DATE _____

MAIL COMPLAINT FORM TO:
 Columbus County Transportation
 290 Legion Dr
 Whiteville, NC 28472
 Ph 910-641-3929, Fax 910-642-6338

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to: ☐ NCDOT ☐ FTA Date Referred: _____

INVESTIGATIVE GUIDANCE

- A. Scope of Investigation** – An investigation should be confined to the issues and facts relevant to the allegations in the complaint, unless evidence shows the need to extend the issues.
- B. Developing an Investigative Plan** – It is recommended that the investigator prepares an Investigative Plan (IP) to define the issues and lay out the blueprint to complete the investigation. The IP should follow the outline below:
1. Complainant(s) Name and Address (Attorney name and address if applicable)
 2. Respondent(s) Name and Address (Attorney for the Respondent(s) name and address)
 3. Applicable Law(s)
 4. Basis/(es)
 5. Allegation(s)/Issue(s)
 6. Background
 7. Name of Persons to be interviewed
 - a. Questions for the complainant(s)
 - b. Questions for the respondent(s)
 - c. Questions for witness(es)
 8. Evidence to be obtained during the investigation
 - a. Issue – Complainant allege that there are only six African American contractors participating in the highway construction industry in the State and their contract awards are very small.
 - i. Documents needed: documents which show all DBE firms which currently have contracts and must include the following 1) name and race of DBE firm; 2) Date of initial certification into the DBE program; 3) type of business; 4) contracts awarded anytime during the period to the present; 5) dollar value of contract.
- C. Request for Information** – The investigator should gather data and information pertinent to the issues raised in the complaint.
- D. Interviews** – Interviews should be conducted with the complainant, respondent, and appropriate witnesses during the investigative process. Interviews are conducted to gain a better understanding of the situation outlined in the complaint of discrimination. The main objective during the interview is to obtain information that will either support or refute the allegations.
- E. Developing an Investigative Report** – The investigator should prepare an investigative report setting forth all relevant facts obtained during the investigation. The report should include a finding for each issue. A sample investigative report is provided below.

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TEMPLATE/SAMPLE Investigative Report

- I. COMPLAINANT(S) NAME** (or attorney for the complainant(s) – name and address if applicable
Name, Address, Phone: 999-999-9999)
- II. RESPONDENT(S)** (or attorney for the respondent(s) – name and address if applicable)
Name, Address, Phone: 999-999-9999
- III. APPLICABLE LAW/REGULATION**
[For example, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); 49 CFR §21.11; 49 CFR §26.53]
- IV. COMPLAINT BASIS/(ES)**
[For example, Race, Color, National Origin, Religion, Sex, Age, Disability)]

V. ISSUES/ALLEGATIONS

[Describe in logical sequence, each allegation including the prohibited basis for the alleged discriminatory conduct, (e.g., race, color, religion, sex, national origin, age, or disability) and the specific statutory or regulatory provision the allegation would violate, if proven to be true.]

Issue #1 – Complainant alleges that transit system failed to inform minority communities of rate increases.

Issue #2 – Complainant alleges that transit system has not sufficiently publicized or held public meetings to share information regarding fare increases and route changes that impacts low-income and minority citizens.

VI. BACKGROUND

[Provide detailed information regarding the complaint, including a historical overview of the case, including any activities or actions taken prior to accepting the complaint for investigation.]

VII. INVESTIGATIVE PROCEDURE

[Describe in detail, methods used to conduct the investigation, such as document requests, interviews and site visits. Include witnesses' names and addresses, documents received and/or reviewed, emails sent and received.]

VIII. ISSUES / FINDINGS OF FACT

[Provide a detailed description of the investigator's analysis of each allegation, based on clear and factual findings. Include specific evidence used to support your findings.]

IX. CONCLUSION

[State whether discrimination did or did not occur. Conclusions must be evidence-based and defensible. Test conclusions by considering all possible rebuttal arguments from the respondent and complainant. Both respondent and the complainant should be given an opportunity to confirm or rebut the assertions of the other party and your findings, but all the evidence you've presented should speak for itself.]

X. RECOMMENDED ACTIONS

[Outline what should be done to remedy the findings or, if necessary, provide justice for the complainant.]

APPENDIX

[Include in the Appendix any supplemental materials that support your findings and conclusion.]

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8.0 SERVICE AREA POPULATION CHARACTERISTICS

To ensure that Title VI reporting requirements are met, Columbus County Transportation will collect and maintain population data on potential and actual beneficiaries of our programs and services. This section is intended as a compilation of relevant population characteristics from our overall service area. This data will provide context to the Title VI Nondiscrimination Program and be used to ensure nondiscrimination and improve public outreach initiatives and delivery of ongoing programs.

8.1 RACE AND ETHNICITY

The following table was completed using data from Census Table QT-P3, Race and Hispanic or Latino Origin: 2010:

Race and Ethnicity	Number	Percent
Total Population	58,098	100
White	35735	61.5
Black or African American	17713	30.5
American Indian or Alaska Native	1845	3.2
Asian	154	.3
Native Hawaiian and Other Pacific Islander	27	0
Some other Race	1750	3.0
Two or More Races	874	1.5
HISPANIC OR LATINO (of any race)	2662	4.6
Mexican	2154	3.7
Puerto Rican	133	.2
Cuban	19	0
Other Hispanic or Latino	356	.6

8.2 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population				100%	100%	100%
Under 5 years	3514	1753	1761	6	3	3
Under 18 years	14994	7506	7488	25.7	12.9	12.8
18 to 64 years	34274	17599	16675	58.9	30.4	28.7
65 years and over	8830	3648	5182	15.3	6.3	8.9
Median Age	39.8	38	41.9			

8.3 DISABILITY

The following table was completed using data from Census Table S1810, Disability Characteristics:

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	54225	243	11100	782	20.5	1.4
Population under 5 years	3157	19	21	25	.7	.8

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Population 5 to 17 years	9402	56	844	202	9	2.1
Population 18 to 64 years	31862	390	5869	759	31.8	4.6
Population 65 years and over	9804	178	4366	453	93.8	9
SEX						
Male	25514	281	5483	503	21.5	1.9
Female	28711	159	5617	450	19.6	1.6
RACE AND HISPANIC OR LATINO ORIGIN						
White	34145	452	6572	588	19.2	1.7
Black or African American	16189	244	3981	408	24.6	2.4
American Indian and Alaska Native	1930	224	360	73	18.7	4
Asian	168	87	0	28	0	17.5
Native American and Other Pacific Islander	11	11	0	28	0	89.4
Some other Race	1270	475	36	40	2.8	3.3
Two or more races	512	142	151	69	29.5	10
Hispanic or Latino	2711	65	136	62	5	2.3

8.4 POVERTY

The following table was completed using data from Census Table S1701, Poverty Status in the Past 12 Months:

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	54131	252	12443	1078	23.0	2
AGE						
Under 18	12425	97	4164	459	33.5	3.7
18 to 64	31902	225	6902	690	21.6	2.1
65 years and over	9804	130	1377	212	14	2.2
SEX						
Male	25471	293	5386	580	21.1	2.1
Female	28660	160	7057	666	24.6	2.3
RACE AND HISPANIC OR LATINO ORIGIN						
White	34149	448	5386	730	15.8	2.1
Black or African American	16085	257	5794	710	36	4.3
American Indian and Alaska Native	1930	224	479	144	24.8	6.7
Asian	168	87	105	115	62.5	49.9
Native Hawaiian and Other Pacific Islander	17	14	3	5	17.6	35.9
Some other Race	1270	475	464	243	36.5	18.6
Two or more races	512	142	212	87	41.4	13.1
Hispanic or Latino						
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	6279	816				
125 percent of poverty level	16140	1243				
150 percent of poverty level	19839	1161				
185 percent of poverty level	24100	1265				
200 percent of poverty level	25314	1248				

8.5 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months (In 2013 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total		
Less than \$10,000	12.6	1.4
\$10,000 to \$14,999	9.9	1.6
\$15,000 to \$24,999	12.9	1.6
\$25,000 to \$34,999	13.6	1.7
\$35,000 to \$49,999	14.1	1.4
\$50,000 to \$74,999	16.2	1.6
\$75,000 to \$99,999	9.9	1.3
\$100,000 to \$149,999	7.9	1.3
\$150,000 to \$199,999	1.4	.4
\$200,000 or more	1.6	.5
Median income (dollars)	35847	1650
Mean income (dollars)	52285	2944

8.6 LIMITED ENGLISH PROFICIENCY POPULATIONS

The following table was completed using data from Census table B16001, Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over:

Language Spoken 5 years and over		
	Estimate	Margin of Error +/-
Total	54121	118
Speak only English	51250	290
Spanish or Spanish Creole:	2489	248
Speak English "very well"	1075	245
Speak English less than "very well"	1414	233
French	66	48
Speak English "very well"	60	46
Speak English less than "very well"	6	10
French Creole:	9	17
Speak English "very well"	0	28
Speak English less than "very well"	9	17
German:	56	39
Speak English "very well"	56	39

8.7 POPULATION LOCATIONS

Federal-aid recipients are required to know the characteristics and locations of populations they serve, particularly by race/ethnicity, poverty and limited English proficiency. This can be accomplished through maps that overlay boundaries and demographic features on specific communities.

9.0 TITLE VI EQUITY ANALYSES (AND ENVIRONMENTAL JUSTICE ASSESSMENTS)

Title VI Equity Analyses. In accordance with FTA Circular 4702.18, a Title VI equity analysis will be conducted whenever we construct a facility, such as a vehicle storage facility, maintenance facility, or operation center. The equity analysis will be conducted during the planning stage, with regard to the location of the facility, to determine if the project could result in a disparate impact to minority communities based on race, color or national origin. Accordingly, we will look at various alternatives before selecting a site for the facility. Project-specific demographic data on potentially affected communities and their involvement in decision-making activities will be documented. Title VI Equity Analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations.

Environmental Justice Analyses. As required by FTA C 4703.1, environmental justice (EJ) analyses will be conducted to determine if our programs, policies, or activities will result in disproportionately high and adverse human health and environmental effects on minority populations and low-income populations. EJ applies to our projects, such as when we construct or modify a facility, and our policies, such as when there will be a change in service, amenities or fares. Thus, we will look at various alternatives and seek input from potentially affected communities before making a final decision. Demographic data will be collected to document their involvement in the decision-making process. EJ analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations.

10.0 PUBLIC INVOLVEMENT

10.1 INTRODUCTION

Effective public involvement is a key element in addressing Title VI in decision-making. Recipients engaged in planning and other decision-making activities must have a documented public participation process that provides adequate notice of public participation activities, and early and continuous opportunities for public review and comment at key decision points. Underlying these efforts is our commitment to determining the most effective outreach methods for a given project or population.

This **Public Participation Plan** describes how Columbus County Transportation will disseminate vital agency information and engage the public by seeking out and considering the needs and input of interested parties and those traditionally underserved by existing transportation systems, such as minority and limited English proficient persons, who may face challenges accessing programs and other services. General public involvement practices will include:

- Coordinating with community- and faith-based organizations, educational institutions, and other entities to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities. Some of the entities we have been coordinating with are DSS, the Health Department, the Department of Aging, Columbus County Partnership for Children, Columbus Regional Healthcare Center, Workshop, Columbus County Schools, and more.
- Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP persons could also include audio programming available on podcasts.

10.2 PUBLIC NOTIFICATION

Passengers and other interested persons will be informed of their rights under Title VI and related authorities with regard to our program. The primary means of achieving this will be posting and disseminating the policy statement and notice as stipulated in Sections 3.0 and 4.0, respectively.

10.3 DISSEMINATION OF INFORMATION

Information on Title VI and other programs will be crafted and disseminated to employees, contractors and subrecipients, stakeholders, and the general public. Public dissemination efforts may vary depending on factors present, but will generally include: posting public statements setting forth our nondiscrimination policy in eye-catching locations; placing brochures in public places, such as government offices, transit facilities, and libraries; having nondiscrimination language within contracts; including nondiscrimination notices in meeting announcements and handouts.

At a minimum, nondiscrimination information will be disseminated on our website and on posters in conspicuous areas at our office(s). Our most current Title VI-related information will be maintained online.

10.4 MEETINGS AND OUTREACH

There is no one-size-fits-all approach to public involvement. A variety of comprehensive and targeted public participation methods will be used to facilitate meaningful public involvement. Methods for engaging stakeholders and target audiences, including traditionally underserved and excluded populations (i.e., minorities, youth, low-income, the disabled, etc.) will include the following:

Public Relations and Outreach

Public relations and outreach (PRO) strategies aim to conduct well-planned, inclusive and meaningful public participation events that foster good relations and mutual trust through shared decision-making with the communities we serve.

- We will seek out and facilitate the involvement of those potentially affected.
- Public events will aim to be collaborative, fun, and educational for all, rather than confrontational and prescriptive.
- Media plans will typically involve multiple channels of communication like radio, TV, and newspaper ads.
- We will do our best to form decision-making committees that look like and relate to the populations we serve.
- We will seek out and identify community contacts and partner with local community- and faith-based organizations that can represent, and help us disseminate information to, target constituencies.
- Demographic data will be requested during public meetings, surveys, and from community contacts and committee members.

Public Meetings

"Public meeting" refers to any meeting open to the public, such as hearings, charrettes, open house and board meetings.

- Public meetings will be conducted at times, locations, and facilities that are convenient and accessible.
- An assortment of advertising means may be employed to inform the community of public meetings.
- Assistance to persons with disabilities or limited English proficiency will be provided, as required.

Community Surveying

- Opinion surveys will occasionally be used to obtain input from targeted groups or the general public on their transportation needs, the quality or costs of our services, and feedback on our public outreach efforts.
- Surveys may be conducted via telephone or with assistance from other local agencies like social services and the health department.

10.5 LIMITED ENGLISH PROFICIENCY

Limited English Proficient (LEP) persons refers to persons for whom English is not their primary language who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

In an effort to comply with DOT's LEP policy guidance and Executive Order 13163, this section of our public participation plan outlines the steps we will take to ensure meaningful access to all benefits, services, information, and other important portions of our programs and activities by individuals who are limited-English proficient. Accordingly, a four factor analysis was conducted to determine the specific language services appropriate to provide, and to whom, to inform language assistance planning and determine if our communication with LEP persons is effective.

Four Factor Analysis

This Four Factor Analysis is an individualized assessment that balances the following four factors:

- (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee;
- (2) The frequency with which LEP individuals come in contact with the program;
- (3) The nature and importance of the program, activity, or service provided by the recipient to people's lives; and
- (4) The resources available to the recipient and costs.

Factor #1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program, activity, or service of the recipient.

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
Total (population 5 years and over):	54121	+/- 118	100%	(X)
Speak only English	51250	+/- 290	%	+/- %
Spanish or Spanish Creole:	2489	+/- 248	%	+/- %
Speak English "very well"	1075	+/- 245	%	+/- %
Speak English less than "very well"	1414	+/- 233	%	+/- %

These findings show that Spanish is the next language most often spoken at home in Columbus County. The margin of error must be added to the LEP total in order to reach 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be encountered. The demographic information reported indicates that group is estimated to be 1,647 of the population which signifies that CCT meets the Safe Harbor Threshold. Our Spanish speaking customer base is located primarily in Chadbourne, Tabor City and Cerro Gordo which are in the Western and Southern parts of the county.

Factor #2: The frequency with which LEP individuals come in contact with the program.

Columbus County Transportation works closely with DSS and the Health Department, both of which have employees who can translate for LEP individuals. Most of the LEP population in Columbus County is referred to one of these two agencies when needing assistance with translations, therefore most of our LEP passenger's transportation is arranged by these agencies. The others usually have children that will translate for them and will have them to make their arrangements or they can speak English well enough to do it themselves. We typically will transport an LEP passenger about 2-3 times a quarter.

CCT employees will be trained on what to do when they encounter a person that speaks English less than well. CCT will track the number of encounters and make adjustments as needed to its outreach efforts to ensure meaningful access to all persons and specifically to LEP and minority populations of CCT programs and services.

Our agency has an open door policy and will provide rides to any county resident who requests a ride. If an individual has speech limitations, the dispatcher or driver will work with the Director and the county of Columbus, if needed to ensure the individual receives access to the transportation service.

Factor #3: *The nature and importance of the program, activity, or service provided by the recipient to people's lives.*

Columbus County Transportation's purpose is to provide transportation to all citizens of Columbus County who need it. CCT provides these services to both the general public and to clients whose transportation is sponsored through an agency contract with CCT. These agencies are DSS, Columbus County Partnership for Children, Workshop, Columbus County Schools, and Columbus Regional Healthcare System. We have many clients on dialysis that we transport 3 times a week for their treatments and Veterans that we take to the VA hospitals in Fayetteville, Wilmington, and Pembroke.

Mobility is very important for our clients in Columbus County. Without our public transportation many of them would not be able to get to medical appointments, human service agencies, dialysis, education, work, and shopping for groceries and other necessities. This improves the quality of life of many citizens of Columbus County.

Factor #4: *The resources available to the recipient and costs.*

Columbus County Transportation partners with the Columbus County Health Department to offer assistance to LEP clients. They offer translation assistance as well as referrals for transportation. This service is provided at no cost to Columbus County Transportation.

Google Translator can also be used as a free resource to translate and interpret written and verbal information.

LANGUAGE ASSISTANCE PLAN

As a result of the above four factor analysis, a Language Assistance Plan (Plan) was required. This Plan represents our commitment to ensuring nondiscrimination and meaningful access by LEP persons. This Plan also details the mechanisms we will use to reach LEP persons and the language assistance services we provide. We will provide services to any person, upon request. If an individual is LEP, we will work with the individual to ensure they receive the needed transportation service. Our employees will be routinely oriented on the principles and practices of Title VI and LEP to ensure fairness in the administration of this Plan.

Language Assistance Measures

The following general language assistance measures are reasonable and achievable for our organization at this time:

- Translating public notices posted in the local paper and at stations, stops, and in vehicles into the languages of all language groups that met the threshold in Factor 1.
- Vital documents—such as brochures with service times and routes—are translated into Spanish across the entire service area, and available in our facilities, doctor's offices and shopping centers.
- Making a concerted effort to inform LEP persons of available language assistance via staff, broadcast media, relationship-building with organizations, and our website.
- Posting vital bulletin board information and disseminating community surveys in various languages.
- Providing translation and interpretive services when appropriate (upon request or predetermined) at meetings.

- Determining how best to take public involvement to LEP groups directly, including through small group meetings.
- Language line translation services at our call center.
- Utilizing or hiring staff who speak a language other than English and can provide competent language assistance.
Note: We will not ask community-based organizations to provide, or serve as, interpreters at our meetings. Relying upon CBOs in that capacity could raise ethics concerns. If a CBO decides (on its own) to translate any materials for its constituents, or bring interpreters it trusts to our meetings, we cannot object. That is their right.
- Using language identification flashcards to determine appropriate services.
- Establishing a process to obtain feedback on our language assistance measures.

Specific Measures by Language Group

- **Spanish:** Working closely with our county department of social services and our health department has proven to be a very helpful means of communicating with our Spanish speaking population. They both employ Spanish speaking employees and many of our Spanish speaking clients are referred to us through them.

Written Translation and Oral Interpretation

Vital documents will be translated for each eligible LEP language group in our service area that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be encountered. Translated materials will be placed online and in appropriate public (or private) places accessible to LEP persons. The safe harbor provisions apply to the translation of written documents only, and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. When appropriate, translation of any document will be communicated orally in the appropriate language.

In the event that the 5% trigger is reached for a LEP language group that is fewer than 50 persons, written notice will be provided in the primary language of that group of the right to receive competent oral interpretation of vital written materials, free of cost. The most effective method of notice, which could be an ad in the local newspaper or other publication, a radio commercial, or door hangers, will be determined in consideration of the circumstances on the ground and in coordination with language access resource contacts (LARCs).

Staff Support for Language Assistance

- Agency staff will be provided a list of referral resources that can assist LEP persons with written translation and oral interpretation, including the Title VI Officer and any outside consultant contracted to provide language services. This list will be updated as needed to remain current.
- **Training:** All employees will be instructed on our procedures for providing timely and reasonable assistance to LEP persons. New employee orientation will also explain these procedures to new hires. Staff routinely encountering LEP persons by telephone or in person will receive annual refresher training. All other employees will be reminded of LEP through annual Title VI program acknowledgements (Section 5.0) and basic Title VI trainings (Section 11.0).

Project-Specific LEP Outreach

A project-specific four factor analysis will be conducted for any project being planned or scheduled outreach event limited to a specific geographical area delineated for that activity (i.e., the project study area or outreach area, respectively). Language assistance will be provided in accordance with the measures already outlined, including translating written materials for each LEP language group that is 5% or 1,000, whichever is less, of the project or outreach area population.

Monitoring and Updating the LAP

Monitoring of daily interactions with LEP persons will be continuous, thus assistance techniques may be refined at any time. This LAP will be periodically reviewed to determine if our language assistance measures and staff training are working. Resource availability and feedback from agency staff and the general public will be factors in the evaluation and any proposed updates. Among other practices, this process will include working with LEP community contacts to determine if our employees are responding appropriately to requests made with limited English or in languages other than English, and observing how agency staff responds to requests, including observing drivers or surveying riders. To the best of our ability, we will attempt to never eliminate a successful existing LEP service. Significant LEP program revisions will be approved or adopted by our board or designated official and dated accordingly. LEP data and procedures will be reviewed and updated at least once every three years.

10.6 DEMOGRAPHIC REQUEST

The following form was used to collect required data on Key Community Contacts and nonelected committee members. A single copy of the "Demographic Request" form is located in Appendix E.

Columbus County Transportation is required by Title VI of the Civil Rights Act of 1964 and related authorities to record demographic information on members of its boards and committees. Please provide the following information:

Race/Ethnicity: <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other (please specify): _____	National Origin: (if born outside the U.S.) <input type="checkbox"/> Mexican <input type="checkbox"/> Central American: _____ <input type="checkbox"/> South American: _____ <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Chinese <input type="checkbox"/> Vietnamese <input type="checkbox"/> Korean <input type="checkbox"/> Other (please specify): _____
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Age: <input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
Disability: <input type="checkbox"/> Yes <input type="checkbox"/> No	
I choose not to provide any of the information requested above: <input type="checkbox"/>	

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact the Columbus County Transportation at 910-641-3929 or by email at joy.jacobs@columbusco.org.

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

Name (print): _____

Signature: _____

Implementation

- Forms will be completed prior to triennial Title VI compliance reviews and remain on file for three years.
- All new and existing members of appointed decision-making boards or committees will be *required* to complete this form for reporting purposes.
- If a member, for whatever reason, selects *"I choose not to provide any of the information requested above,"* they will have also **completed** the form.
- If a member chooses not to provide any of the information on the form, the Title VI Coordinator will be permitted to indicate that member's race and gender, based on the Coordinator's best guess.
- Data from these forms will be used to complete the Demographic Request Table in Appendix F.
- Once a new member submits this form, the Demographic Request Table for the associated committee will be updated.

10.7 KEY COMMUNITY CONTACTS

Contact Name	Community Name	Interest or Affiliation	Also a Committee Member? (Y/N)
Kim Smith	Columbus County	Columbus County Health Dept	Y
Algemon McKenzie	Columbus County	DSS	Y

Contact information for key community contacts is not public information and is maintained outside of this document. Any staff member who wishes to contact anyone listed above must request that information from the Title VI Coordinator.

10.8 SUMMARY OF OUTREACH EFFORTS MADE SINCE THE LAST TITLE VI PROGRAM SUBMISSION

The following format will be used to report all outreach efforts made since our last NCDOT Title VI Compliance Review. All meetings and disseminations of information shall enable collection of information for the table below:

	Meeting Time	Meeting Purpose	Target Audience	Information Disseminated
5/21/2021	11:00 am	Public Outreach	General Public and citizens of the Waccamaw Siouan Tribe	Delivered brochures about our transportation system to the local Native American tribal office
8/19/2020	11:30 am	Public Outreach	Low income families and the general public	Delivered brochures about our transportation system. Meeting occurs 3-4 times each year.
6/17/2021	10:00 am	Public Outreach	County Depts who work with the elderly, veterans, low income, etc	Shared what public transportation does, how it operates and who can use it.
5/21/2021	10:00 am	Public Outreach	All citizens of Columbus County	Posted up flyers throughout the county about free transportation to vaccinations.

11.0 STAFF TRAINING

All employees will receive basic Title VI training at least once every three years. New hires will receive this training within 15 days of their start date. Basic training will cover all sections of this Plan and our overall Title VI obligations. Staff may receive specialized training on the application of Title VI in their specific work areas. Those who routinely encounter the

public, such as office personnel, call center staff, and vehicle drivers, will receive annual refresher training. Trainings will be provided or organized by the Title VI Coordinator, and will often coincide with updates to our nondiscrimination policies and procedures. Records of staff trainings will remain on file for at least three years (and in personnel files), and will include agendas, sign-in sheets, copies of calendars, and any certificates issued.

12.0 NONELECTED BOARDS AND COMMITTEES – BY RACE AND GENDER

The table below depicts race and gender compositions for each of our nonelected (appointed) decision-making bodies. Refer to Appendix F & G... for member names and full demographics for each committee.

Body	Male %	Female %	Caucasian %	African American %	Asian American %	Native American %	Other %	Hispanic %
Service Area Population	49.5	50.5	62.6	31.3	.4	4	3.3	4.6
Transit Advisory Board	60	40	67	33	0	0	0	0
Board of Commissioners	100	0	86	14	0	0	0	0

Strategies for Representative Committees

We will seek minority participation and strive for committees that are representative of our constituencies by:

- Openly asking public and small group meeting participants if they would be interested in serving on a committee.
- Seeking referrals from local organizations and key community contacts that serve or represent minorities.
- Exploring different types of committees, such as ad hoc minority- or youth-only Citizen Advisory Committees.
- Outreach efforts and responses (or lack thereof from those asked to serve or refer others) will be documented.

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13.0 RECORD-KEEPING AND REPORTS

Records will be kept to document compliance with the requirements of the Title VI Program. Unless otherwise specified, Title VI-related records shall be retained indefinitely. These records will be made available for inspection by authorized officials of the NCDOT and/or FTA. As a subrecipient of FTA funds through NCDOT, we are required to submit a Title VI Program update to NCDOT every three years, the next of which is due in **2021**. Reports on Title VI-related activities and progress to address findings identified in civil rights compliance reviews and assessments may also be submitted on an as-requested basis. It will occasionally be necessary to update this program plan and its component parts (e.g., complaints, Public Involvement, and LEP), applicable documents, and responsible officials. Updates will be submitted to NCDOT for review and approval.

In addition to other items throughout this plan, records and reports due at the time of compliance reviews or investigations will include:

Compliance Reviews

- Title VI Program Plan
- List of civil rights trainings provided or received
- Summaries from any *internal* reviews conducted
- Ads and notices for specific meetings
- Findings from reviews by any other *external* agencies
- Title VI equity analyses and EJ assessments
- Discrimination Complaints Log

[Any PTD reporting expectations, such as related quarterly or annual reports, public outreach or actual LEP expenses, etc...]

Complaint Investigations

- Investigative Reports
- Discrimination complaint, as filed
- List of interviewees (names and affiliations)
- Supporting Documentation (e.g., requested items, photos taken, dates and methods of contact, etc.)

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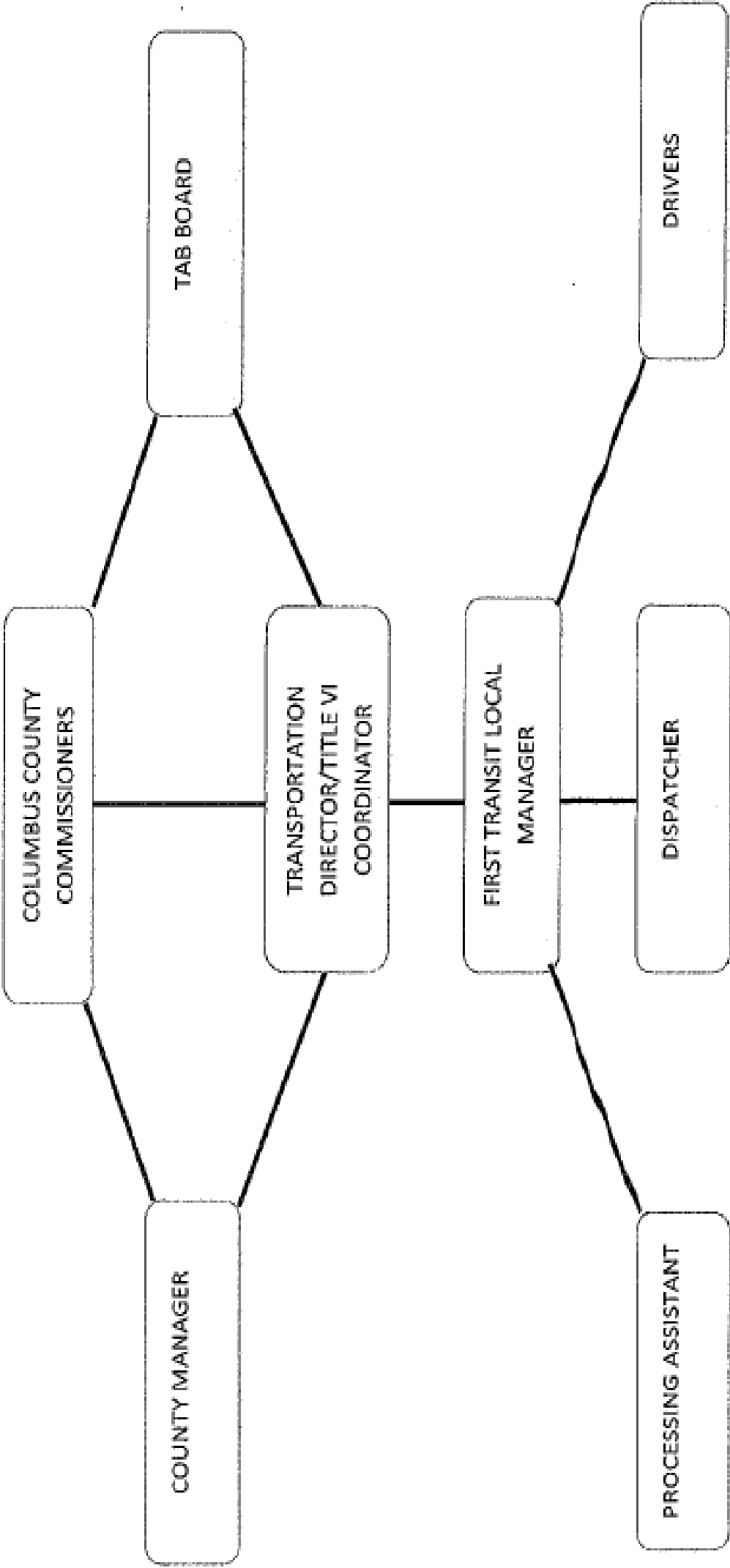
Appendix A

Applicable Nondiscrimination Authorities

During the implementation of this Title VI Program, the organization, for itself, its assignees and successors in interest, is reminded that it has agreed to comply with the following non-discrimination statutes and authorities, including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).
- Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e *et seq.*, Pub. L. 88-352), (prohibits employment discrimination on the basis of race, color, religion, sex, or national origin);
- 49 CFR Part 26, regulation to ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).

Appendix B
Organizational Chart



Organizational Chart Names

COLUMBUS COUNTY COMMISSIONERS:

- Jerome McMillian
- Lavern Coleman
- Giles Byrd
- Chris Smith
- Brent Watts
- Ricky Bullard
- Charles McDowell

COUNTY MANAGER:

- Edwin H Madden Jr

TRANSPORTATION DIRECTOR/TITLE VI COORDINATOR:

- Joy Jacobs

FIRST TRANSIT LOCAL MANAGER:

- Anthony Rowell

TAB BOARD:

- Kim Smith
- Gary Lanier
- Jesse Beck II
- Algernon McKenzie
- Charles Garrett
- Patrick Flanagan
- Selena Rowell
- Sylvia Cox
- Michael Lee
- Trelonnie Owens
- Briana Williamson
- Kay Stephens

Appendix C

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NCDOT's Compliance Review Checklist for Transit

I. Program Administration (General Requirements)	
Requirement: FTA C 4702.1B – Title VI Requirements and Guidelines for FTA Recipients, Chapter III – General Requirements and Guidelines.	
Note: Every NCDOT subrecipient receiving any of the FTA Formula Grants listed above must complete this section.	
Requested Items (Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)	Completed
1. A copy of the recipient's <i>signed</i> NCDOT's Title VI Nondiscrimination Agreement	<input type="checkbox"/>
2. Title VI Policy Statement (<i>signed</i>)	<input type="checkbox"/>
3. Title VI Notice to the Public, including a list of locations where the notice is posted	<input type="checkbox"/>
4. Type the name and title of your Title VI Coordinator and attach a list of their Title VI duties Name/Title: Joy Jacobs/Director	<input type="checkbox"/>
5. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)	<input type="checkbox"/>
6. Title VI Complaint Form	<input type="checkbox"/>
7. List of transit-related Title VI investigations, complaints, and lawsuits (i.e., discrimination complaints log)	<input type="checkbox"/>
8. Public Participation Plan, including information about outreach methods to engage traditionally underserved constituencies (e.g., minorities, limited English proficient populations (LEP), low-income, disabled), as well as a summary of outreach efforts made since the last Title VI Program submission	<input type="checkbox"/>
9. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance, which requires conducting four-factor analyses	<input type="checkbox"/>
10. A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees	<input type="checkbox"/>
11. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions <i>reviewed and approved</i> the Title VI Program	<input type="checkbox"/>
12. A description of the procedures the agency uses to ensure nondiscriminatory administration of programs and services	<input type="checkbox"/>
13. If you pass through FTA funds to other organizations , include a description of how you monitor your subrecipients for compliance with Title VI, and a schedule for your subrecipients' Title VI Program submissions. ➤ No Subrecipients <input checked="" type="checkbox"/>	<input type="checkbox"/>
14. A Title VI equity analysis if you have constructed or conducted planning for a facility , such as a vehicle storage facility, maintenance facility, operation center, etc. ➤ No Facilities Planned or Constructed <input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Copies of environmental justice assessments conducted for any construction projects during the past three years and, if needed based on the results, a description of the program or other measures used or planned to mitigate any identified adverse impact on the minority or low-income communities ➤ No Construction Projects <input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix E
Demographic Request Form

Columbus County Transportation is required by Title VI of the Civil Rights Act of 1964 and related authorities to record demographic information on members of its boards and committees. Please provide the following information:

Race/Ethnicity: <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other (please specify): _____	National Origin: (if born outside the U.S.) <input type="checkbox"/> Mexican <input type="checkbox"/> Central American: _____ <input type="checkbox"/> South American: _____ <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Chinese <input type="checkbox"/> Vietnamese <input type="checkbox"/> Korean <input type="checkbox"/> Other (please specify): _____
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Age: <input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
Disability: <input type="checkbox"/> Yes <input type="checkbox"/> No	
I choose not to provide any of the information requested above: <input type="checkbox"/>	

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact the Columbus County Transportation at 910-641-3929 or by email at joy.jacobs@columbusco.org.

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

Name (print): _____

Signature: _____

Appendix F

Columbus County Transportation

Committee Name:		CCT TAB Board										Race and Gender													
Names	Agencies or Self-Identify	Age			Born Outside US	American Indian or Alaska Native		Asian		Black or African American		Hispanic or Latino		Native Hawaiian or other Pacific Islander		White or Caucasian		All Others		Total Members	Affiliation or Interest				
		Less Than 18	18-64	65 & older		M	F	M	F	M	F	M	F	M	F	M	F	M	F						
1 Patrick Flanagan	X		X																	1	RPO Rep				
2 Charles Garrett			X							X										1	Employment Security				
3 Gary Lanier			X													X				1	Economic Development				
4 Michael Lee			X							X										1	Monarch Columbus Industries				
5 Sylvia Cox			X																		1	South eastern Community College			
6 Selena Rowell			X								X									1	Partnership for Children				
7 Kim Smith			X																	1	Health Dept				
8 Al McKenzie			X							X										1	DSS				
9 Eddie Beck			X													X				1	Columbus County Schools				
10 Brinnia K Williamson			X																	1	Dept of Aging				
11																									
12 Kay Stephens			X																		1	Columbus County Emergency Services			
13 Trephine Owens			X							X										1	Private Provider				
14																									
15																									
Total										4	1					5	5			7	5				

Appendix G

Columbus County Transportation

Colquhoun County Transportation																														
COUNTY COMMISSIONERS													Race and Gender										Affiliation or Interest							
Committee Name:		Did Not Vote / Did Not Identify		Age			Non-Resident		Born Outside U.S.		American Indian or Alaska Native		Asian		Black or African American		Hispanic or Latino		Native Hawaiian or other Pacific Islander		White or Caucasian						All Other		Total Members	
											M	F	M	F	M	F	M	F	M	F	M	F					M	F	M	F
Names		Less Than 18	18-64	65 & older																										
1 Ricky Bullard			X																											
2 Lauren Coleman				X																										
3 Jerome McWilliam			X													X														
4 Chris Smith				X																										
5 Giles E Byrd				X																										
6 Brent Watts			X																											
7 Charles T McDowell			X																											
8																														
9																														
10																														
11																														
12																														
13																														
14																														
15																														
Total																3									6		7			

MOTION:

Commissioner Byrd made a motion to approve the Transportation Title VI Program Plan, seconded by Commissioner Watts. The motion unanimously passed.

**Agenda Item #11: TRANSPORTATION – APPROVAL of SSP PLAN and APPROVAL of SSP PLAN
UPDATED DRUG AND ALCOHOL POLICY:**

Joy Jacobs, Director, requested Board approval.

~~11/2019~~

DRUG AND ALCOHOL TESTING POLICY

~~[TRANSIT SYSTEM NAME]~~COLUMBUS COUNTY TRANSPORTATION]

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Adopted as of ~~[MONTH DD, YEAR]~~April 1, 2021

A. PURPOSE

1) The ~~[TRANSIT SYSTEM NAME]~~COLUMBUS COUNTY TRANSPORTATION] provides public transit and paratransit services for the residents of ~~[INSERT DESCRIPTION OF SERVICE AREA]~~Columbus County, NC. 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, ~~[TRANSIT SYSTEM NAME]~~COLUMBUS COUNTY TRANSPORTATION] declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.

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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 1986, 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 ~~[TRANSIT SYSTEM NAME]~~COLUMBUS COUNTY TRANSPORTATION] and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of ~~[TRANSIT SYSTEM NAME]~~COLUMBUS COUNTY TRANSPORTATION] will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

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B. APPLICABILITY

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This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. See Attachment A for a list of employees and the authority under which they are included.

A safety-sensitive function is operation of public transit service including the operation of a revenue service vehicle (whether or not the vehicle is in revenue service), maintenance of a revenue service vehicle or equipment used in revenue service, security personnel who carry firearms, dispatchers or persons controlling the movement of revenue service vehicles and any transit employee who operates a 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.

Adulterated specimen: A specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

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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.

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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

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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-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~~ as 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.

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Safety-sensitive functions: Employee duties identified as:

- (1) The operation of a transit revenue service vehicle even when the vehicle is not in revenue service.
- (2) The operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL).
- (3) Maintaining a revenue service vehicle or equipment used in revenue service.
- (4) Controlling the movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

Split Specimen Collection: A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

Substituted specimen: A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

Test Refusal: The following are considered a refusal to test if the employee:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second test as directed by the collector or the employer for drug testing.

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- (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 at or 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 at or 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

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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 1308.11 through 1308.15 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. It is important to note that the use of marijuana in any circumstances remains completely prohibited for any safety-sensitive employee subject to drug testing under USDOT regulations. The use of marijuana in any circumstance (including under state recreational and/or medical marijuana laws) by a safety-sensitive employee is a violation of this policy and a violation of the USDOT regulation 49 CFR Part 40, as amended. 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.

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- 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 [TRANSIT-SYSTEM-NAMECOLUMBUS 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.

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- 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) Illegal use of the drugs listed in this policy and as defined in 49 CFR Part 40, as amended is prohibited at all times. All covered employees are prohibited from reporting for duty or remaining on duty any-time there is a quantifiable presence of if they have used a prohibited drug in the body above the minimum thresholds as 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

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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) ~~TRANSIT SYSTEM-NAME~~COLUMBUS 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.

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- 8) Consistent with the Drug-free Workplace Act of 1988, all ~~TRANSIT SYSTEM-NAME~~COLUMBUS 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.

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G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the ~~TRANSIT SYSTEM-NAME~~COLUMBUS 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.

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H. TESTING REQUIREMENTS

- 1) Analytical urine drug testing and breath testing for alcohol will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and

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random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up.

- 2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be performed just before, during, or after the performance of a safety-sensitive job function. Under ~~TRANSIT SYSTEM-NAME~~COLUMBUS COUNTY TRANSPORTATION] authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

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- 3) All covered employees will be subject to urine drug testing and breath alcohol testing as a condition of ongoing employment with ~~TRANSIT SYSTEM-NAME~~COLUMBUS 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.

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1. 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

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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 ~~TRANSIT SYSTEM-NAMECOLUMBUS COUNTY TRANSPORTATION~~. If a legitimate explanation is found, the MRO will report the test result as negative.

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- 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. ~~TRANSIT SYSTEM-NAMECOLUMBUS COUNTY TRANSPORTATION~~ will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however ~~TRANSIT SYSTEM-NAMECOLUMBUS 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

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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 ~~[[TRANSIT—SYSTEM NAMECOLUMBUS COUNTY TRANSPORTATION]]~~ that there was not an adequate medical explanation for the result;

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- ii. The MRO reports to ~~[[TRANSIT—SYSTEM NAMECOLUMBUS 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;

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- 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;

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- 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.

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- 3) ~~TRANSIT SYSTEM NAME~~COLUMBUS 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.

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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.

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e. If a pre-employment test is canceled, ~~[TRANSIT SYSTEM NAMECOLUMBUS COUNTY TRANSPORTATION]~~ will require the applicant to take and pass another pre-employment drug test.

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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 ~~[TRANSIT SYSTEM NAMECOLUMBUS 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. ~~[TRANSIT SYSTEM NAMECOLUMBUS 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 ~~[TRANSIT SYSTEM NAMECOLUMBUS COUNTY TRANSPORTATION]~~ proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

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L. REASONABLE SUSPICION TESTING

1) All ~~[TRANSIT SYSTEM NAMECOLUMBUS 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

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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 [TRANSIT SYSTEM NAME COLUMBUS 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 anytime the covered employee is on duty.

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- 2) [TRANSIT SYSTEM NAME COLUMBUS 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 as specified in Section Q of this policy.

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- 3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the [TRANSIT SYSTEM NAME COLUMBUS COUNTY TRANSPORTATION]

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- 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. [TRANSIT SYSTEM NAME COLUMBUS 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 [TRANSIT SYSTEM NAME COLUMBUS 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

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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.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not

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conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that ~~[TRANSIT-SYSTEM-NAMECOLUMBUS COUNTY TRANSPORTATION]~~ is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), ~~[TRANSIT-SYSTEM-NAMECOLUMBUS 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.

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N. RANDOM TESTING

- 1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Employees who may be covered under company authority will be selected from a pool of non-DOT-covered employees.
- 2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.
- 3) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA administrator. The current year testing rates can be

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viewed online at <https://www.transportation.gov/odapc/random-testing-rates>.

- 4) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.
- 5) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under [TRANSIT SYSTEM NAME] COLUMBUS COUNTY TRANSPORTATION authority.
- 6) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. However, under [TRANSIT SYSTEM NAME] COLUMBUS 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.
- 7) Employees are required to proceed immediately to the collection site upon notification of their random selection.

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O. RETURN-TO-DUTY TESTING

[TRANSIT SYSTEM NAME] COLUMBUS 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

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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-is defined as any of the following circumstances:

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- 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.
- n. 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.

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- 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 of the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NONDOT alcohol test with a result of less than 0.02 BAC.
- 5) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:

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- 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 ~~(TRANSIT SYSTEM NAMECOLUMBUS COUNTY TRANSPORTATION)~~ 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 ~~(TRANSIT SYSTEM NAMECOLUMBUS 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 ~~(TRANSIT SYSTEM NAMECOLUMBUS 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

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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

~~TRANSIT SYSTEM NAME~~COLUMBUS 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.

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T. INFORMATION DISCLOSURE

- 1) Drug/alcohol testing records shall be maintained by the ~~TRANSIT SYSTEM NAME~~COLUMBUS COUNTY TRANSPORTATION] Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
- 2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.
- 3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need-to-know basis.
- 4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.
- 5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.

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- 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 TRANSIT SYSTEM Formatted: Not Highlight
NAME COLUMBUS 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.

Drug and Alcohol Testing Policy (Zero Tolerance – v.0421)

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This Policy was adopted by the LOCAL GOVERNING BOARD Columbus County Board of Commissioners on (MONTH – DD, YEAR) , 2021.

(APPLICABLE SIGNATURES) Chairman, Columbus County Commissioners

Drug and Alcohol Testing Policy (Zero Tolerance – v.0421)

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Attachment A

<u>Job Title</u>	<u>Job Duties</u>	<u>Testing Authority</u>
<u>Director</u>	<u>Oversee the grant for Public Transportation for Columbus County</u>	<u>Columbus County</u>
<u>Manager</u>	<u>Oversees the operation of public transportation for Columbus County</u>	<u>First Transit/USDOT-FTA</u>
<u>Dispatcher/Office Manager</u>	<u>Controls the movement of the public transit vehicles</u>	<u>First Transit/USDOT-FTA</u>
<u>Safety Officer</u>	<u>Is in charge of all training and any safety related issues</u>	<u>First Transit/USDOT-FTA</u>
<u>Secretary</u>	<u>Assists the manager with reports and the office manager with dispatching and communicating with the drivers</u>	<u>First Transit/USDOT-FTA</u>
<u>Driver</u>	<u>Operates Public Transit Vehicles</u>	<u>First Transit/USDOT-FTA</u>

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Drug and Alcohol Testing Policy (Zero Tolerance – v.0421)

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Attachment B Contacts

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

~~EXPANSIT SYSTEM NAME~~ COLUMBUS COUNTY TRANSPORTATION Drug and Alcohol Program Manager

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Name: _____

Title: ManagerAddress: 290 Legion Dr, Whiteville, NC 28472Telephone Number: 910-642-7201Medical Review OfficerName: Dr T E Sino, MD

Title: _____

Address: 4600 Park Rd, Suite 500, Charlotte, NC 28209Telephone Number: 704-364-7550Substance Abuse Professional #1Name: Allied Behavioral Mgt Inc

Title: _____

Address: 603 Pecan Ln, Whiteville, NC 28472Telephone Number: 910-640-2021Substance Abuse Professional #2Name: LabCorp

Title: _____

Address: 1904 T W Alexander Dr, Research Triangle Park, NC 27709Telephone Number: 800-833-3984HHS Certified Laboratory Primary SpecimenName: LabCorpAddress: 1904 T W Alexander Dr, Research Triangle Park, NC 27709Telephone Number: 800-833-3984HHS Certified Laboratory Split Specimen

Name: _____

Address: _____

Telephone Number: _____

SSP**FOR****COLUMBUS COUNTY TRANSPORTATION**

Reviewed and Approved by the TAB Board and the
Columbus County Commissioners

Algernon W. McKenzie Algernon W. McKenzie
TAB Chairman Signature

November 9, 2021
Date

Chairman, Columbus County Commissioners Signature

Date

MOTION:

Commissioner Byrd made a motion to approve the SSP Plan and the updated Drug and Alcohol Policy, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #12: DSS – MONTHLY ADMINISTRATIVE UPDATE:

Algernon McKenzie, Director, provided the monthly update.

**Monthly Administrative Update
For October 2021
November 15, 2021 Meeting**

Columbus County DSS participated on two Covid-19 Planning Team calls in October. It was decided to discontinue the weekly calls due to the decreasing number of positive cases. However, we will continue to receive weekly written updates from the health director.

One of our Supervisors Marcee Swindell-Thompson was the 1st place winner of the Covid-19 county drawing for vaccinated employees. She received a \$1,000.00 gift certificate towards a cruise.

On October 5, 2021, the day care supervisor, program manager, and I participated on a conference call with our child care consultant. Our spending levels for subsidy are low at this time, which is due to Covid-19. She encouraged us to continue to work our waiting list. The day care staff have been sending out letter for a couple of months now, however the response has been low. We will continue to send out letters to individuals on our waiting list.

On October 14, 2021, I participated in a zoom meeting with the NC Director's Association. During this meeting we received updates on the legislative changes in Child Welfare. The state will be providing some webinars to county staff to help with understanding and implementing these policy changes.

We also received an update on our energy programs. The increase in the maximum amount of assistance for the Crisis Program from \$600.00 to \$1,000.00 yearly will not take place, because it requires legislative action prior to implementation. We have already begun taking applications for heating assistance. The state is still working on developing policy for the Low Income Water Assistance Program. Counties were reminded to contact vendors to get agreement signed as soon as possible.

On October 21, 2021, the child welfare supervisors program manager and I participated on a check in call with our consultant for child welfare. During the call she reviewed our program data and reviewed our Continuous Quality Improvement Plan. She stated that case documentation and contacts are good. Staff are behind in the mandated and annual trainings required in child welfare, however we are working on getting them completed. This has been a challenge for us during the pandemic, staff turnover, and the increasing caseloads. Our consultant will continue to reviews records and provide feedback to staff as we continue to work on our Continuous Quality Improvement Plan task.

During the month of October our adult services staff have had to deal with more adults with mental and behavioral health issues, which makes them harder to place. In fact, the supervisor and a social worker worked on one case for two days and had to spend the night in our agency with an adult ward, because placement could not be found for him. This also occurs in child protective services as well. These situations are becoming more frequent which is concerning. We do contact our LME/MCO Trillium, but at times they are also unable to locate placement.

On October 26, 2021, I received a call from the owner of Young Wings LLC., that he was closing his transportation business at the end of the month. Young Wings has been a great help to recipients of non-emergency medicaid transportation because they operated during non-traditional business hours and weekends.

During the month of October, I participated on seven webinars and zoom meetings.

On October 29-30, 2021 the carpet in our large conference room was replaced with vinyl floor. Thanks goes out to the county maintenance director for coordinating this needed upgrade.

Our agency continues to be open to the public with some restrictions and safety protocols in place to keep staff and the public safe. We continue to offer in person, online, and drop off options for applying for services.

Lastly, our building is sanitized daily and cleaned throughout the day.

October 2021
Human Services

Adult Services (APS)

APS Reports Accepted: 6
County Wards: 26
Number of Payee Cases: 22
Adults Served APS: 5
Number of Medicaid Transportation Trips: 1,161
Amount Requested for Reimbursement: \$19,375.98

Children’s Protective Services (CPS)

Reports Accepted: 34
Reports Screened out: 30
Families Receiving In-Home Services: 52
Children Served: 101
Contacts with Families Monthly: 1,115
Assessments: 20

Foster Care

Foster Children in Foster Homes: 102
Children Placed Outside County: 36
Agency Adoptions: 0
Pending Adoptions: 6
Total Foster Homes Licensed: 5
Total Children in Foster Care: 109

Work First Employment (TANF)

Applications Taken: 21
Applications Approved: 9
Individuals Receiving Benefits: 230
Entered Employments: 1
Number in Non-Paid Work Experience: 0

Program Integrity

Collections for Fraud: \$1,879.81
New Referrals: 8
Cases Established: 14

Day Care

Children Receiving Day Care Assistance: 403
Children on the Waiting List: 205
Amount Spent on Day Care Services: \$174,243.00

October 2021
Economic Services

Food & Nutrition

Applications Taken: 150
Applications Approved: 165
Active Cases: 6,775
Benefits Issued: \$3,243,194.00
Participants Served: 13,399

Adult Medicaid

Applications Taken: 92
Cases Terminated: 30
Redeterminations: 340
Applications Processed: 139

Family & Children’s Medicaid

Applications Taken: 125
Applications Processed: 218
Redeterminations: 947
Total Medicaid Cases: 14,537
Total Individuals Receiving: 22,043

Child Support

Absent Parents Located: 64
Orders Enforced: 939
Active Cases: 3,780
Collections: \$424,044.00

Respectfully submitted,
Algernon McKenzie

HUMAN SERVICES BOARD REPORT
Melinda H. Lane, Program Manager
Vacancies/Updates/News for October 2021

Intake/Investigation/Assessment:

The Intake/Investigation/Assessment Unit continues to be fully staffed. This Unit continues to make mandated contacts to provide needed services to families and children while continuing to utilize precautions due to COVID-19. This Unit saw a jump in referrals (55 to 64), but thankfully staff are keeping a steady caseload – roughly 7-8 each. The Regional Child Welfare Consultant (RCWC) continues to make monthly contacts to review agency data, policy updates, and casework. She will be doing another record review in November and reviews the progress on our Continuous Quality Improvement (CQI) Plan each month – it is progressing well. This Unit continues to work on the areas that need improvement through trainings, technical assistance from the RCWC, and increased supervision.

In-Home Services:

The In-Home Services Unit continues to be fully staffed. This Unit continues to make mandated contacts to provide needed services to families and children while continuing to utilize precautions due to COVID-19. This Unit saw a slight decrease in the amount of open cases (55 to 52) in October which is about 10-11 cases per worker. Total contacts continue to increase indicating more intensive involvement with current caseloads. The Regional Child Welfare Consultant (RCWC) continues to make monthly contacts to review agency data, policy updates, and casework. She will be doing another record review in November and reviews the progress on our Continuous Quality Improvement (CQI) Plan each month – it is progressing well. This Unit continues to work on the areas that need improvement through trainings, technical assistance from the RCWC, and increased supervision.

Foster Care/Permanency Planning:

The Foster Care Unit is now fully staffed. This Unit continues to make mandated contacts to provide needed services to families and children while continuing to utilize precautions due to COVID-19. This Unit is continuing to make more and more in-person contacts with children and families due to allowances by DHHS. This Unit continues to break county records for the largest amount of children in custody, now 102. Drug abuse, sexual abuse, and severe neglect appear to be the biggest contributing factors, along with a lack of family support. The Regional Child Welfare Consultant (RCWC) continues to make monthly contacts to review agency data, policy updates, and casework. She will be doing another record review in November and reviews the progress on our Continuous Quality Improvement (CQI) Plan each month – it is progressing well. This Unit continues to work on the areas that need improvement through trainings, technical assistance from the RCWC, and increased supervision.

Transitional Unit:

The Transitional unit continues to be fully staffed. Staff are working caseloads while assisting the other Child Welfare Units as needed, particularly in the areas of courtesy requests from other counties and assisting with supervising visits and transporting children in custody. This Unit continues to make mandated contacts to provide needed services to families and children while continuing to utilize precautions due to COVID-19. Foster Home Licensing completed the licensing of 1 home this month and hopes to finish licensing 2 in November. Another MAPP class is tentatively being planned to begin before the end of the year. Hopefully this is the beginning of getting more foster homes licensed for Columbus County. The Regional Child Welfare Consultant (RCWC) continues to make monthly contacts to review agency data, policy updates, and casework.

Adult Services:

The Adult Services Unit continues to have one Social Worker vacancy which has been re-advertised due to a lack of qualified applicants. A vacant position is being re-classified to add an additional social worker to this unit due to the increasing caseloads of current staff. The Supervisor's position has now been filled by an in-house social worker that worked in Adult Services several years ago. This Unit continues to make mandated contacts to provide needed services to the elderly and disabled while utilizing precautions due to COVID-19. This Unit continues to be busy in its day-to-day activities of contacts with the elderly and disabled and resource agencies. This can be a difficult population to work with at times because of their various needs, the lack of resources, and the adult's right to self-determination.

Work First Employment:

This Unit continues to be fully staffed. The agency is now open for in-person applications. However, telephone interviews for Work First applications, recertification's, short-term services and benefits continue to be allowed. Certain necessary application documentation can be mailed to individuals that wish to apply and when received back the worker can conduct telephone interviews to complete that application. Some application information is also being provided for pick-up in the foyer area of the agency. Workers are encouraged to make telephone contacts with clients at least every two weeks to offer support and resources to clients.

Child Day Care:

The Child Day Care Unit now has one vacancy due to the promotion of a worker to a supervisor's position in another area. The Supervisor and staff continue to work the over and under payment report to ensure proper payment is being made to county daycare providers. The agency is now open for in-office visits by clients. Day Care services are continuing to be provided and the state is working with county agencies and day cares to help them stay open as much as possible while providing a safe environment for children. DSS staff continue to work with families to ensure their services stay in place while limiting contact to the telephone as much as possible. This Unit is continuing to work on its waiting list to determine the continued need for services. Hopefully this will give the Unit a better idea of where the need is and decrease the waiting list.

Program Integrity:

Program Integrity continues to be fully staffed. Office visits are limited and telephone contact is encouraged, but office visits are possible. Repayment agreements are being relaxed to help clients during this time. Staff are working to clean up a backlog, establishing cases and repayment agreements.

Energy Assistance

The Crisis Intervention Program (CIP) continues to be busy. Applications are available on EPASS where applicants can complete and submit applications on-line, but continue to be available in our lobby for pick up and completion. One in-house staff person is currently processing applications. However, due to increasing numbers and the beginning of heating season November 1 and Low Income Energy Assistance December 1, Program Integrity staff will be working as backup to assist. Temporary staff are becoming a need. However, staffing agencies are unable to find willing and able staff to assist. This is the first time this has ever happened. In October, the CIP program completed 124 applications with 30 approvals and 94 denials. This was an increase from September's 80 applications, 34 approvals, and 46 denials. Duke Energy Progress extended its moratorium, which is in place to help prevent some customers from being disconnected no matter what their bill grows to. This also affects the amount of approvals for electricity since having a final notice is a requirement of the Crisis Intervention Program.

Low Income Household Water Assistance Program (LIHWAP)

LIHWAP will begin December 1 for all counties. This program is a federally funded program that will provide emergency assistance to low-income households to prevent disconnection or provide assistance with the reconnection of drinking and wastewater services. It will be based on a priority list: Group 1 will consist of households that have had water services disconnected. Group 2 will consist of households that are in jeopardy of water services being disconnected unless action is taken to prevent the disconnect. Group 3 will consist of households that have current water service bills and need assistance to maintain service. We are currently working on getting this program set up in our county. Policy was just presented to counties. Contact has been made with each water department in the county in order to inform them of the program and get Vendor Agreements in place. If a water department does not provide a completed and signed vendor agreement by the deadline of November 12, we will be unable to assist the customers that utilize that water department. We are currently awaiting at least 3 more agreements and will be working then to match up customers that are in the priority groups with those that may automatically be approved without having to complete an application.

Economic Services Program Narrative

Family and Children's Medicaid; Adult Medicaid; Food & Nutrition, Medicaid in Nursing Homes, Special Assistance, Community Alternatives Program (CAP); Medicaid Transportation; Housekeeping and Child Support
Submitted by Cyndi Hammonds, Income Maintenance Administrator
Reporting Month: October 2021

News/Updates/Vacancies

Child Support:

The State Office is working on "modernizing" the Child Support computer system and has had counties involved in sending in what they would like to see in the new system. This is a work in progress and a date for implementation has not been released. Our State Representative continues to audit cases monthly for compliance and discusses any cases with errors in her monthly conference call. This team prepared 202 cases for court action in October while having 5 vacancies on this team with 273 orders being prepared. After filling one vacancy last month, our new hire gave her resignation before working a full 30 days. Qualified applicants are still hard to get right now.

Food and Nutrition:

USDA continues allowing waivers that are in place due to the pandemic. Discussion of when the Public Health Emergency lifts the policy on clients having to work a mandated amount of hours in order to receive will be reinstated however our state will be requesting a waiver to not allow this policy to be implemented until later. Clients continue to receive the maximum allotments for their households and October is the first month they got their 25% COLA increase. When clients apply workers are trying to get their applications approved as soon as they can so we can continue to meet our weekly and monthly timeliness compliance timeframes. We continue to have 1 vacancy on the intake team. We have interviewed and hope to be able to make a recommendation soon.

Adult and Family & Children's Medicaid:

Our REDA audit with the state continues to be successful. They reviewed 20 cases again and finding only one case that we did not evaluate for the Family Planning Program (FPP). Statistics show many counties have had the same problems with their Audit with this program. The FPP program can get confusing to workers because the client must be totally ineligible for any other program before we can put them on this very limited Medicaid program. We are now learning the policy will be changing in November to the way we were interpreting it in the beginning of our REDA audit. Our local Auditors have completed and sent the final report for the 60 cases they have reviewed. Their findings showed great progress on one team and technical errors on the other team

meaning we still had a few cases with no child support referrals, insufficient documentation that the worker ran all the proper online verifications and did not match the NCFAST system with the findings of their review. Mandatory procedures were put into place to help reduce these errors. There were no eligibility errors meaning no chargebacks to the county. All the Auditing of cases can get frustrating when workers are trying to meet timeframes and vacancies however with each one we learn and grow from it. We continue to have 4 vacancies with a new hire coming on board in November. We continue to struggle to get qualified applicants for these positions.

Medicaid for Long Term Care; Medicaid Transportation and Housekeeping:

- Some waivers that were implemented during the Public Health Emergency has been changed back to regular policy in cases for Long Term Care. Discussions of a transitional period for clients that have become ineligible for Medicaid are also being discussed when the Public Health Emergency is over. This will also allow workers extra time to work those cases also instead of all of it being due at the same time.
- Transportation continues to remain busy even with some clients having to use their new Primary Health Plan to arrange for their transportation. The elderly is our largest transportation population and they were not a mandated group that had to choose a Health Plan. We had one transportation vendor to terminate his contract with us. We continue to have one vacancy on this team.
- Housekeeping continues to keep our building cleaned.

Agenda Item #13: ADMINISTRATION – UPDATE and APPROVAL to PROCEED with new MORGUE at COLUMBUS REGIONAL HEALTHCARE:

Eddie Madden, County Manager, requested approval.



411 N. Aerojet Ave,
Azusa CA, 91702
Ph: (800) 410-0100
Fax: 626-334-1692
www.mortechmfg.com

Mortech Representative
ARES Scientific
Michael O'Connor
(919) 909-4842
MichaelO@aresscientific.com

Quote
Date: Oct 15, 2021
Quote Number: 16817

Account Name: Columbus Regional Hospital (NC)
Account Number: 9312
Name: Feris Ammons
Phone: (910) 640-4074
Email: fammons@gmail.com

Project Name: Columbus Regional Healthcare (NC) - Walk-In (3)
Terms: 1/3 Deposit Due at Time of Order. Balance due prior to shipment

Bill to:
Columbus Regional Healthcare
609 Pecan Ln
Whiteville NC 28472

Ship to:
Columbus Regional Healthcare
609 Pecan Ln
Whiteville NC 28472

Product Description	Qty	Unit Price	Total
Walk-in Refrigerator - WALK-IN COOLER SPECIFICATIONS <ul style="list-style-type: none">• Construction: Dow RF 400 High Density Foam Rail (Tongue and Groove) / BASF Autofroth 100-B-1103 Resin / 9300A Isocyanate High Density Insulation (Foam In Place) / NSF Approved / LARR #12678• Cam-lock ceiling to ceiling and walls to walls• Cam-lock ceiling requires minimum 6" overhead clearance• Dimensions: External (OD) = 11'-0" X 14'-0" X 8'-0" (L X W X H) PANEL THICKNESS <ul style="list-style-type: none">• Walls: 4" High Density Rail• Ceilings: 4" High Density Rail FINISHES WALL FINISH: <ul style="list-style-type: none">• INT: .032 Stucco Embossed Aluminum• UNEXP/EXT: .032 Stucco Embossed Aluminum• EXP/EXT: .032 Stucco Embossed Aluminum CEILING FINISH: <ul style="list-style-type: none">• INT: .032 Stucco Embossed Aluminum• EXT: 26GA Stucco Embossed Galvanized Steel (Standard) HEATED HINGE DOOR <ul style="list-style-type: none">• (1) Hinged door flush style (48" x 80")• INT/EXT FINISH: .032 Stucco Embossed Aluminum• (1) Spring Loaded Hinge• (2) Non-Spring Loaded hinges• Handle / Strike• Kason Door closer• HINGED: Right MISCELLANEOUS ACCESSORIES <ul style="list-style-type: none">• (1) Light switch with digital thermometer• (2) Foamed in place J-box• (1) 48" LED vapor proof light fixture• 75' 6" Cove base with 26GA. Stucco Galvanized Steel• TRIM, cove base, top cap, side closer trim, silicone, butyl• Hex wrench and snap plugs• 1-1/2" x 1-1/2" Ceiling Tie-Down Angle• 4" Vertical flat closure trim REFRIGERATION DROP-IN SYSTEM PT0115MBNAMSA – PRO-3 UNIT <ul style="list-style-type: none">• Hermetic Unit• voltage: 208-230v/1Ph/60Hz –11,240BTUH• R448A Refrigerant• Includes air defrost timer, pre-charged with R448A Refrigerant• Extended compressor warranty	1	\$ 18,500.00	\$ 18,500.00
7011-3SL-MOD - Portable Cremation Storage Rack 3 Tier, w/Full Rollers-Side Loading, Modified <ul style="list-style-type: none">• Fabricated from .120 thick stainless steel• Side roller assemblies mounted in each bay• Designed for cremation containers, T3626 stainless steel cadaver trays, T3624 storage boards, a T3627 transfer boards *****MODIFICATIONS*****	2	\$ 4,075.00	\$ 8,150.00

Product Description	Qty	Unit Price	Total
T3626HS-27 - Standard Body Tray with Hand Slots 27" Wide Dimensions: 78" L x 27" W x 2.75" H (198 cm x 69 cm x 7 cm) Design Load: 400lbs • Fabricated with hand slots • All edges are rounded • Hand slots • All edges rolled and welded for extra strength	6	\$ 759.00	\$ 4,554.00
600040-DS-ES - Double Scissor Lift Covered Carrier with End/Side Load Dimensions: 82" L x 27" W x 15" (Lowest) / 60" (Highest) (67 cm x 208 cm x 40 / 152 cm) Design Load: 500 lbs / 227 kg • Heavy gauge stainless steel roller frame • Scissor lift with height adjustments • (4) 6 in./15 cm. swivel casters w/ brake • Black vinyl cover • Scissor lift mechanism	1	\$ 12,438.00	\$ 12,438.00
FREIGHT CHARGE - See Terms and Conditions	1	\$ 4,845.00	\$ 4,845.00

Sub Total:	\$ 48,487.00
Shipping:	\$ 0.00
Installation:	\$ 9,950.00
Tax:	\$ 3,272.87
Grand Total:	\$ 63,709.87

Grand Total: \$ 63,709.87

Options	Qty	Unit Cost	Total
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Freight Notes:
Shipping Charge is a line item.
See Terms and Conditions for additional shipping details.

Installation Notes:
Customer responsible for unloading equipment and placing it at the installation site.
Customer is responsible for unloading and storing equipment until installation is scheduled.
Customer must have area prepped for install and equipment in place at the installation site prior to Mortech arrival.
Customer is responsible to measure all doorways prior to installation.
Mortech will be responsible for the installation of the equipment.
Self-Contained Refrigeration system to be in same room as morgue cooler providing conditioned or non-conditioned ventilation is supplied and exhausted out of room location by others.
Mortech takes no responsibility for any load requirements with equipment if ventilation requirement is not met.
Ceiling panel enclosures are not included and would be an additional cost if required.
No permits or fees are included.
Pricing based on Mortech's standard insurance.
Labor provided by non-union factory personnel.
Project is priced at non-prevailing wages.
Engineering and seismic restraints are not included in this quote and would be an additional cost to this bid proposal if

required and if available.
The installations to be done in one mobilization, any additional trips would be at an extra charge.
All final utility hook-ups by others.
Mortech will dispose of debris & trash in customer provided dumpster.

Terms & Conditions

** PLEASE REFERENCE QUOTE NUMBER WHEN PLACING YOUR ORDER**

Quotation: Valid for 30 days unless superseded by another quotation.
Shipment: 14-16 weeks from receipt of order and/or signed drawings.
Sales Tax: To be added to order, if applicable. Pricing does not include state, local, or use tax.
Freight: Is valid today & good for 30 days, please verify at time of order.
Terms of Sale: Payments can be made by check, wire transfer, or credit card. Credit card payments of \$10,000 or more, are subject to a surcharge fee of up to 4% per transaction. All orders for replacement parts and all orders totaling \$250.00 or less must be paid by credit card. For additional details, see Mortech's published terms of sale at: <http://mortechmfg.com/pages/terms-of-sale>.
Transportation: FOB-Azusa, CA
Warranty: 1-year warranty commencing day your order ships. Mortech Manufacturing Company, Inc. must be notified of any warranty issues prior to customer making/requesting repairs from any outside sources.
Clarifications: Delivery to standard truck high loading dock, truck with lift gate not included unless otherwise noted. All equipment will be delivered on a 53 ft. semi truck. Customer must verify off-loading area is capable of accepting a truck of this size. Customer to verify Inside delivery, removal/disposal of crating material, product training, and installation not included and would be an additional charge to this quote if available and if requested. Freight charge is an estimate and will be requoted at time of shipment.
Ownership Disclaimer: MP Acquisition, LLC shares a common ownership with MMCI Acquisition, LLC.

TAX ID#: 56-2489242
CAGE Code: 1XDH8
DUNS#: 19044920
LSBE#: 7643

*** During the COVID-19 pandemic, we are not accepting any returns of opened items. Please contact us for additional requirements regarding possible returns of unopened items.

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Fax:626-334-1692
www.mortechmfg.com

Mortech Representative
ARES Scientific
Michael O'Connor
(919) 909-4842
MichaelO@aresscientific.com

Quote
Date: Oct 15, 2021
Quote Number: 16817

Account Name: Columbus Regional Hospital (NC)
Account Number: 9312
Name: Feris Ammons
Phone: (910) 640-4074
Email: fammons@gmail.com

Project Name: Columbus Regional Healthcare (NC) - Walk-In
(3)
Terms: 1/3 Deposit Due at Time of Order. Balance due prior to shipment

Bill to:
Columbus Regional Healthcare
609 Pecan Ln
Whiteville NC 28472

Ship to:
Columbus Regional Healthcare
609 Pecan Ln
Whiteville NC 28472

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*****MODIFICATIONS*****			

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FREIGHT CHARGE - See Terms and Conditions	1	\$ 4,845.00	\$ 4,845.00

Sub Total:	\$ 48,487.00
Shipping:	\$ 0.00
Installation:	\$ 0.00
Tax:	\$ 3,272.87
Grand Total:	\$ 51,759.87

Grand Total: \$ 51,759.87

Options	Qty	Unit Cost	Total
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Freight Notes:
Shipping Charge is a line item.
See Terms and Conditions for additional shipping details.

Installation Notes:
Installation not included in pricing.

Terms & Conditions

**** PLEASE REFERENCE QUOTE NUMBER WHEN PLACING YOUR ORDER****

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Shipment: 14-16 weeks from receipt of order and/or signed drawings.
Sales Tax: To be added to order, if applicable. Pricing does not include state, local, or use tax.
Freight: Is valid today & good for 30 days, please verify at time of order.
Terms of Sale: Payments can be made by check, wire transfer, or credit card. Credit card payments of \$10,000 or more, are subject to a surcharge fee of up to 4% per transaction. All orders for replacement parts and all orders totaling \$250.00 or less must be paid by credit card. For additional details, see Mortechn's published terms of sale at: <http://mortechnmfg.com/pages/terms-of-sale>.

Transportation: FOB-Azusa, CA
Warranty: 1-year warranty commencing day your order ships. Mortechn Manufacturing Company, Inc. must be notified of any warranty issues prior to customer making/requesting repairs from any outside sources.
Clarifications: Delivery to standard truck high loading dock, truck with lift gate not included unless otherwise noted. All equipment will be delivered on a 53 ft. semi truck. Customer must verify off-loading area is capable of accepting a truck of this size. Customer to verify Inside delivery, removal/disposal of crating material, product training, and installation not included and would be an additional charge to this quote if available and if requested. Freight charge is an estimate and will be quoted at time of shipment.
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TAX ID#: 56-2489242
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MOTION:

Commissioner Byrd made a motion to approve funding for half the costs of the new morgue at Columbus Regional Healthcare, seconded by Commissioner McDowell. The motion unanimously passed.

Agenda Item # 14: FINANCE – BUDGET AMENDMENTS:

Jay Leatherman, Finance Director, requested Board approval.

COLUMBUS COUNTY				
Budget Amendment				
November 15, 2021				
			INCREASE	DECREASE
4	<u>Expenditures</u>			
	10-5161-526001	Family Planning - Departmental Supplies	74,113.51	
	10-5197-526001	Health Promotion - Departmental Supplies	15,964.54	
	10-5166-526001	Children's Health - Departmental Supplies	45,849.58	
	10-5167-526001	Maternal Health - Departmental Supplies	70,131.18	
	10-5111-526001	Other Services - Departmental Supplies	810.56	
	10-5121-526001	Comm Disease - Departmental Supplies	15,118.74	
	10-5171-526001	Dental - Department Supplies	130,429.89	
	<u>Revenues</u>			
	10-3510-430025	General Medicaid	352,418.00	
	Receipt of Medicaid Cost Settlement for FY 2019/2020 that needs to be applied to the appropriate services listed above.			
5	<u>Expenditures</u>			
	10-5194-512100	Advancing Health Equity Salaries	15,000	
	10-5194-512700	AHE FICA	5,000	
	10-5194-518200	AHE Retirement	2,000	
	10-5194-518300	AHE Insurance	2,000	
	10-5194-526001	AHE Departmental Supplies	15,900	
	<u>Revenues</u>			
	10-3521-437030	Advancing Health Equity Grant	39,900	
	Receipt of new State Grant for FY 2021-2022.			
	Sheriff's Department			
6	<u>Expenditures</u>			
	10-4310-512100	Salaries	94,175	
	10-4310-518100	FICA	7,204	
	10-4310-518200	Retirement	19,824	
	10-4310-518400	401 K	4,709	
	10-4310-518300	Insurance	17,086	
	<u>Revenues</u>			
	10-3431-441009	Resource Officers	142,998	
	Contract to provide 3 School Resource Officers to Whiteville City Schools.			

COLUMBUS COUNTY
Budget Amendment
November 15, 2021

		<u>INCREASE</u>	<u>DECREASE</u>
	Economic Development		
8	<u>Expenditures</u>		
	10-4920-519001 Contracted Services	50,000	
	<u>Revenues</u>		
	10-3991-499101 Fund Balance Appropriated		50,000
	Grant money received in FY 2020/2021 that was spent in July 2022.		
9	<u>Expenditures</u>		
	10-4920-549926 Building Reuse Grant	240,500	
	<u>Revenues</u>		
	10-3485-489130 Building Reuse Grant		240,500
	Grant money received from the State for Black's Tire (\$175,000) and Radix Bay (\$65,500) for building remodeling.		
	Maintenance		
10	<u>Expenditures</u>		
	10-4265-512100 Salaries	197,032	
	10-4265-512107 Salaries - COLA	19,117	
	10-4265-512700 Longevity	1,002	
	10-4265-518100 FICA	15,187	
	10-4265-518200 Retirement	22,533	
	10-4265-518300 Insurance	53,988	
	10-4265-518910 Christmas Bonus	480	
	10-4265-519001 Contracted Services	49,311	
	10-4265-526001 Departmental Supplies	29,225	
	10-4265-532100 Telephone	845	
	10-4265-533000 Utilities	219,836	
	10-4265-535110 M & R Bldg/Grounds	53,080	
	10-4265-535200 Maint & Repair Equipment	4,700	
	10-4265-550000 Capital Outlay	171,840	
	10-4265-598007 Indirect Cost		6,740
	<u>Expenditures</u>		
	10-4261-519001 Contracted Services		8,417
	10-4261-526001 Departmental Supplies		5,500
	10-4261-533000 Utilities		48,100
	10-4261-535110 M & R Bldg/Grounds		11,300
	10-4261-535200 Maint & Repair Equipment		800
	10-4261-550000 Capital Outlay		40,500
	10-4262-519001 Contracted Services		3,423
	10-4262-526001 Departmental Supplies		3,175
	10-4262-533000 Utilities		10,000
	10-4262-535100 M & R Bldg/Grounds		5,000
	10-4262-535200 Maint & Repair Equipment		300
	10-4262-550000 Capital Outlay		34,000
	10-4263-519001 Contracted Services		5,960
	10-4263-526001 Departmental Supplies		4,000
	10-4263-533000 Utilities		15,500

COLUMBUS COUNTY
Budget Amendment
November 15, 2021

		INCREASE	DECREASE
<i>(Maintenance continued)</i>			
10-4263-535100	M & R Bldg/Grounds		15,480
10-4263-535200	Maint & Repair Equipment		500
10-4263-550000	Capital Outlay		10,000
10-4264-512100	Salaries		124,409
10-4264-512107	Salaries - COLA		12,106
10-4264-512700	Longevity		1,002
10-4264-518100	FICA		9,617
10-4264-518200	Retirement		14,269
10-4264-518300	Insurance		33,764
10-4264-518910	Christmas Bonus		300
10-4264-519001	Contracted Services		14,790
10-4264-526001	Departmental Supplies		6,000
10-4264-532100	Telephone		845
10-4264-533000	Utilities		58,836
10-4264-535110	M & R Bldg/Grounds		10,000
10-4264-535200	Maint & Repair Equipment		700
10-4264-598007	Indirect Cost	6,740	
10-4266-519001	Contracted Services		8,258
10-4266-526001	Departmental Supplies		3,500
10-4266-533000	Utilities		15,300
10-4266-535100	M & R Bldg/Grounds		1,500
10-4266-535200	Maint & Repair Equipment		600
10-4266-550000	Capital Outlay		27,340
10-4269-512100	Salaries		72,623
10-4269-512107	Salaries - COLA		7,011
10-4269-518100	FICA		5,570
10-4269-518200	Retirement		8,264
10-4269-518300	Insurance		20,224
10-4269-518910	Christmas Bonus		180
10-4269-526001	Departmental Supplies		6,500
10-4269-533000	Utilities		48,100
10-4269-535110	M & R Bldg/Grounds		6,500
10-4269-535200	Maint & Repair Equipment		800
10-4270-519001	Contracted Services		8,463
10-4270-526001	Departmental Supplies		550
10-4270-533000	Utilities		24,000
10-4270-535110	M & R Bldg/Grounds		3,300
10-4270-535200	Maint & Repair Equipment		1,000
10-4270-550000	Capital Outlay		60,000
To consolidate all maintenance departments into one cost center.			

COLUMBUS COUNTY
Budget Amendment
November 15, 2021

		<u>INCREASE</u>	<u>DECREASE</u>
GASB 84			
11	<u>Expenditures</u>		
10-5900-549994	CSC Fines & Forfeitures		175,000
12-5900-549994	CSC Fines & Forfeitures	197,016	
	<u>Revenues</u>		
10-3591-430005	CSC Fines & Forfeitures		175,000
12-3591-430005	CSC Fines & Forfeitures	197,016	
Move budget for Fines & Forfeitures from General Fund to Agency Funds in accordance with GASB 84 instructions.			
12	<u>Expenditures</u>		
27-5408-569900	Town of Tabor City	1,088,524	
27-5409-569900	City of Whiteville	2,746,843	
27-5411-569900	Town of Boardman	3,173	
27-5403-569900	Town of Brunswick	99,010	
27-5402-569900	Town of Bolton	95,805	
27-5400-569900	RWOOD SANITARY DISTRICT	73,807	
27-5410-569900	Town of Sandyfield	76,573	
27-5401-569900	DRAINAGE/DUNN SWAMP	10,030	
27-5404-569900	Town of Cerro Gorda	17,564	
27-5405-569900	Town of Chadbourn	518,386	
27-5406-569900	Town of Fair Bluff	264,683	
27-5407-569900	Town of Lake Waccamaw	529,040	
	<u>Revenues</u>		
27-3441-411047	Town of Tabor City	1,089,455	
27-3441-416247	Tax Refunds - Tabor City		931
27-3441-411048	City of Whiteville	2,755,426	
27-3441-416248	Tax Refunds - City of Whiteville		8,583
27-3441-411049	Town of Boardman	3,173	
27-3441-411037	Town of Brunswick	99,070	
27-3441-416237	Tax Refunds - Town of Brunswick		60
27-3441-411038	Town of Bolton	95,838	
27-3441-416238	Tax Refunds - Town of Bolton		33
27-3441-411040	Reiglewood Sanitary District	76,748	
27-3441-416240	Tax Refunds -Rwood Sanitary Dist.		2,941
27-3441-411041	Town of Sandyfield	76,640	
27-3441-416241	Tax Refunds - Town of Sandyfield		67
27-3441-411042	Drainage/Dunn Swamp	10,030	
27-3441-411043	Town of Cerro Gorda	17,569	
27-3441-416243	Tax Refunds - Town of Cerro Gorda		5
27-3441-411044	Town of Chadbourn	519,187	
27-3441-416244	Tax Refunds - Town of Chadbourn		801
27-3441-411045	Town of Fair Bluff	264,749	
27-3441-416245	Tax Refunds - Town of Fair Bluff		66
27-3441-411046	Town of Lake Waccamaw	529,351	
27-3441-416246	Tax Refunds - Town of Lake Waccamaw		311
Budget for Municipalities tax collections in accordance with GASB 84.			

COLUMBUS COUNTY				
Budget Amendment				
November 15, 2021				
			INCREASE	DECREASE
13	Expenditures			
	71-5300-549900	Client's Miscellaneous Expense	510,000	
	Revenues			
	71-3529-489042	Client's Miscellaneous Revenue	510,000	
To provide budget for Social Services Trust Account in accordance with GASB 84.				
	Transportation			
14	Expenditures			
	68-4315-526001	Departmental Supplies - CARES	96,446	
	68-4318-489048	DHHS CARES TRIPS	19,399	
	68-9600-560070	CCT-EDTAP		2,489
	68-9600-560066	Employment Transportation		515
	68-9600-560061	RGP		2,951
	Revenues			
	68-3450-350000	CARES Act Reimbursement Account	96,446	
	68-3428-498026	DHHS CARES Revenue	19,399	
	68-3452-430016	ROAP Revenue Fund		5,955
Utilizing CARES funds from FY 2021 that we received from NCDOT. Reduction in expenses and revenue as determined by the State for our ROAP funds.				
15	Expenditures			
	68-4520-568100	Non-capitalized items	4,500	
	Revenues			
	68-3452-489040	Miscellaneous Revenue	4,500	
Funds provided by NCACC to install arm guards on the lifts.				
	American Rescue Funds			
16	Expenditures			
	93-4972-558000	Hospital Morgue renovation	50,000	
	Revenues			
	93-4972-545505	Revenue Replacement		50,000
County's share to upgrade the morgue at Columbus Regional Healthcare System.				

MOTION:
Commissioner Smith made a motion to approve the budget amendments, seconded by Commissioner Coleman. The motion unanimously passed.

Agenda Item # 15: FINANCE – MONTHLY FINANCE REPORT:

Jay Leatherman, Finance Director, requested Board acceptance.

**COLUMBUS COUNTY
Financial Summary
October 31, 2021**

We have completed four months, 33.3% of the 2021-2022 fiscal year. Following are highlights of August's financial operations.

FUND 10 – OPERATING FUNDRevenues

Total General Fund revenue received for the current fiscal year was \$26,517,042, 39.61% of the budget. We received over 58% of the budgeted tax revenue, \$19,582,805, as residents took advantage of the discount for early payment of their property taxes. This represents the single largest source of revenue.

The sales tax receipts year-to-date of \$4,385,425 is the second largest source of revenue to date.

Register of Deeds revenue of \$226,080 is over 59% of their total budget for the year.

Several of the larger revenue producing departments, Aging and Social Service, are awaiting third party funds for reimbursement of their operations performed to date.

Finance staff will be monitoring all receipts on a regular basis and assist departments in collecting revenue to meet the budget.

Expenditures

Total General Fund expenditures year-to-date was \$19,523,679, 29.16% of the budget.

The majority of department's expenses were under 34% of their total for the month. Those departments that exceeded the 25% average was the result of large one-time expenses budgeted for the year that were paid in July. The Education department has the largest total expense year-to-date of \$4,417,728.

Total Revenue in the Operating Fund exceeded Expenditures by \$6,993,363.

OTHER FUNDS

I have attached a summary of revenue and expenditures to date for several other funds. Several of these funds report expenses exceeding revenue which is a result of the timing of receiving the revenue for these funds.

COUNTY OF COLUMBUS FINANCIAL SUMMARY REPORT October 31, 2021		Percent of Year Complete: 33.3%		
FUND 10 - OPERATIONS		FY 21/22	ACTUAL YTD	BALANCE
REVENUES		BUDGET	TOTALS	REMAINING
				% Collected
				YTD
AD VALOREM TAXES		\$ 33,747,267	\$ 19,582,805	\$ 14,164,462 58.03%
COURT		\$ 90,000	\$ 22,453	\$ 67,547 24.95%
SALES TAX		\$ 11,966,105	\$ 4,385,425	\$ 7,580,680 36.65%
NC JCPC PROGRAM - TEEN COURT		\$ 71,977	\$ 13,860	\$ 58,117 19.26%
ELECTION FEES		\$ 31,700	\$ 215	\$ 31,485 0.68%
COLLECTION FEES		\$ 34,400	\$ 1,869	\$ 32,531 5.43%
REGISTER OF DEEDS		\$ 377,000	\$ 226,080	\$ 150,920 59.97%
SHERIFF		\$ 1,932,958	\$ 84,603	\$ 1,848,355 4.38%
DETENTION CENTER		\$ 1,551,000	\$ 214,071	\$ 1,336,929 13.80%
EMERGENCY MANAGEMENT		\$ 56,101	\$ 12,919	\$ 43,182 23.03%
FIRE DEPARTMENT		\$ 22,500	\$ 4,239	\$ 18,261 18.84%
INSPECTION		\$ 370,000	\$ 79,526	\$ 290,474 21.49%
ANIMAL CONTROL		\$ 134,391	\$ 128,346	\$ 6,052 95.50%
AIRPORT		\$ 538,501	\$ 50,738	\$ 487,762 9.42%
PLANNING		\$ 9,800	\$ 3,405	\$ 6,395 34.74%
SOIL CONSERVATION		\$ 37,180	\$ 846	\$ 36,334 2.28%
DEPARTMENT OF AGING REVENUES		\$ 2,060,658	\$ 266,854	\$ 1,793,804 12.95%
HEALTH DEPARTMENT		\$ 2,403,672	\$ 794,388	\$ 1,609,284 33.05%
SOCIAL SERVICE		\$ 6,798,170	\$ 553,504	\$ 6,244,666 8.14%
VETERANS SERVICE		\$ 2,000	\$ -	\$ 2,000 0.00%
PUBLIC SCHOOLS		\$ 159,000	\$ 4,765	\$ 154,235 3.00%
LIBRARY		\$ 171,000	\$ 34,679	\$ 136,321 20.28%
RECREATION		\$ 24,500	\$ 4,315	\$ 20,185 17.61%
MISCELLANEOUS REVENUES		\$ 435,719	\$ 42,531	\$ 393,188 9.76%
INVESTMENT EARNINGS		\$ 600,000	\$ 4,606	\$ 595,394 0.77%
AMERICAN RECOVERY FUNDS		\$ 3,265,239	\$ -	\$ 3,265,239 0.00%
FUND BALANCE APPROPRIATED		\$ 54,201	\$ -	\$ 54,201 0.00%
Total General Fund Revenues		\$ 66,945,045	\$ 26,517,042	\$ 40,428,003 39.61%

COUNTY OF COLUMBUS FINANCIAL SUMMARY REPORT		Percent of Year Complete: 33.3%		
October 31, 2021				
FUND 10 - OPERATIONS		FY 21/22	ACTUAL YTD	BALANCE
EXPENDITURES	BUDGET	TOTALS	REMAINING	% Expended YTD
GOVERNING BODY	\$ 342,490	\$ 123,494	\$ 218,996	36.06%
ADMINISTRATION	\$ 487,497	\$ 130,002	\$ 357,495	26.67%
PERSONNEL	\$ 167,583	\$ 53,229	\$ 114,354	31.76%
PURCHASING	\$ 124,658	\$ 15,843	\$ 108,815	12.71%
FINANCE	\$ 469,003	\$ 226,366	\$ 242,637	48.27%
TAX DEPARTMENT	\$ 1,936,057	\$ 541,331	\$ 1,394,726	27.96%
LEGAL DEPARTMENT	\$ 226,006	\$ 105,083	\$ 120,923	46.50%
NC JCPC PROGRAM - TEEN COURT	\$ 71,977	\$ 23,171	\$ 48,806	32.19%
MAINTENANCE	\$ 1,773,253	\$ 552,923	\$ 1,220,330	31.18%
ELECTIONS	\$ 582,932	\$ 205,701	\$ 377,231	35.29%
REGISTER OF DEEDS	\$ 509,395	\$ 167,348	\$ 342,047	32.85%
SPECIAL APPROPRIATIONS	\$ 1,196,611	\$ 405,425	\$ 791,193	33.88%
MANAGEMENT INFORMATION SYSTEM	\$ 456,482	\$ 167,569	\$ 288,913	36.71%
CENTRAL GARAGE	\$ 48,219	\$ 8,964	\$ 39,255	18.59%
PUBLICLY OWNED TREATMENT WATER	\$ 43,924	\$ 21,296	\$ 22,628	48.48%
SHERIFF'S DEPARTMENT	\$ 8,486,998	\$ 2,670,195	\$ 5,816,803	31.46%
LAW ENFORCEMENT CENTER	\$ 5,061,114	\$ 1,310,971	\$ 3,750,143	25.90%
EMS	\$ 15,351	\$ 6,298	\$ 9,052	41.03%
EMERGENCY SERVICES	\$ 1,697,904	\$ 445,455	\$ 1,252,449	26.24%
FIRE MARSHALL	\$ 174,521	\$ 48,750	\$ 125,771	27.93%
CORONER MEDICAL EXAMINER	\$ 72,000	\$ 16,700	\$ 55,300	23.19%
ANIMAL CONTROL	\$ 873,454	\$ 196,318	\$ 677,136	22.48%
AIRPORT	\$ 615,728	\$ 85,587	\$ 530,141	13.90%
INSPECTIONS	\$ 333,599	\$ 117,330	\$ 216,269	35.17%
PLANNING	\$ 232,807	\$ 49,321	\$ 183,486	21.19%
ECONOMIC DEVELOPMENT	\$ 231,154	\$ 133,925	\$ 97,229	57.94%
COOPERATIVE EXTENSION	\$ 525,472	\$ 43,266	\$ 482,206	8.23%
SOIL CONSERVATION	\$ 242,297	\$ 77,735	\$ 164,562	32.08%
DEPARTMENT OF AGING	\$ 2,858,635	\$ 749,863	\$ 2,108,772	26.23%
HEALTH DEPARTMENT	\$ 4,981,103	\$ 1,238,177	\$ 3,742,926	24.86%
SOCIAL SERVICES ADMINISTRATION	\$ 9,408,762	\$ 2,658,644	\$ 6,750,118	28.26%
PUBLIC ASSISTANCE PROGRAMS	\$ 1,916,891	\$ 392,992	\$ 1,523,899	20.50%
VETERANS SERVICE OFFICER	\$ 159,489	\$ 44,909	\$ 114,580	28.16%
EDUCATION	\$ 14,282,689	\$ 4,417,728	\$ 9,864,961	30.93%
LIBRARY	\$ 1,637,919	\$ 487,406	\$ 1,150,513	29.76%
RECREATION	\$ 589,194	\$ 158,711	\$ 430,483	26.94%
TRANSFER TO	\$ 2,683,534	\$ -	\$ 2,683,534	0.00%
NON DEPARTMENTAL	\$ 1,428,337	\$ 1,425,653	\$ 2,684	99.81%
Total General Fund Expenditures	\$ 66,945,045	\$ 19,523,679	\$ 47,421,366	29.16%
Total Revenue over/(under) Expenditures	\$0	\$ 6,993,363		

COUNTY OF COLUMBUS FINANCIAL SUMMARY REPORT		Percent of Year Complete: 33.3%		
October 31, 2021				
TAX REVALUATION FUND		FY 21/22	YTD	BALANCE
REVENUES	BUDGET	TOTALS	REMAINING	% Collected YTD
REVALUATION FUND	\$ 20,000	\$0	\$ 20,000	0.00%
EXPENDITURES				
REVALUATION FUND	\$ 20,000	\$0	\$ 20,000	0.00%
HUD SECTION 8 RENTAL ASSISTANCE		FY 21/22	YTD	BALANCE
REVENUES	BUDGET	TOTALS	REMAINING	% Collected YTD
HUD SECTION 8 RENTAL ASSISTANCE				
ANNUAL CONTRA EARNED	\$ 1,500,000	\$385,308	\$ 1,114,692	25.69%
OTHER REVENUES	\$ 223,350	\$ 57,653	\$ 165,697	25.81%
TOTAL HUD REVENUES	\$ 1,723,350	\$ 442,961	\$ 1,280,389	25.70%
EXPENDITURES				
HUD Expenditures	\$ 1,723,350	\$ 433,241	\$ 1,290,109	25.14%
Excess revenue over/(under) expenditures	\$0	\$ 9,720		

TRANSPORTATION	FY 21/22	YTD	BALANCE	% Collected
	BUDGET	TOTALS	REMAINING	YTD
REVENUES	\$ 786,170	\$ 7,902	\$ 778,268	1.01%
EXPENDITURES	\$ 786,170	\$ 106,325	\$ 679,845	13.52%
EMERGENCY TELEPHONE SYSTEM	FY 21/22	YTD	BALANCE	% Collected
	BUDGET	TOTALS	REMAINING	YTD
REVENUES	\$ 318,748	\$ 26,357	\$ 292,391	8.27%
EXPENDITURES	\$ 318,748	\$ 74,485	\$ 244,263	23.37%
DEBT SERVICE	FY 21/22	YTD	BALANCE	% Collected
	BUDGET	TOTALS	REMAINING	YTD
REVENUES	\$ 3,787,587	\$ 0	\$ 3,787,587	0.00%
EXPENDITURES	\$ 3,787,587	\$ 224,876	\$ 3,562,711	5.94%
WATER DISTRICTS I-IV	FY 21/22	YTD	BALANCE	% Collected
	BUDGET	TOTALS	REMAINING	YTD
COLUMBUS COUNTY COMBINED WATER DIST	\$ 3,691,009	\$ 601,295	\$ 3,089,714	16.29%
EXPENDITURES				
COLUMBUS COUNTY COMBINED WATER DIST	\$ 3,691,009	\$ 505,483	\$ 3,185,526	13.69%
Excess revenue over/(under) expenditures	\$ 0	\$ 95,812		
SOLID WASTE	FY 21/22	YTD	BALANCE	% Collected
	BUDGET	TOTALS	REMAINING	YTD
REVENUES	\$ 5,567,405	\$ 2,455,773	\$ 3,111,632	44.11%
EXPENDITURES	\$ 5,567,405	\$ 1,196,643	\$ 4,370,762	21.49%
Excess revenue over/(under) expenditures	\$ 0	\$ 1,259,130		
FIRE DEPARTMENTS	FY 21/22	YTD	BALANCE	% Collected
	BUDGET	TOTALS	REMAINING	YTD
REVENUES	\$ 2,057,942	\$1,082,047	\$ 975,895	52.58%
EXPENDITURES				
Ad Valorem Taxes	\$ 1,799,633	\$1,017,030	\$ 782,603	56.51%
Special Appropriations	\$ 258,309	\$65,017	\$ 193,292	25.17%
	\$ 2,057,942	\$1,082,047	\$ 975,895	52.58%
AMBULANCE AND RESCUE	FY 21/22	YTD	BALANCE	% Collected
	BUDGET	TOTALS	REMAINING	YTD
REVENUES	\$ 976,618	\$499,870	\$ 476,748	51.18%
EXPENDITURES				
Ad Valorem Taxes	\$ 751,618	\$ 121,088	\$ 630,530	16.11%
Special Appropriation	\$ 225,000	\$ 112,500	\$ 112,500	50.00%
	\$ 976,618	\$ 233,588	\$ 743,030	23.92%

MOTION:

Commissioner Coleman made a motion to accept the monthly finance report, seconded by Vice Chairman McMillian. The motion unanimously passed.

Agenda Item #16: **COLUMBUS COUNTY SCHOOLS – TABOR CITY SCHOOLS INTERIM APPROVAL of TWO FINANCING RESOLUTIONS and ESTABLISH PUBLIC HEARING ON DECEMBER 6TH, 2021 AT 6:30 P.M., or as SOON THEREAFTER as the MATTER can be HEARD:**

Jay Leatherman, Director, requested Board approval.

NOTICE OF PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF COLUMBUS, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE A PORTION OF THE COST OF VARIOUS PROJECTS AND WHETHER SAID COUNTY SHOULD ACQUIRE CERTAIN SCHOOL PROPERTY INCLUDED IN SUCH PROJECTS.

NOTICE IS HEREBY GIVEN of a public hearing to be held at 6:30 P.M., or as soon thereafter as the matter can be heard, on December 6, 2021, in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina 28472, for the purpose of considering whether the Board of Commissioners for the County of Columbus, North Carolina (the "County") should approve (a) a proposed installment financing agreement and certain related documents pursuant to G.S. § 160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$27,723,600, with other available funds, for the construction and other accomplishment of the Project hereinafter described and (b) the proposed acquisition by the County from the Columbus County Schools Board of Education of an interest in the real and personal property included in the Project, including specifically the site of the Project and the improvements thereon, for use by the Columbus County Schools. The County would secure the repayment by it of moneys advanced pursuant to such proposed agreement by granting a security interest in a portion of the Project and certain related property.

The Project consists of renovating, expanding, equipping and improving an existing school facility known as the Tabor City School located at 203 Stake Road, in Tabor City, North Carolina 28463.

Amanda B. Prince
Staff Attorney/Clerk to the Board of Commissioners
for the County of Columbus, North Carolina

EXTRACTS FROM MINUTES OF BOARD OF COMMISSIONERS

The Board of Commissioners (the “Board”) for the County of Columbus (the “County”) held a regular meeting in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina 28472, at 6:30 P.M. on November 15, 2021. The following Commissioners were:

Present: _____

Absent: _____

RESOLUTION MAKING CERTAIN FINDINGS AND APPOINTMENTS AND REQUESTING APPROVAL OF THE LOCAL GOVERNMENT COMMISSION

WHEREAS, the County of Columbus (the “County”) has determined to finance a portion of the cost of renovating, expanding, equipping and improving an existing school facility known as the Tabor City School (the “Project”); and

WHEREAS, the County is considering undertaking an installment financing pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$27,723,600, with other available funds, for the construction and other accomplishment of the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners as follows:

1. The Board of Commissioners hereby finds and determines in connection with the proposed installment financing contract that (a) such proposed installment financing is necessary or expedient to the County, (b) such proposed installment financing, under current circumstances, is preferable to a general obligation bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing are adequate and not excessive for their proposed purpose, (d) the County’s debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) no increase in taxes will be necessary due to the proposed installment financing and (f) the County is not in default regarding any of its debt service obligations.
2. The County Manager, the Finance Director and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such installment financing with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with such proposed acquisition and the development of such installment financing; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matters on behalf of the County are hereby approved, ratified and confirmed.
3. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing under Article 8 of Chapter 159 of the General

Statutes of North Carolina. The Board appoints Robinson Bradshaw & Hinson P.A. as special counsel for the transaction and First Tryon Advisors. as financial advisor for the transaction.

4. This Resolution shall become effective immediately upon its adoption.

Commissioner _____ seconded the motion and the motion was adopted by the following vote:

AYES: _____

NAYS: _____

* * *

Commissioner _____ introduced the following Resolution which was read by title, and moved it be adopted:

RESOLUTION CALLING A PUBLIC HEARING ON WHETHER THE BOARD OF COMMISSIONERS FOR THE COUNTY OF COLUMBUS, NORTH CAROLINA SHOULD APPROVE A PROPOSED INSTALLMENT FINANCING TO FINANCE A PORTION OF THE COST OF VARIOUS PROJECTS AND WHETHER SAID COUNTY SHOULD ACQUIRE CERTAIN SCHOOL PROPERTY INCLUDED IN SUCH PROJECTS

WHEREAS, the County of Columbus (the “County”) has determined to finance a portion of the cost of renovating, expanding, equipping and improving an existing school facility known as the Tabor City School (the “Project”); and

WHEREAS, the County is considering undertaking an installment financing pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$27,723,600, with other available funds, for the construction and other accomplishment of the Project, and the County is authorized to do so only after a public hearing on such proposed agreement; and

WHEREAS, in connection with the proposed installment financing, the County is considering acquiring from the Columbus County Schools Board of Education an interest in the real and personal property included in the Project, including specifically the site of the Project and the improvements thereon, for use by the Columbus County Schools and, pursuant to G.S. §153-158.1 as amended, the County is authorized to do so only after a public hearing on whether the County should acquire such property; and

WHEREAS, it is necessary to call a public hearing on such proposed installment financing agreement and acquisition of property;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners as follows:

1. A public hearing shall be held at 6:30 P.M., or as soon thereafter as the matter can be heard, on December 6, 2021 in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina 28472, for the purpose of considering whether the Board of Commissioners for the County (the "Board") should approve (a) such proposed installment financing and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$27,723,600, with any other available funds, for the construction and other accomplishment of the Project and (b) such proposed acquisition of the site of the Project and improvements thereon pursuant to G.S. §153-158.1 as amended. The County would secure the repayment by it of moneys advanced pursuant to such proposed agreement by granting a security interest in all or a portion of the Project and certain related property.

2. The Clerk to the Board shall cause a notice of such public hearing to be published in The News Reporter once at least 10 days before December 6, 2021.

3. This resolution shall take effect immediately upon its passage.

Commissioner _____ seconded the motion and the motion was adopted by the following vote:

AYES: _____

NAYS: _____

* * *

STATE OF NORTH CAROLINA)

COUNTY OF COLUMBUS)

I, AMANDA B. PRINCE, Staff Attorney/Clerk to the Board of Commissioners for the County of Columbus, DO HEREBY CERTIFY as follows:

1. A meeting of the Board of Commissioners for the County of Columbus, located in the State of North Carolina, was duly held November 15, 2021, such meeting having been noticed, held and conducted in accordance with all requirements of law (including open meetings requirements), and minutes of that meeting have been or will be duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of the Board of Commissioners.

2. The attached extract accurately reflects the actions taken by the Board of Commissioners with respect to the matters therein.

3. That extract correctly states the time when the meeting was convened and the place where the meeting was held and the members of the Board who attended the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the seal of the County as of _____, 2021.

(SEAL)

Clerk to the Board of Commissioners

COLUMBUS COUNTY, NORTH CAROLINA
(COLUMBUS COUNTY SCHOOLS – TABOR CITY SCHOOL)
2021 Installment Financing Agreement
FINANCING SCHEDULE

Oct-21							Nov-21							Dec-21							Jan-22						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2		1	2	3	4	5	6				1	2	3	4							1
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22
24/31	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31		23/30	24/31	25	26	27	28	29

DATE	TASK	RESPONSIBILITY
November 2	Construction Bids In Hand – Tabor City School	C
November 4	Circulate draft of Bank RFP	FA
November 5	Circulate draft of Findings Resolution	BC
November 8	Agenda Deadline – Finalize Findings Resolution	
Week of November 8	Organizational Call/Pre-app call with the LGC	Working Group
November 10	Distribute bank RFP to potential bidders	FA
November 15	County Board approves Findings Resolution	C/BC
NLT November 22	Publish notice of public hearing	C/BC
December 2	Bank RFP due Call to review bank bids	C/BC/FA
December 6	Hold public hearing	C/BC
December 9	School Board Agenda Deadline	
December 10	Submit LGC Application	C/FA
[December TBD]	Agenda Deadline – Finalize Approving Resolution	
Mid-December	USDA Approval	C
December 13	School Board Approval of Deed of Trust	C/BC
[December/January TBD]	Board Approves Final Resolution	C/FA
January 11	Receive LGC Approval	C/FA/LGC
[January 18]	Closing	Working Group

Board of Commissioners typically meets 1st and 3rd Mondays of each month

RESPONSIBILITY LEGEND:

Role	Entity	Defined
Issuer	Columbus County	"C"
Borrower	Columbus County Schools	"SD"
Regulatory Agency	Local Government Commission	"LGC"
Bond Counsel	Robinson Bradshaw & Hinson, P.A.	"BC"
Financial Advisor	First Tryon Advisors	"FA"

Columbus County, North Carolina
2021 Installment Financing Agreement (Tabor City School)
DISTRIBUTION LIST

Name, Title and Address	Work Number	Email Address
ISSUER		
Columbus County, North Carolina 111 Washington Street Whiteville, NC 28472		
Edwin Madden, County Manager	(910) 640-6630	emadden@columbusco.org
Jay Leatherman, Interim Finance Director	(910) 640-6611	jleatherman@columbusco.org
Heather Woody, Finance Specialist		hwoody@columbusco.org
Amanda Prince, County Attorney	(910) 642-5645	aprince@columbusco.org
Debra Mack, Consultant	(910) 358-1036	debramack@gisleycpa.com
BORROWER		
Columbus County School District 817 Washington Street Whiteville, NC 28472		
Dr. Deanne Meadows, Superintendent	(910) 642-5168	deannemeadows@columbus.k12.nc.us
Dr. Jonathan Williams, Assistant Superintendent		williams@columbus.k12.nc.us
LOCAL GOVERNMENT COMMISSION		
Local Government Commission of North Carolina 3200 Atlantic Avenue Raleigh, NC 27604		
Timothy Romocki	(919) 814-4273	tim.romocki@nctreasurer.com
Jennifer Wimmer	(919) 814-4285	jennifer.wimmer@nctreasurer.com
Darius Cofield	(919) 814-4282	Darius.Cofield@nctreasurer.com
BOND COUNSEL		
Robinson Bradshaw & Hinson, P.A. 101 North Tryon Street, Suite 1900 Charlotte, NC 28246		
Brandon Lofton	(704) 377-8162	blofton@robinsonbradshaw.com
Adrianna Sarrimanolis	(704) 377-8149	asarrimanolis@robinsonbradshaw.com
FINANCIAL ADVISOR		
First Tryon Advisors 6101 Carnegie Blvd., Suite 210 Charlotte, NC 28209		
Amy Vitner, Managing Director	(704) 926-2457	avitner@firsttryon.com
Brandon DeCoste, Associate	(704) 926-2981	bdecoste@firsttryon.com

Columbus County, North Carolina
2021 Installment Financing Agreement (Tabor City School)
DISTRIBUTION LIST

Name, Title and Address	Work Number	Email Address
-------------------------	-------------	---------------

BANK
TBD

BANK COUNSEL
TBD

Email Distribution:

emadden@columbusco.org; jleatherman@columbusco.org; hwoody@columbusco.org; aprince@columbusco.org;
 debramack@jisleycpa.com; deannemeadows@columbus.k12.nc.us; jwilliams@columbus.k12.nc.us;
 tim.romocki@nctreasurer.com; jennifer.wimmer@nctreasurer.com; Darrus.Coffield@nctreasurer.com;
 blofton@robinsonbradshaw.com; asarimanolis@robinsonbradshaw.com; avitner@firsttryon.com; bdecoste@firsttryon.com



COLUMBUS COUNTY, NORTH CAROLINA
Request for Proposals
for
Interim Installment Financing Agreement

The County of Columbus, North Carolina (the "County") is requesting proposals from financial institutions to enter into an interim installment financing agreement (the "Agreement") pursuant to N.C.G.S. 160A-20 in a principal amount not-to-exceed \$27,723,600*. Proceeds of the financing, along with other available funds, will be used for the renovation, expansion and improvements of certain facilities related to Columbus County Schools and to pay related financing costs. The County is soliciting proposals to provide the necessary financing for the Project, subject to the terms and conditions set forth in this Request for Proposal ("RFP").

Pertinent Information

1. The Project consists of renovating, expanding, equipping and improving existing school facilities known as Tabor City School.
2. The Agreement is being executed and delivered with expectation that the principal thereof will be paid by the USDA pursuant to a loan from the USDA to the County subject to the Letter of Conditions from the USDA to the County. However, the loan to the County from the USDA is conditional and cannot be assured. The USDA letter of conditions will be provided along with USDA Form 1940-1 prior to closing.
3. Robinson Bradshaw, Charlotte, North Carolina, will serve as bond counsel to the County for this financing. Legal documentation necessary for this financing will be prepared by Robinson, Bradshaw. All legal documentation will be subject to the approval of the County and the successful bidder.
4. First Tryon Advisors will serve as financial advisor to the County for this financing.
5. The County does not currently maintain a general obligation bond rating and this Agreement will not be rated. The County maintains a rating of "A1" from Moody's on its limited Obligation Bonds, Series 2015.
6. Audited financial statements and other financial information may be found on EMMA at following link:

<https://emma.msrb.org/IssueView/Details/ER371357>

7. Interest paid pursuant to the Agreement shall be treated as tax-exempt.
8. The financing will not be bank eligible under Section 265 of the Internal Revenue Code of 1986, as amended.
9. Approval of the Local Government Commission is anticipated on January 11, 2022.
10. Findings resolution to be adopted November 15, 2021. County expected to hold public hearing on December 6, 2021 and adopt the approving resolution at a meeting in December or January prior to closing.

Contract Specifications

1. The amount of the financing will not exceed \$27,723,600*. The County will work with the successful bidder to determine the final borrowing amount.
2. Interest on the Agreement is to be calculated semiannual on a 30/360 basis in arrears on each January 1 and July 1 commencing, July 1, 2022.
3. The final maturity will be January 1, 2024.

County of Columbus, North Carolina

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4. The interest rate shall be fixed for the entire term and will not be subject to adjustment due to changes in the federal tax laws or bank capital requirements.
5. The County desires to close the transaction on or before January 13, 2022. The interest rate proposed must be guaranteed through this date.
6. Optional prepayment at par on any date on or after January 1, 2023.
7. The County's obligation to make the installments under the Agreement will be subject to annual appropriation by the County in its sole discretion. The County's obligations under the Agreement will be secured by a deed of trust on the Tabor City School. No deficiency judgment may be rendered against the County for breach of contractual obligation under the Agreement, and the taxing power of the County will not be pledged to secure any payments due under the Agreement.
8. The Agreement must not contain a non-substitution clause.
9. **LOAN TREATMENT:** BY SUBMITTING A BID IN RESPONSE TO THIS RFP, EACH BIDDER ACKNOWLEDGES AND REPRESENTS TO THE COUNTY AND ITS FINANCIAL ADVISOR THAT (1) NO OFFICIAL STATEMENT OR OTHER OFFERING MATERIAL WILL BE FURNISHED OTHER THAN THIS RFP; (2) THE BIDDER HAS KNOWLEDGE AND EXPERIENCE IN FINANCIAL AND BUSINESS MATTERS AND THAT IT IS CAPABLE OF EVALUATING THE MERITS AND RISKS OF MAKING THE COMMERCIAL LOAN TO BE EVIDENCED BY THE AGREEMENT AND IS FINANCIALLY ABLE TO BEAR THE ECONOMIC RISK OF HOLDING THE AGREEMENT; (3) NO CUSIP NUMBER WILL BE OBTAINED FOR THE AGREEMENT; AND (4) THE BIDDER INTENDS TO ACQUIRE THE AGREEMENT SOLELY FOR ITS OWN ACCOUNT AS A VEHICLE FOR MAKING A COMMERCIAL LOAN AND WITH NO PRESENT INTENTION TO DISTRIBUTE OR RESALE THE AGREEMENT OR ANY PORTION THEREOF.

Submission of Proposal

Email submission of your proposal must be received no later than December 2, 2021 at 10:00 a.m. Proposals should be submitted by email to the following persons:

jleatherman@columbusco.org
hwoody@columbusco.org
blofton@robinsonbradshaw.com
asarrimanolis@robinsonbradshaw.com
avitner@firsttryon.com
bdecoste@firsttryon.com

Please provide the following information in your proposal:

- 1. The fixed interest rate assuming a maturity date of January 1, 2024.
- 2. Confirmation of optional prepayment provision specified above. If different, please specify.
- 3. Describe any additional costs to the County associated with the proposed financing, including counsel fees, origination fees or other expenses. Any fees not disclosed will not be paid by the County. The County will pay the cost of its counsel, any title insurance premium and any recording fees that are required for the financing.
- 4. Describe how the proceeds of the financing will be required to be held and invested pending expenditure to pay project and financing costs.

The County reserves the right to request additional information from the bidders and to waive any irregularity or informality and to negotiate provisions and covenants directly with any bidder. The County also reserves the right to reject all proposals for any reason. Although the selection will be based substantially on lowest total financing cost (including both interest cost and upfront fees and expenses), the County reserves the right to select the bidder that best meets the needs of the County.

County of Columbus, North Carolina

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Questions may be addressed to the County through its bond counsel or financial advisor:

Bond Counsel
Brandon Lofton
Robinson Bradshaw
(704) 377-8162
blofton@robinsonbradshaw.com

Financial Advisor
Amy Vitner / Brandon DeCoste
First Tryn Advisors
(704) 926-2457
(704) 926-2981
avitner@firsttryn.com
bdecoste@firsttryn.com

County of Columbus, North Carolina

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Columbus County, North Carolina

Bank Distribution List

Company	Full Name
Ameris Bank	Beau Sheppard
Aquesta Bank	Jennifer Merritt
Bank of America Merrill Lynch	Ben Taube
Bank of America Merrill Lynch	Brooks Scurry
Bank of America Merrill Lynch	Charles Maguire
Bank of America Merrill Lynch	Mason Hurley
Bank of the Ozarks	Drew Harper
Bank of the Ozarks	Edward Lunsford
BCI Capital	Dan Sanchez
Capital One	Jaci Bretz
Carter Bank & Trust	Dawn DeHart
CIBC Capital Markets	Jonathan Levy
Coastal Bank NC	Renee Rhodes
County Bank	Ken Harper
Fifth Third Bank	David Sedor
Fifth Third Bank	Sherrie Stumbo
First Bank	Mike Coleman
First Bank	Rusty Edwards
First Bank	Vivian Bolanos
First Citizens Bank	Courtney Dunlap

First Citizens Bank	Steve Groth
First National Bank	Charlie Jones
FTN Financial Capital Markets	Bruce Gow
Grand South Bank	J.B. Garrett
Huntington National Bank	Bryant Eckert
JP Morgan Chase	Alison Hastings
JP Morgan Chase	Helen Allen
JP Morgan Chase	Jay Robinson
JP Morgan Chase	Jeremy Fisher
JP Morgan Chase	Kevin Harewood
JP Morgan Chase	Robert Kennedy
JP Morgan Chase	Scott Ricker
Key Bank	Daniel Bild
Key Bank	David Zapata
Key Bank	Kevin Law
Key Bank	Kevin Scott
Local First Bank	Dana Maness
Local First Bank	Marcus Bryant
Loop Capital Markets	Alex Wallace
Lumbee Guaranty Bank	Kyle Chavis
Oppenheimer & Co.	Allison Fleitas
Oppenheimer & Co.	Vin Kurian
Pinnacle Financial Partners	Brad Medcald
Pinnacle Financial Partners	David Smith
Pinnacle Financial Partners	Fernando Ycaza

Columbus County, North Carolina

Bank Distribution List

Company	Full Name
Pinnacle Financial Partners	Jeff Joyce
Pinnacle Financial Partners	Ken Leonczyk
PNC Bank	Casey Turner
PNC Bank	Crimmins, Robert
PNC Bank	Kyle Huber
PNC Bank	Ralph Swanson
Raymond James Bank	Cord King
Regions Bank	Bland Wilkerson
Regions Bank	Justin Smith
Regions Bank	Sankar Nair
Santander Bank	Bruce Block
Signature Public Funding Corp.	Dennis McDermott
South State Bank	Bill Duke
South State Bank	Brent Mackie
South State Bank	Larry Windham
Southern Bank	Suzanne Burrows
Southern First Bank	Art Seaver
Southern First Bank	Debbie Tucker
Sterling National Bank	Mark Cargo
SunTrust Bank	Amanda Spivey
SunTrust Bank	Jeff Stoddard
SunTrust Bank	Rob Garofalo
SunTrust Bank	Wes Wright
Synovus Bank	Bob Derrick
Synovus Bank	Boyd Jones
Synovus Bank	Brandi Keefer
Synovus Bank	Jim Mitchell
Synovus Bank	LeeAnn Kirwin
Synovus Bank	Rafael Borrero
TD Bank	Ernest Meland
TD Bank	Kelly Carson
TD Bank	Michael Cooper
Texas Capital Bank	James Sult
Truist Bank	Andy Smith
Truist Bank	Jonathan Cox
Truist Bank	Ted Wolfe
Truist Bank	Tinker, Christina
U.S. Bank, N.A.	Lyn Nita
U.S. Bank, N.A.	Roberta Michalowski
UBT Municipal Finance, Inc.	John Kinneer
United Community Bank	Blair Swain
United Community Bank	Charles Chamberlain
Uwharrie Bank	Pat Horton
Uwharrie Bank	Rudy Rudisill
Webster Bank	Joe Arndt

Columbus County, North Carolina
Bank Distribution List

Company	Full Name
Wells Fargo Bank, N.A.	Page Allen
Wells Fargo Bank, N.A.	Reid Andrews
Wells Fargo Securities (Lender)	Karekin Johnson
Wells Fargo Securities (Lender)	Karen Rawls
Zions Bank	Arthur Mosley
Zions Bank	Chase Riepl
Zions Bank	Trever Kreutzer

MOTION:
Commissioner McDowell made a motion to approve the two resolutions and set December 6th, 2021 at 6:30 P.M. as the time for the Public Hearing, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #17: FINANCE – APPROVAL of PROJECT ORDINANCE for the KATE B. REYNOLDS CHARITABLE TRUST PROGRAM:

Jay Leatherman, Director, requested Board approval.

COLUMBUS COUNTY, NORTH CAROLINA

Ordinance making appropriations to the Kate B. Reynolds

Charitable Trust Program

for the Fiscal Year beginning July 1, 2021

BE IT ORDAINED by the Board of Commissioners of Columbus County, North Carolina as follows:

Section 1: The following amounts are hereby made to the Kate B. Reynolds Charitable Trust Program pursuant to G.S. 159 -13.2 for the fiscal year beginning July 1, 2021.

Project Appropriations	
97-5701-512105 Salaries & Benefits	\$ 28,080
97-5701-519001 Contract Services	\$ 231,842
97-5701-549900 Miscellaneous Expense	\$ 25,992
Total Appropriations – Kate B. Reynolds Charitable Trust Program	\$ 285,914

Source of Revenue	
97-3571-440074 Kate B. Reynolds Trust Grant # 2022-004	\$ 285,914
Total Estimated Revenues – Kate B. Reynolds Charitable Trust Program	\$ 285,914

Section 2: The project undertaken pursuant to this ordinance is in accordance with the Recommended Budget and any changes made during the County Commissioners' budget work sessions.

Section 3: The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy all applicable regulations. The terms of any financing agreement also shall be met.

Section 4: The County will act solely as the Administrator of the Program, receiving grant funds and make disbursements to cover all appropriate expenses.

Section 5: This project ordinance shall be entered in the minutes of the Board of Commissioners of Columbus County. Within five days hereof, copies of this ordinance shall be filed with the finance office in Columbus County, and with the Clerk to the Board of Commissioners of Columbus County. Copies of the Capital Project Ordinance shall be made available to the Budget Officer, the Project Manager and the Finance Officer for direction in carrying out this project.

This Capital Project shall become effective on November 15, 2021.
ADOPTED, this 15th day of November, 2021

Ricky Bullard, Chairman
Columbus County Board of Commissioners

Amanda Prince, Clerk to the Board

MOTION:
Commissioner Smith made a motion to approve the ordinance, seconded by Vice Chairman McMillian. The motion was unanimously passed.

Agenda Item #18: LEGAL – APPROVAL of a RESOLUTION to APPROVE the MOA and AUTHORIZE the COUNTY MANAGER to act to RECEIVE SETTLEMENT FUNDS for OPIOID LITIGATION:

Amanda Prince, Staff Attorney, requested Board approval.



**A RESOLUTION BY THE COUNTY OF COLUMBUS
APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE STATE OF
NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE
SETTLEMENT OF OPIOID LITIGATION**

- WHEREAS**, as of 2019, the opioid epidemic had taken the lives of more than 16,500 North Carolinians, torn families apart, and ravaged communities from the mountains to the coast; and
- WHEREAS**, the COVID-19 pandemic has compounded the opioid crisis, increasing levels of drug misuse, addiction, and overdose death; and
- WHEREAS**, the Centers for Disease Control and Prevention estimates the total "economic burden" of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and
- WHEREAS**, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuits against opioid manufacturers and pharmaceutical distribution companies and hold those companies accountable for their misconduct; and
- WHEREAS**, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Memorandum of Agreement (MOA) to provide for the equitable distribution of any proceeds from a settlement of national opioid litigation to the State of North Carolina and to individual local governments; and
- WHEREAS**, Local Governments and the State of North Carolina anticipate a settlement in the national opioid litigation to be forthcoming; and
- WHEREAS**, by signing onto the MOA, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, once a negotiation is finalized, as quickly, effectively, and directly as possible; and
- WHEREAS**, it is advantageous to all North Carolinians for local governments, including Columbus County and its citizens, to sign onto the MOA and demonstrate solidarity in response to the

opioid epidemic, and to maximize the share of opioid settlement funds received both in the state and this county to help abate the harm; and

WHEREAS, the MOA directs substantial resources over multiple years to local governments on the front lines of the opioid epidemic while ensuring that these resources are used in an effective way to address the crisis.

NOW, THEREFORE BE IT RESOLVED, Columbus County hereby approves the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, and any subsequent settlement funds that may come into North Carolina as a result of the opioid crisis. Furthermore, Columbus County authorizes the County Manager take such measures as necessary to comply with the terms of the MOA and receive any settlement funds, including executing any documents related to the allocation of opioid settlement funds and settlement of lawsuits related to this matter. Be it further resolved copies of this resolution and the signed MOA be sent to opioiddocs@ncdoj.gov as well as forwarded to the North Carolina Association of County Commissioners at communications@ncacc.org.

Adopted this the 15th day of November, 2021.

Ricky Bullard, Chair
Columbus County Board of Commissioners

ATTEST:

Amanda B. Prince, Clerk to the Board

(SEAL)

**MEMORANDUM OF AGREEMENT
BETWEEN THE STATE OF NORTH CAROLINA AND LOCAL GOVERNMENTS
ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION**

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Background Statement

Capitalized terms not defined below have the meanings set forth in the Definitions section of the Statement of Agreement.

WHEREAS, the State of North Carolina (the “State”), North Carolina counties and municipalities, and their people have been harmed by misconduct committed by certain entities that engage in or have engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic (“Pharmaceutical Supply Chain Participants”); and

WHEREAS, certain North Carolina counties and municipalities, through their counsel, and the State, through its Attorney General, are separately engaged in ongoing investigations, litigation and settlement discussions seeking to hold Pharmaceutical Supply Chain Participants accountable for the damage caused by their misconduct; and

WHEREAS, the State and the Local Governments share a common desire to abate and alleviate the impacts of the misconduct described above throughout North Carolina and in its local communities; and

WHEREAS, while the Local Governments and the State recognize the sums which may be available from the aforementioned litigation will likely be insufficient to fully abate the public health crisis caused by the opioid epidemic, they share a common interest in dedicating the most resources possible to the abatement effort; and

WHEREAS, settlements resulting from the investigations and litigation with Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson are anticipated to take the form of a National Settlement Agreement; and

WHEREAS, this Memorandum of Agreement (“MOA”) is intended to facilitate compliance by the State and by the Local Governments with the terms of the National Settlement Agreement and, to the extent appropriate, in other settlements related to the opioid epidemic reached by the state of North Carolina; and

WHEREAS, North Carolina’s share of settlement funds from the National Settlement Agreement will be maximized only if all North Carolina counties, and municipalities of a certain size, participate in the settlement; and

WHEREAS, the National Settlement Agreement will set a default allocation between each state and its political subdivisions unless they enter into a state-specific agreement regarding the distribution and use of settlement amounts (a “State-Subdivision Agreement”); and

WHEREAS, this MOA is intended to serve as such a State-Subdivision Agreement under the National Settlement Agreement; and

WHEREAS, the aforementioned investigations and litigation have caused some Pharmaceutical Supply Chain Participants to declare bankruptcy, and it may cause additional entities to declare bankruptcy in the future; and

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WHEREAS, this MOA is also intended to serve as a State-Subdivision Agreement under resolutions of claims concerning alleged misconduct in manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic entered in bankruptcy court that provide for payments (including payments through a trust) to both the State and North Carolina counties and municipalities and allow for the allocation between a state and its political subdivisions to be set through a state-specific agreement (“Bankruptcy Resolutions”); and

WHEREAS, specifically, this MOA is intended to serve under the Bankruptcy Resolution concerning Purdue Pharma L.P. as a statewide abatement agreement, and under this MOA, a statewide abatement agreement is a type of State-Subdivision Agreement.

Statement of Agreement

The parties hereto agree as follows:

A. Definitions

As used in this MOA:

The terms “Bankruptcy Resolution,” “MOA,” “Pharmaceutical Supply Chain Participant,” “State,” and “State-Subdivision Agreement” are defined in the recitals to this MOA.

“Coordination group” refers to the group described in **Section E.7** below.

“County Incentive Fund” is defined in **Section G** below.

“Governing Body” means (1) for a county, the county commissioners of the county, and (2) for a municipality, the elected city council, town council, board of commissioners, or board of aldermen for the municipality.

“Incentive Eligible Local Government” is defined in **Section G** below.

“Local Abatement Funds” are defined in **Section B.2** below.

“Local Government” means all counties and municipalities located within the geographic boundaries of the State of North Carolina that have chosen to sign on to this MOA.

“MDL Matter” means the matter captioned *In re: National Prescription Opiate Litigation*, MDL 2804 pending in the United States District Court for the Northern District of Ohio.

“MDL Parties” means all parties who participated in the matter captioned *In re: National Prescription Opiate Litigation*, MDL 2804 pending in the United States District Court for the Northern District of Ohio as Plaintiffs.

“National Settlement Agreement” means a national opioid settlement agreement with the Parties and one or all of the Settling Defendants concerning alleged misconduct in manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic.

“Opioid Settlement Funds” shall mean all funds allocated by the National Settlement Agreement and any Bankruptcy Resolutions to the State or Local Governments for purposes of opioid remediation activities or restitution, as well as any repayment of those funds and any interest or investment earnings that may accrue as those funds are temporarily held before being expended on opioid remediation strategies. Not included are funds made available in the National Settlement Agreement or any Bankruptcy Resolutions for the payment of the Parties’ litigation expenses or the reimbursement of the United States Government.

“Parties” means the State of North Carolina and the Local Governments.

“Settling Defendants” means Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson, as well as their subsidiaries, affiliates, officers, and directors named in a National Settlement Agreement.

“State Abatement Fund” is defined in **Section B.2** below.

B. Allocation of Settlement Proceeds

1. Method of distribution. Pursuant to the National Settlement Agreement and any Bankruptcy Resolutions, Opioid Settlement Funds shall be distributed directly to the State and to Local Governments in such proportions and for such uses as set forth in this MOA, provided Opioid Settlement Funds shall not be considered funds of the State or any Local Government unless and until such time as each annual distribution is made.
2. Overall allocation of funds. Opioid Settlement Funds shall be allocated as follows: (i) 15% directly to the State (“State Abatement Fund”), (ii) 80% to abatement funds established by Local Governments (“Local Abatement Funds”), and (iii) 5% to a County Incentive Fund described in **Section G** below.
3. Allocation of funds between Local Governments. The Local Abatement Funds shall be allocated to counties and municipalities in such proportions as set forth in **Exhibit G**, attached hereto and incorporated herein by reference, which is based upon the MDL Matter’s Opioid Negotiation Class Model. The proportions shall not change based on population changes during the term of the MOA. However, to the extent required by the terms of the National Settlement Agreement, the proportions set forth in **Exhibit G** shall be adjusted: (i) to provide no payment from the National Settlement Agreement to any listed county or municipality that does not participate in the National Settlement Agreement; and (ii) to provide a reduced payment from the National Settlement Agreement to any listed county or municipality that signs onto the National Settlement Agreement after the initial participation deadline.
4. Municipal allocations. Within counties and municipalities:

- a. Local Governments receiving payments. The proportions set forth in **Exhibit G** provide for payments directly to (i) all North Carolina counties, (ii) North Carolina municipalities with populations over 75,000 based on the United States Census Bureau's Vintage 2019 population totals, and (iii) North Carolina municipalities who are also MDL Parties as of January 1, 2021.
 - b. Municipality may direct payments to county. Any municipality allocated a share in **Exhibit G** may elect to have its share of current or future annual distributions of Local Abatement Funds instead directed to the county or counties in which it is located. Such an election may be made by January 1 each year to apply to the following fiscal year. If a municipality is located in more than one county, the municipality's funds will be directed based on the MDL Matter's Opioid Negotiation Class Model.
5. Use of funds for opioid remediation activities. This MOA requires that except as related to the payment of the Parties' litigation expenses and the reimbursement of the United States Government, all Opioid Settlement Funds, regardless of allocation, shall be utilized only for opioid remediation activities.
 6. Relationship of this MOA to other agreements and resolutions. All Parties acknowledge and agree the National Settlement Agreement will require a Local Government to release all its claims against the Settling Defendants to receive Opioid Settlement Funds. All Parties further acknowledge and agree based on the terms of the National Settlement Agreement, a Local Government may receive funds through this MOA only after complying with all requirements set forth in the National Settlement Agreement to release its claims. This MOA is not a promise from any Party that any National Settlement Agreement or Bankruptcy Resolution will be finalized or executed.

C. Payment of Litigating and Non-Litigating Parties

No Party engaged in litigating the MDL Matter shall receive a smaller payment than a similarly situated non-litigating Party, other than as based on the Allocation Proportions in **Exhibit G** or based on the eligibility criteria for payments from the County Incentive Fund as provided by **Section G** below.

D. Special Revenue Fund

1. Creation of special revenue fund. Every Local Government receiving Opioid Settlement Funds shall create a separate special revenue fund, as described below, that is designated for the receipt and expenditure of the Opioid Settlement Funds.
2. Procedures for special revenue fund. Funds in this special revenue fund shall not be commingled with any other money or funds of the Local Government. The funds in the

special revenue fund shall not be used for any loans or pledge of assets, unless the loan or pledge is for an opioid remediation purpose consistent with the terms of this MOA and adopted under the process described in **Section E.6** below. Although counties or municipalities may make contracts with or grants to a nonprofit, charity, or other entity, counties or municipalities may not assign to another entity their rights to receive payments from the national settlement or their responsibilities for funding decisions.

3. Interest earned on special revenue fund. The funds in the special revenue fund may be invested, consistent with the investment limitations for local governments, and may be placed in an interest-bearing bank account. Any interest earned on the special revenue fund must be used in a way that is consistent with this MOA.

E. Opioid Remediation Activities.

1. Limitation on use of funds. Local Governments shall expend Opioid Settlement Funds only for opioid-related expenditures consistent with the terms of this MOA and incurred after the date of the Local Government's execution of this MOA, unless execution of the National Settlement Agreement requires a later date.
2. Opportunity to cure inconsistent expenditures. If a Local Government spends any Opioid Settlement Funds on an expenditure inconsistent with the terms of this MOA, the Local Government shall have 60 days after discovery of the expenditure to cure the inconsistent expenditure through payment of such amount for opioid remediation activities through budget amendment or repayment.
3. Consequences of failure to cure inconsistent expenditures. If a Local Government does not make the cure required by **Section E.2** above within 60 days, (i) future Opioid Fund payments to that Local Government shall be reduced by an amount equal to the inconsistent expenditure, and (ii) to the extent the inconsistent expenditure is greater than the expected future stream of payments to the Local Government, the Attorney General may initiate a process up to and including litigation to recover and redistribute the overage among all eligible Local Governments. The Attorney General may recover any litigation expenses incurred to recover the funds. Any recovery or redistribution shall be distributed consistent with **Sections B.3 and B.4** above.
4. Annual meeting of counties and municipalities within each county. Each county receiving Opioid Settlement Funds shall hold at least one annual meeting with all municipalities in the Local Government's county invited in order to receive input as to proposed uses of the Opioid Settlement Funds and to encourage collaboration between local governments both within and beyond the county. These meetings shall be open to the public.
5. Use of settlement funds under Option A and Option B. Local Governments shall spend Opioid Settlement Funds from the Local Abatement Funds on opioid remediation activities using either or both of the processes described as Option A and Option B below, unless the relevant National Settlement Agreement or Bankruptcy Resolution further limit the spending.

a. Option A.

- i. Without any additional strategic planning beyond the meeting described in **Section E.4** above, Local Governments may spend Opioid Settlement Funds from the list of High-Impact Opioid Abatement Strategies attached as **Exhibit A**. This list is a subset of the initial opioid remediation strategies listed in the National Settlement Agreement.
- ii. **Exhibit A** may be modified as set forth in Exhibit D below; provided, however, that any strategy listed on **Exhibit A** must be within the list of opioid remediation activities for the then-current National Settlement Agreement. Opioid remediation activities undertaken under a previously authorized strategy list may continue if they were authorized at the time of the Local Government's commitment to spend funds on that activity.

b. Option B.

- i. A Local Government that chooses to participate in additional voluntary, collaborative, strategic planning may spend Opioid Settlement Funds from the broader list of categories found in **Exhibit B**. This list contains all the initial opioid remediation strategies listed in the National Settlement Agreement.
- ii. Before spending any funds on any activity listed in **Exhibit B**, but not listed on **Exhibit A**, a Local Government must first engage in the collaborative strategic planning process described in **Exhibit C**. This process shall result in a report and non-binding recommendations to the Local Government's Governing Body described in **Exhibit C** (right-hand column).
- iii. A Local Government that has previously undertaken the collaborative strategic planning process described in **Exhibit C** and wishes to continue implementing a strategy listed in **Exhibit B**, but not listed in **Exhibit A**, shall undertake a new collaborative strategic planning process every four years (or more often if desired).
- iv. A Local Government that has previously undertaken the collaborative strategic planning process described in **Exhibit C** that wishes to implement a new strategy listed in **Exhibit B** but not listed in **Exhibit A**, shall undertake a new collaborative strategic planning process.
- v. Two or more Local Governments may undertake a single collaborative strategic planning process resulting in a report and recommendations to all of the Local Governments involved.

6. Process for drawing from special revenue funds.

- a. Budget item or resolution required. Opioid Settlement Funds can be used for a purpose when the Governing Body includes in its budget or passes a separate resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for that purpose or those purposes during a specified period of time.
- b. Budget item or resolution details. The budget or resolution should (i) indicate that it is an authorization for expenditure of opioid settlement funds; (ii) state the specific strategy or strategies the county or municipality intends to fund pursuant to Option A or Option B, using the item letter and/or number in **Exhibit A** or **Exhibit B** to identify each funded strategy, and (iii) state the amount dedicated to each strategy for a stated period of time.

7. Coordination group. A coordination group with the composition and responsibilities described in **Exhibit D** shall meet at least once a year during the first three years that this MOA is in effect. Thereafter, the coordination group shall meet at least once every three years until such time as Opioid Settlement Funds are no longer being spent by Local Governments.

F. Auditing, Compliance, Reporting, and Accountability

1. Audits under Local Government Budget and Fiscal Control Act. Local Governments' Opioid Settlement Funds are subject to financial audit by an independent certified public accountant in a manner no less than what is required under G.S. 159-34. Each Local Government must file an annual financial audit of the Opioid Settlement Funds with the Local Government Commission. If any such audit reveals an expenditure inconsistent with the terms of this MOA, the Local Government shall immediately report the finding to the Attorney General.
2. Audits under other acts and requirements. The expenditure of Opioid Settlement Funds is subject to the requirements of the Local Government Budget and Fiscal Control Act, Chapter 159 of the North Carolina General Statutes; Local Government Commission rules; the Federal Single Audit Act of 1984 (as if the Opioid Settlement Funds were federal funds); the State Single Audit Implementation Act; Generally Accepted Government Auditing Standards; and all other applicable laws, rules, and accounting standards. For expenditures for which no compliance audit is required under the Federal Single Audit Act of 1984, a compliance audit shall be required under a compliance supplement approved by the coordination group.
3. Audit costs. Reasonable audit costs that would not be required except for this Section F may be paid by the Local Government from Opioid Settlement Funds..
4. Access to persons and records. During and after the term of this MOA, the State Auditor and Department of Justice shall have access to persons and records related to this MOA and expenditures of Opioid Settlement Funds to verify accounts and data affecting fees or

performance. The Local Government manager/administrator is the point of contact for questions that arise under this MOA.

5. Preservation of records. The Local Government must maintain, for a period of at least five years, records of Opioid Settlement Fund expenditures and documents underlying those expenditures, so that it can be verified that funds are being or have been utilized in a manner consistent with the National Settlement Agreement, any Bankruptcy Resolutions, and this MOA.
6. Reporting.
 - a. Annual financial report required. In order to ensure compliance with the opioid remediation provisions of the National Settlement Agreement, any Bankruptcy Resolutions, and this MOA, for every fiscal year in which a Local Government receives, holds, or spends Opioid Settlement Funds, the county or municipality must submit an annual financial report specifying the activities and amounts it has funded.
 - b. Annual financial report timing and contents. The annual financial report shall be provided to the North Carolina Attorney General by emailing the report to opioiddocs@ncdoj.gov, within 90 days of the last day of the state fiscal year covered by the report. Each annual financial report must include the information described on **Exhibit E**.
 - c. Reporting to statewide opioid settlement dashboard. Each Local Government must provide the following information to the statewide opioid settlement dashboard within the stated timeframes:
 - i. The budget or resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for a specific purpose or purposes during a specified period of time as described in **Section E.6.b** above (within 90 days of the passage of any such budget or resolution);
 - ii. If the Local Government is using Option B, the report(s) and non-binding recommendations from collaborative strategic planning described in **Section E.5.b.ii** above and **Exhibit C** (right hand column) (within 90 days of the date the report and recommendations are submitted to the local governing body for consideration);
 - iii. The annual financial reports described in **Section F.6.a** and **Exhibit E** (within 90 days of the end of the fiscal year covered by the report); and
 - iv. The impact information described in **Exhibit F** (within 90 days of the end of the fiscal year covered by the report).

The State will create an online portal with instructions for Local Governments to report or upload each of these four items by electronic means.

- d. Copy to NCDOT of any additional reporting. If the National Settlement Agreement or any Bankruptcy Resolutions require that a Local Government file, post, or provide a report or other document beyond those described in this MOA, or if any Local Government communicates in writing with any national administrator or other entity created or authorized by the National Settlement Agreement or any Bankruptcy Resolutions regarding the Local Government's compliance with the National Settlement Agreement or Bankruptcy Resolutions, the Local Government shall email a copy of any such report, document, or communication to the North Carolina Department of Justice at opioiddocs@ncdoj.gov.
 - e. Compliance and non-compliance.
 - i. Every Local Government shall make a good faith effort to comply with all of its reporting obligations under this MOA, including the obligations described in **Section F.6.c** above.
 - ii. A Local Government that engages in a good faith effort to comply with its reporting obligations under **Section F.6.c** but fails in some way to report information in an accurate, timely, or complete manner shall be given an opportunity to remedy this failure within a reasonable time.
 - iii. A Local Government that does not engage in a good faith effort to comply with its reporting obligations under this MOA, or that fails to remedy reporting issues within a reasonable time, may be subject to action for breach of contract.
 - iv. Notwithstanding anything to the contrary herein, a Local Government that is in substantial compliance with the reporting obligations in this MOA shall not be considered in breach of this MOA or in breach of contract.
7. Collaboration. The State and Local Governments must collaborate to promote effective use of Opioid Settlement Funds, including through the sharing of expertise, training, technical assistance. They will also coordinate with trusted partners to collect and share information about successful regional and other high-impact strategies and opioid treatment programs.

G. County Incentive Fund

A Local Government receiving Settlement Proceeds pursuant to **Section B.4.a** shall be an Incentive Eligible Local Government if every municipality in the Local Government's county with population of at least 30,000 has executed this MOA by October 1, 2021, but no later than any such deadline set in the National Settlement Agreement for the highest possible participation in incentive structures for North Carolina. Each Incentive Eligible Local Government shall receive a share of the 5% County Incentive Fund set forth in **Section B.2.iii**, distributed pro rata among only Incentive Eligible Local Governments as set forth in **Exhibit G**. For purposes of the calculations required by this Section, populations will be based on United States Census Bureau's Vintage 2019 population totals, and a municipality with populations in multiple counties will be counted only toward the county which has the largest share of that municipality's population.

H. Effectiveness

1. When MOA takes effect. This MOA shall become effective at the time a sufficient number of Local Governments have joined the MOA to qualify this MOA as a State-Subdivision Agreement under the National Settlement Agreement or any Bankruptcy Resolution. If this MOA does not thereby qualify as a State-Subdivision Agreement, this MOA will have no effect.
2. Amendments to MOA.
 - a. Amendments to conform to final national documents. The Attorney General, with the consent of a majority vote from a group of Local Government attorneys appointed by the Association of County Commissioners, may initiate a process to amend this MOA to make any changes required by the final provisions of the National Settlement Agreement or any Bankruptcy Resolution. The Attorney General's Office will provide written notice of the necessary amendments to all the previously joining parties. Any previously joining party will have a two-week opportunity to withdraw from the MOA. The amendments will be effective to any party that does not withdraw.
 - b. Coordination group. The coordination group may make the changes authorized in **Exhibit D**.
 - c. No amendments to allocation between Local Governments. Notwithstanding any other provision of this MOA, the allocation proportions set forth in **Exhibit G** may not be amended.
 - d. General amendment power. After execution, the coordination group may propose other amendments to the MOA, subject to the limitation in **Section H.2.c** above. Such amendments will take effect only if approved in writing by the Attorney General and at least two-thirds of the Local Governments who are Parties to this MOA. In the vote, each Local Government Party will have a number of votes measured by the allocation proportions set forth in **Exhibit G**.
3. Acknowledgement. The Parties acknowledge that this MOA is an effective and fair way to address the needs arising from the public health crisis due to the misconduct committed by the Pharmaceutical Supply Chain Participants.
4. When MOA is no longer in effect. This MOA is effective until one year after the last date on which any Opioid Settlement Funds are being spent by Local Governments pursuant to the National Settlement Agreement and any Bankruptcy Resolution.
5. Application of MOA to settlements and bankruptcy resolutions. This MOA applies to all settlements under the National Settlement Agreement with the Settling Defendants and any Bankruptcy Resolutions. The Parties agree to discuss the use, as the Parties may deem appropriate in the future, of the settlement terms set out herein (after any necessary

amendments) for resolutions with Pharmaceutical Supply Chain Participants not covered by the National Settlement Agreement or a Bankruptcy Resolution.

6. Applicable law and venue. Unless required otherwise by the National Settlement Agreement or a Bankruptcy Resolution, this MOA shall be interpreted using North Carolina law and any action related to the provisions of this MOA must be adjudicated by the Superior Court of Wake County. If any provision of this MOA is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision which can be given effect without the invalid provision.
7. Scope of MOA. The Parties acknowledge that this MOA does not excuse any requirements placed upon them by the terms of the National Settlement Agreement or any Bankruptcy Resolution, except to the extent those terms allow for a State-Subdivision Agreement to do so.
8. No third party beneficiaries. No person or entity is intended to be a third party beneficiary of this MOA.
9. No effect on authority of parties. Nothing in this MOA shall be construed to affect or constrain the authority of the Parties under law.
10. Signing and execution of MOA. This MOA may be signed and executed simultaneously in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement. A signature transmitted by facsimile or electronic image shall be deemed an original signature for purposes of executing this MOA. Each person signing this MOA represents that he or she is fully authorized to enter into the terms and conditions of, and to execute, this MOA, and that all necessary approvals and conditions precedent to his or her execution have been satisfied.

(Signature pages follow.)

Signature pages will be structured as one page for the State of North Carolina, followed by separate signature pages for each county.

These signature pages will also include blanks for the county's municipalities.

To avoid having 101 signature pages in the middle of this file,
the signature pages are in a separate document.

**EXHIBIT A TO NC MOA:
HIGH-IMPACT OPIOID ABATEMENT STRATEGIES (“OPTION A” List)**

In keeping with the National Settlement Agreement, opioid settlement funds may support programs or services listed below that serve persons with Opioid Use Disorder (OUD) or any co-occurring Substance Use Disorder (SUD) or mental health condition.

As used in this list, the words “fund” and “support” are used interchangeably and mean to create, expand, or sustain a program, service, or activity.

1. **Collaborative strategic planning.** Support collaborative strategic planning to address opioid misuse, addiction, overdose, or related issues, including staff support, facilitation services, or any activity or combination of activities listed in Exhibit C to the MOA (collaborative strategic planning).
2. **Evidence-based addiction treatment.** Support evidence-based addiction treatment consistent with the American Society of Addiction Medicine’s national practice guidelines for the treatment of opioid use disorder – including Medication-Assisted Treatment (MAT) with any medication approved for this purpose by the U.S. Food and Drug Administration – through Opioid Treatment Programs, qualified providers of Office-Based Opioid Treatment, Federally Qualified Health Centers, treatment offered in conjunction with justice system programs, or other community-based programs offering evidence-based addiction treatment. This may include capital expenditures for facilities that offer evidence-based treatment for OUD. (If only a portion of a facility offers such treatment, then only that portion qualifies for funding, on a pro rata basis.)
3. **Recovery support services.** Fund evidence-based recovery support services, including peer support specialists or care navigators based in local health departments, social service offices, detention facilities, community-based organizations, or other settings that support people in treatment or recovery, or people who use drugs, in accessing addiction treatment, recovery support, harm reduction services, primary healthcare, or other services or supports they need to improve their health or well-being.
4. **Recovery housing support.** Fund programs offering recovery housing support to people in treatment or recovery, or people who use drugs, such as assistance with rent, move-in deposits, or utilities; or fund recovery housing programs that provide housing to individuals receiving Medication-Assisted Treatment for opioid use disorder.
5. **Employment-related services.** Fund programs offering employment support services to people in treatment or recovery, or people who use drugs, such as job training, job skills, job placement, interview coaching, resume review, professional attire, relevant courses at community colleges or vocational schools, transportation services or transportation vouchers to facilitate any of these activities, or similar services or supports.
6. **Early intervention.** Fund programs, services, or training to encourage early identification and intervention for children or adolescents who may be struggling with problematic use of drugs or mental health conditions, including Youth Mental Health

First Aid, peer-based programs, or similar approaches. Training programs may target parents, family members, caregivers, teachers, school staff, peers, neighbors, health or human services professionals, or others in contact with children or adolescents.

7. **Naloxone distribution.** Support programs or organizations that distribute naloxone to persons at risk of overdose or their social networks, such as Syringe Service Programs, post-overdose response teams, programs that provide naloxone to persons upon release from jail or prison, emergency medical service providers or hospital emergency departments that provide naloxone to persons at risk of overdose, or community-based organizations that provide services to people who use drugs. Programs or organizations involved in community distribution of naloxone may, in addition, provide naloxone to first responders.
8. **Post-overdose response team.** Support post-overdose response teams that connect persons who have experienced non-fatal drug overdoses to addiction treatment, recovery support, harm reduction services, primary healthcare, or other services or supports they need to improve their health or well-being.
9. **Syringe Service Program.** Support Syringe Service Programs operated by any governmental or nongovernmental organization authorized by section 90-113.27 of the North Carolina General Statutes that provide syringes, naloxone, or other harm reduction supplies; that dispose of used syringes; that connect clients to prevention, treatment, recovery support, behavioral healthcare, primary healthcare, or other services or supports they need; or that provide any of these services or supports.
10. **Criminal justice diversion programs.** Support pre-arrest or post-arrest diversion programs, or pre-trial service programs, that connect individuals involved or at risk of becoming involved in the criminal justice system to addiction treatment, recovery support, harm reduction services, primary healthcare, prevention, or other services or supports they need, or that provide any of these services or supports.
11. **Addiction treatment for incarcerated persons.** Support evidence-based addiction treatment, including Medication-Assisted Treatment with at least one FDA-approved opioid agonist, to persons who are incarcerated in jail or prison.
12. **Reentry Programs.** Support programs that connect incarcerated persons to addiction treatment, recovery support, harm reduction services, primary healthcare, or other services or supports they need upon release from jail or prison, or that provide any of these services or supports.

Exhibits, page 2

EXHIBIT B TO NC MOA:

Additional Opioid Remediation Activities ("OPTION B" List)

This list shall be automatically updated to match the list of approved strategies in the most recent National Settlement Agreement.

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:¹

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (MAT) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (ASAM) continuum of care for OUD and any co-occurring SUD/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (OTPs) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Treatment of trauma for individuals with OUD (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.

¹ As used in this Exhibit B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

8. Training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD or mental health conditions, including but not limited to training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (DATA 2000) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
13. Dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service-Opioids web-based training curriculum and motivational interviewing.
14. Development and dissemination of new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication-Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in treatment for or recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.
4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.

5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED (CONNECTIONS TO CARE)

Provide connections to care for people who have – or at risk of developing – OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund Screening, Brief Intervention and Referral to Treatment (SBIRT) programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.

3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically-appropriate follow-up care through a bridge clinic or similar approach.
8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.
14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL-JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice

system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 - a. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (PAARI);
 - b. Active outreach strategies such as the Drug Abuse Response Team (DART) model;
 - c. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 - d. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (LEAD) model;
 - e. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
 - f. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.
4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison, have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (CTI), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal-justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (NAS), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women – or women who could become pregnant – who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Training for obstetricians or other healthcare personnel that work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; expand long-term treatment and services for medical monitoring of NAS babies and their families.
5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with Neonatal Abstinence Syndrome get referred to appropriate services and receive a plan of safe care.
6. Child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Enhanced family supports and child care services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including but not limited to parent skills training.
10. Support for Children's Services – Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Fund medical provider education and outreach regarding best prescribing practices for opioids consistent with Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Support enhancements or improvements to Prescription Drug Monitoring Programs (PDMPs), including but not limited to improvements that:
 - a. Increase the number of prescribers using PDMPs;
 - b. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
 - c. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
7. Increase electronic prescribing to prevent diversion or forgery.
8. Educate Dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Fund media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Fund community anti-drug coalitions that engage in drug prevention efforts.
6. Support community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction – including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA).
7. Engage non-profits and faith-based communities as systems to support prevention.
8. Fund evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or other drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increase availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, individuals at high risk of overdose, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities that provide free naloxone to anyone in the community.

3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enable school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expand, improve, or develop data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educate first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expand access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Support mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Provide training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Support screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in sections C, D, and H of this Exhibit relating to first responders, support the following:

1. Educate law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitation, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local, or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services; to support training and technical assistance; or to support other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A dashboard to share reports, recommendations, or plans to spend Opioid Settlement Funds; to show how Opioid Settlement Funds have been spent; to report program or strategy outcomes; or to track, share, or visualize key opioid-related or health-related indicators and supports as identified through collaborative statewide, regional, local, or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection, and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.

3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g. Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations including individuals entering the criminal justice system, including but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (ADAM) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

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**EXHIBIT C to NC MOA:
COLLABORATIVE STRATEGIC PLANNING PROCESS UNDER OPTION B**

	ACTIVITY NAME	ACTIVITY DETAIL	CONTENT OF REPORT & RECOMMENDATIONS
A	Engage diverse stakeholders	Engage diverse stakeholders, per "ITEM A DETAIL" below, throughout the collaborative strategic planning process	Report on stakeholder engagement per "ITEM A DETAIL" below
B	Designate facilitator	Designate a person or entity to facilitate the strategic collaborative planning process. Consider a trained, neutral facilitator.	Identify the facilitator
C	Build upon any related planning	Build upon or coordinate with prior or concurrent planning efforts that address addiction, drug misuse, overdose, or related issues, including but not limited to community health assessments.	Report any related planning efforts you will build upon or coordinate with
D	Agree on shared vision	Agree on a shared vision for positive community change, considering how strategic investments of Opioid Settlement Funds have the potential to improve community health and well-being and address root causes of addiction, drug misuse, overdose, and related issues	Report on shared vision for positive community change
E	Identify key indicator(s)	Identify one or more population-level measures to monitor in order to gauge progress towards the shared vision. (The NC Opioid Action Plan Data Dashboard contains several such measures)	Report on the key indicators selected
F	Identify and explore root causes	Explore root causes of addiction, drug misuse, overdose, and related issues in the community, using quantitative data as well as stakeholder narratives, community voices, the stories of those with lived experience, or similar qualitative information	Report on root causes as described
G	Identify and evaluate potential strategies	Identify potential strategies to address root causes or other aspects of the opioid epidemic; identify these strategies (by letter or number) on EXHIBIT A or EXHIBIT B, and consider the effectiveness of each strategy based on available evidence	Identify and evaluate potential strategies
H	Identify gaps in existing efforts	For each potential strategy identified (or for favored strategies), survey existing programs, services, or supports that address the same or similar issues; and identify gaps or shortcomings	Report on survey of and gaps in existing efforts
I	Prioritize strategies	Prioritize strategies, taking into account your shared vision, analysis of root causes, evaluation of each strategy, and analysis of gaps in existing efforts	Report on prioritization of strategies

J	Identify goals, measures, and evaluation plan	For each strategy (or favored strategy), develop goals and an evaluation plan that includes at least one process measure (How much did you do?), at least one quality measure (How well did you do it?), and at least one outcome measure (Is anyone better off?)	Report on goals, measures, and evaluation plan for each chosen strategy
K	Consider ways to align strategies	For each potential strategy identified (or for favored strategies), consider opportunities to braid Opioid Settlement Funds with other funding streams; develop regional solutions; form strategic partnerships; or to pursue other creative solutions	Report on opportunities to align strategies as described
L	Identify organizations	Identify organizations and agencies with responsibility to implement each strategy; and identify the human, material, and capital resources to implement each strategy	Identify organizations and needs to implement each strategy

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M	Develop budgets and timelines	Develop a detailed global budget for each strategy with anticipated expenditures, along with timelines for completing components of each strategy	Report budgets and timelines for each strategy
N	Offer recommendations	Offer recommendations to local governing body (e.g., the county board, city council, or other local governing body)	Report recommendations to governing body

ITEM A DETAIL: STAKEHOLDER INVOLVEMENT

	STAKEHOLDERS	DESCRIPTION	CONTENT OF REPORT & RECOMMENDATIONS
A-1	Local officials	County and municipal officials, such as those with responsibility over public health, social services, and emergency services	Report stakeholder involvement (who and how involved in process)
A-2	Healthcare providers	Hospitals and health systems, addiction professionals and other providers of behavioral health services, medical professionals, pharmacists, community health centers, medical safety net providers, and other healthcare providers	same as above
A-3	Social service providers	Providers of human services, social services, housing services, and community health services such as harm reduction, peer support, and recovery support services	same
A-4	Education and employment service providers	Educators, such as representatives of K-12 schools, community colleges, and universities; and those providing vocational education, job skills training, or related employment services	same
A-5	Payers and funders	Health care payers and funders, such as managed care organizations, prepaid health plans, LME-MCOs, private insurers, and foundations	same
A-6	Law enforcement	Law enforcement and corrections officials	same
A-7	Employers	Employers and business leaders	same
A-8	Community groups	Community groups, such as faith communities, community coalitions that address drug misuse, groups supporting people in recovery, youth leadership organizations, and grassroots community organizations	same
A-9	Stakeholders with "lived experience"	Stakeholders with "lived experience," such as people with addiction, people who use drugs, people in medication-assisted or other treatment, people in recovery, people with criminal justice involvement, and family members or loved ones of the individuals just listed	same
A-10	Stakeholders reflecting diversity of community	Stakeholders who represent the racial, ethnic, economic, and cultural diversity of the community, such as people of color, Native Americans, members of the LGBTQ community, and members of traditionally unrepresented or underrepresented groups	same

EXHIBIT D TO NC MOA: COORDINATION GROUP

COMPOSITION

The Coordination Group shall consist of the following twelve members:

Five Local Government Representatives

- Four appointed by the North Carolina Association of County Commissioners including:
 - One county commissioner
 - One county manager
 - One county attorney
 - One county local health director or consolidated human services director
- One municipal manager appointed by the North Carolina League of Municipalities

Four Experts Appointed by the Department of Health and Human Services

- Four appointed by the Secretary of the Department of Health and Human Services, having relevant experience or expertise with programs or policies to address the opioid epidemic, or with behavioral health, public health, health care, harm reduction, social services, or emergency services.

One Expert Appointed by the Attorney General

- One appointed by the Attorney General of North Carolina from the North Carolina Department of Justice or another state agency, having drug policy or behavioral health experience or expertise.

Two Experts Appointed by Legislative Leaders

- One representative from the University of North Carolina School of Government with relevant expertise appointed by the Speaker of the North Carolina House of Representatives.
- One representative from the board or staff of the North Carolina Institute of Medicine with relevant expertise appointed by the President Pro Tem of the North Carolina Senate.

The coordination group may appoint a non-voting administrator to convene meetings and facilitate the work of the coordination group. The administrator will not be paid from the Opioid Settlement Funds distributed under this MOA.

Appointees shall have relevant experience or expertise with programs or policies to address the opioid epidemic, behavioral health, public health, health care, social services, emergency services, harm reduction, management of local government, or other relevant areas.

Those responsible for making appointments to the coordination group are encouraged to appoint individuals who reflect the diversity of North Carolina, taking into consideration the need for geographic diversity; urban and rural perspectives; representation of people of color and

traditionally underrepresented groups; and the experience and perspective of persons with “lived experience.” Those responsible for making appointments may appoint a successor or replace a member at any time. Members of the coordination group serve until they resign or are replaced by the appointer. Eight members of the coordination group constitutes a quorum.

RESPONSIBILITIES

- a. As provided in **Section F.2** of the MOA, where no compliance audit would be required under the Federal Single Audit Act of 1984 for expenditures of Opioid Settlement Funds, a compliance audit shall be required under a compliance supplement established by a vote of at least 8 members of the coordination group. The compliance supplement shall address, at least, procedures for determining:
 - i. Whether the Local Government followed the procedural requirements of the MOA in ordering the expenditures.
 - ii. Whether the Local Government’s expenditures matched one of the types of opioid-related expenditures listed in **Exhibit A** of the MOA (if the Local Government selected Option A) or **Exhibit B** of the MOA (if the Local Government selected Option B).
 - iii. Whether the Local Government followed the reporting requirements in the MOA.
 - iv. Whether the Local Government (or sub-recipient of any grant or loan, if applicable) utilized the awarded funds for their stated purpose, consistent with this MOA and other relevant standards.
 - v. Which processes (such as sampling) shall be used:
 - i. To keep the costs of the audit at reasonable levels; and
 - ii. Tailor audit requirements for differing levels of expenditures among different counties.
- b. The coordination group may, by a vote of at least 8 members, propose amendments to the MOA as discussed in **Section H** of the MOA or modify any of the following:
 - i. The high-impact strategies discussed in **Section E.5** of the MOA and described in **Exhibit A** to the MOA;
 - ii. The collaborative strategic planning process discussed in **Section E.5** of the MOA and described in **Exhibit C** to the MOA;
 - iii. The annual financial report discussed in **Section F.4** of the MOA and described in **Exhibit E** to the MOA;
 - iv. The impact information discussed in **Section F.4** of the MOA and described in **Exhibit F** to the MOA; or
 - v. Other information reported to the statewide opioid dashboard.

- c. The coordination group may, by consensus or by vote of a majority of members present and voting, work with the parties to this MOA, the North Carolina Association of County Commissioners, the North Carolina League of Municipalities, other associations, foundations, non-profits, and other government or nongovernment entities to provide support to Local Governments in their efforts to effectuate the goals and implement the terms of this MOA. Among other activities, the coordination group may coordinate, facilitate, support, or participate in any of the following activities:
- i. Providing assistance to Local Governments in identifying, locating, collecting, analyzing, or reporting data used to help address the opioid epidemic or related challenges, including data referred to in **Exhibit F**;
 - ii. Developing resources or providing training or technical assistance to support Local Governments in addressing the opioid epidemic and carrying out the terms of this MOA;
 - iii. Developing pilot programs, trained facilitators, or other resources to support the collaborative strategic planning process described in this MOA;
 - iv. Developing and implementing a voluntary learning collaborative among Local Governments and others to share best practices in carrying out the terms of this MOA and addressing the opioid epidemic, including in-person or virtual convenings or connections;
 - v. Developing voluntary leadership training programs for local officials on strategies to address the opioid epidemic, opportunities for Local Governments to harness the ongoing transition to value-based healthcare, and other relevant topics;
 - vi. Taking other actions that support Local Governments in their efforts to effectuate the goals and implement the terms of this MOA but do not in any way change the terms of this MOA or the rights or obligations of parties to this MOA.

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EXHIBIT E TO NC MOA: ANNUAL FINANCIAL REPORT

Each annual financial report must include the following financial information:

1. The amount of Opioid Settlement Funds in the special revenue fund at the beginning of the fiscal year (July 1).
2. The amount of Opioid Settlement Funds received during the fiscal year.
3. The amount of Opioid Settlement Funds disbursed or applied during the fiscal year, broken down by funded strategy (with any permissible common costs prorated among strategies).
4. The amount of Opioid Settlement Funds used to cover audit costs as provided in Section F.3 of this MOA.
5. The amount of Opioid Settlement Funds in the special revenue fund at the end of the fiscal year (June 30).

All Local Governments that receive two-tenths of one percent (0.2 percent) or more of the total Local Government Allocation as listed in **Exhibit G** shall provide the following additional information:

6. For all Opioid Settlement Funds disbursed or applied during the fiscal year as reported in item 3 above, a single breakdown of the total amount disbursed or applied for all funded strategies during the fiscal year into the following categories:
 - a. Human resource expenditures.
 - b. Subcontracts, grants, or other payments to sub-recipients involved in implementing of the funded strategies listed item 4 above.
 - c. Operational expenditures.
 - d. Capital expenditures.
 - e. Other expenditures.

7. With respect to item 6.b above, the Local Government shall provide the following information for any sub-recipient that receives ten percent or more of the total amount that the Local Government disbursed or applied during the fiscal year:
 - a. The name of the sub-recipient.
 - b. The amount received by the sub-recipient during the fiscal year.
 - c. A very brief description of the goods, services, or other value provided by the sub-recipient (for example, "addiction treatment services" or "peer-support services" or "syringe service program" or "naloxone purchase").

The coordination group may clarify or modify specifications for this annual financial report as provided in Exhibit D.

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EXHIBIT F TO NC MOA: IMPACT INFORMATION

Within 90 days of the end of any fiscal year in which a Local Government expends Opioid Settlement Funds, the Local Government shall report impact information for each strategy that it funded with Opioid Settlement Funds during that fiscal year ("funded strategy"), using the STANDARD FORM or the SHORT FORM for each funded strategy.

The STANDARD FORM is recommended to all Local Governments for all funded strategies. However, Local Governments may use the SHORT FORM as follows:

- All Local Governments that receive less than 0.2 percent (two-tenths of one percent) of the total Local Government Allocation as shown on **Exhibit G** may use the SHORT FORM for all funded strategies.
- All Local Governments that receive 0.2 percent (two-tenths of one percent) or more but less than 0.3 percent (three-tenths of one percent) of the total Local Government Allocation as shown on **Exhibit G** must use the STANDARD FORM for the funded strategy that received the largest amount of settlement funds during the fiscal year and may use the SHORT FORM for all other funded strategies.
- All Local Governments that receive 0.3 percent (three-tenths of one percent) or more but less than 0.4 percent (four-tenths of one percent) of the total Local Government Allocation as shown on **Exhibit G** must use the STANDARD FORM for the two funded strategies that received the largest amount of settlement funds during the fiscal year and may use the SHORT FORM for all other funded strategies.

STANDARD FORM

1. County or municipality and fiscal year covered by this report
2. Name, title, and organization of person completing this report.
3. Name of funded strategy, letter and/or number of funded strategy on **Exhibit A** or **Exhibit B** to the MOA, and number and date of resolution(s) authorizing expenditure of settlement funds on funded strategy.
4. **Brief progress report** describing the funded strategy and progress made during the fiscal year. Recommended length: approximately one page (250 words).
5. **Brief success story** from a person who has benefitted from the strategy (de-identified unless the person has agreed in writing to be identified). Recommended length: approximately one page (250 words).
6. **One or more process measures**, addressing the question, "How much did you do?"
Examples: number of persons enrolled, treated, or served; number of participants trained; units of naloxone or number of syringes distributed.
7. **One or more quality measures**, addressing the question, "How well did you do it?"
Examples: percentage of clients referred to care or engaged in care; percentage of staff with

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certification, qualification, or lived experience; level of client or participant satisfaction shown in survey data.

8. **One or more outcome measures**, addressing the question, "Is anyone better off?"
Examples: number or percentage of clients with stable housing or employment; self-reported measures of client recovery capital, such as overall well-being, healthy relationships, or ability to manage affairs; number or percentage of formerly incarcerated clients receiving community services or supports within X days of leaving jail or prison.
9. In connection with items 6, 7, and 8 above, **demographic information** on the participation or performance of people of color and other historically marginalized groups.

The State will provide counties and municipalities with recommended measures and sources of data for common opioid remediation strategies such as those listed in **Exhibit A**.

Counties or municipalities that have engaged in collaborative strategic planning are encouraged to use the measures for items 6 through 8 above identified through that process.

SHORT FORM

1. County or municipality and fiscal year covered by this report.
2. Name, title, and organization of person completing this report.
3. Name of funded strategy, letter and/or number of funded strategy on **Exhibit A** or **Exhibit B** to the MOA, and number and date of resolution(s) authorizing expenditure of settlement funds on strategy.
4. **Brief progress report** describing the funded strategy and progress made on the funded strategy during the fiscal year. Recommended length: approximately one-half to one page (125-250 words).

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EXHIBIT G TO NC MOA: LOCAL GOVERNMENT ALLOCATION PROPORTIONS

Alamance	1.378028967612490%	Cherokee	0.782759152904478%
Alexander	0.510007879580514%	Chowan	0.113705596126821%
Alleghany	0.149090598929352%	Clay	0.224429948904576%
Anson	0.182192960366522%	Cleveland	1.119928027749120%
Ashe	0.338639188321974%	Columbus	1.220936938986050%
Avery	0.265996766935006%	Craven	1.336860190247190%
Beaufort	0.477888434887858%	Cumberland	2.637299659634610%
Bertie	0.139468575095652%	Currituck	0.186778551294444%
Bladen	0.429217809476617%	Dare	0.533126731273811%
Brunswick	2.113238507591200%	Davidson	1.940269530393250%
Buncombe	2.511587857322730%	Davie	0.513147526867745%
Burke	2.090196827047270%	Duplin	0.382785147396895%
Cabarrus	1.669573446626000%	Durham	1.797994362444460%
Caldwell	1.276301146194650%	Edgecombe	0.417101939026669%
Camden	0.073036400412663%	Forsyth	3.068450809484740%
Carteret	1.128465593852300%	Franklin	0.500503643290578%
Caswell	0.172920237524674%	Gaston	3.098173886907710%
Catawba	2.072695222699690%	Gates	0.079567516632414%
Chatham	0.449814383077585%	Graham	0.183484561708488%
		Granville	0.590103409340146%

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Greene	0.123274818647799%	Montgomery	0.226050543041193%
Guilford	3.375015231147900%	Moore	0.971739112775481%
Halifax	0.453161173976264%	Nash	0.845653639635102%
Harnett	0.988980772198890%	New Hanover	2.897264892001010%
Haywood	0.803315110111045%	Northampton	0.120996238921878%
Henderson	1.381595087040930%	Onslow	1.644001364710850%
Hertford	0.206843050128754%	Orange	1.055839419023090%
Hoke	0.332485804570157%	Pamlico	0.119936151028001%
Hyde	0.027237354085603%	Pasquotank	0.374816210815334%
Iredell	2.115931374540020%	Pender	0.585749331860312%
Jackson	0.507757731330674%	Perquimans	0.111833180344914%
Johnston	1.250887468217670%	Person	0.403024296727131%
Jones	0.087966986994631%	Pitt	1.369008066415930%
Lee	0.653115683614534%	Polk	0.266142985954851%
Lenoir	0.604282592625687%	Randolph	1.525433986174180%
Lincoln	0.926833627125253%	Richmond	0.749132839979529%
Macon	0.466767666100745%	Robeson	1.359735343574080%
Madison	0.237776496104888%	Rockingham	1.365368837477560%
Martin	0.232882220579515%	Rowan	2.335219287913370%
McDowell	0.587544576492856%	Rutherford	0.928941617994687%
Mecklenburg	5.038301259920550%	Sampson	0.619513740526226%
Mitchell	0.309314151564137%	Scotland	0.449148274209402%

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Stanly	0.724974208589555%	Municipalities:	
Stokes	0.623953112434303%	Asheville	0.235814724255298%
Surry	1.410826706091650%	Canton	0.011453823221205%
Swain	0.281162928604502%	Cary	0.144151645370137%
Transylvania	0.497595509451435%	Charlotte	1.247483814366830%
Tyrrell	0.041440907207785%	Concord	0.227455870287483%
Union	1.466702679869700%	Durham	0.380405026684971%
Vance	0.536258255282162%	Fayetteville	0.309769055181433%
Wake	4.902455667205510%	Gastonia	0.257763823789835%
Warren	0.106390583495122%	Greensboro	0.527391696384329%
Washington	0.074770720453604%	Greenville	0.162656474659432%
Watauga	0.469675799939888%	Henderson	0.032253478794181%
Wayne	0.970699333078804%	Hickory	0.094875835682315%
Wilkes	1.997177160589100%	High Point	0.206428762905859%
Wilson	0.646470841490459%	Jacksonville	0.095009869783840%
Yadkin	0.562147145073638%	Raleigh	0.566724612722679%
Yancey	0.382114976889272%	Wilmington	0.119497493968465%
		Winston-Salem	0.494459923803644%

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MOTION:
 Commissioner Byrd made a motion to approve the resolution and authorize the County Manager to act to receive settlement funds for opioid litigation, seconded by Commissioner Watts. The motion unanimously passed.

Agenda Item #19: LEGAL – APPROVAL of RESOLUTION for DISTRICTS to REMAIN the SAME:

Boyd Worley, Board Attorney, requested Board approval.



Resolution for Districts to Remain the Same

WHEREAS, the County of Columbus currently has seven voting districts for County Commissioners; and

WHEREAS, the current districts were based upon the 2010 Census; and

WHEREAS, pursuant to North Carolina General Statute 153A-22 the Columbus County Commissioners redraw the districts if there is valid evidence of substantial inequality in the populations of the districts; and

WHEREAS, the 2020 Census results were late and are yet to be certified; and

WHEREAS, the 2020 Census results are not comparatively similar to other indicators of population in Columbus County; and

WHEREAS, the Columbus County Board of Commissioners intends to appeal the Census findings at the appropriate time;

THEREFORE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF COLUMBUS RESOLVES THAT:

The 2020 Census data is not reliable evidence for a finding of substantial inequality; redrawing district lines based on the 2020 Census could, in fact, create a substantial inequality in voting districts; and the Columbus County Board of Commissioners shall not take part in redistricting for Columbus County.

Adopted this the 15th day of November, 2021.

COLUMBUS COUNTY BOARD OF COMMISSIONERS

Ricky Bullard, Chairman

Attested By:

Amanda B. Prince, Clerk to Board

MOTION:

Commissioner Coleman made a motion to approve the resolution for the districts to remain the same, seconded by Vice Chairman McMillian. The motion unanimously passed.

Agenda Item #20: ADMINISTRATION – APPROVAL OF SURETY BONDS:

Eddie Madden, County Manager, requested Board approval of the surety bonds as follows:

Jay Leatherman	Finance Officer	\$50,000
Jay Leatherman	Travel and Tourism	\$50,000
Steadman Jody Greene	Sheriff	\$25,000
Needom G. Hughes, IV	Tax Administrator	\$25,000
Douglas E. Ward	Deputy Tax Administrator	\$25,000
Rachel H. Tyson	Public Housing Director	\$25,000

Kandance Bullock Columbus County Registrar \$10,000

MOTION:
Commissioner Byrd made a motion to approve the surety bonds, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #21: PLANNING/ECONOMIC DEVELOPMENT – ESTABLISHMENT of FUTURE GROWTH COMMITTEE:

Gary Lanier, Director, requested Board approval to establish the Future Growth Committee and appoint two Commissioners.

<u>Committee Members:</u>		
Eddie Madden	Gary Lanier	Kim Smith
Nick West	Harold Nobles	Commissioner Charles McDowell
Amanda Prince	Chris Nobles	Commissioner Lavern Coleman
Gail Edwards	Kyle Duncan	

MOTION:
Commissioner Coleman made a motion to establish the Future Growth Committee, seconded by Vice Chairman McMillian. The motion unanimously passed.

MOTION:
Commissioner Watts made a motion to appoint Commissioner Charles McDowell and Commissioner Lavern Coleman to the Future Growth Committee, seconded by Commissioner Byrd. The motion unanimously passed.

Agenda Item #22: APPOINTMENTS/RE-APPOINTMENTS/REPLACEMENTS:

Staff requested appointments, re-appointments or replacements to the following boards, committees and councils.

Legend: EB	= Entire Board
Listed Zone #	= Individual Commissioner

Zone I:	Jerome McMillian	Zone V:	Brent Watts
Zone II:	Chris Smith	Zone VI:	Ricky Bullard
Zone III:	Giles E. Byrd, Jr.	Zone VII:	Charles T. McDowell
Zone IV:	Lavern Coleman		

COMMITTEE	ZONE /EB	PERSON(S)	EXP. DATE	BOARD ACTION
Columbus County Animal Control Advisory Council	III V II	Millie Freeman (attendance) Johnny Worley (attendance) Robert Adams	07/17/2023 05/21/2022 12/05/2021	Hold Re-appoint Re-appoint
Board of Adjustments	V	Warren Miller	09/30/2024	Hold
Board of Health	EB V III	Nicole Martin M=McDowell S=Smith Christy Perdue, MD George Floyd	12/31/2021 12/31/2021 12/31/2021	Re-appoint Hold Hold
Cape Fear Council of Governments (COG)	EB EB	Commissioner Brent Watts M=Byrd S=Coleman Commissioner Jerome McMillian M=Byrd S=Coleman	12/2021 12/2021	Re-appoint Re-appoint
Columbus Regional Healthcare System Board of Trustees	EB EB	Commissioner Buddy Byrd M=Coleman S=Smith Commissioner Brent Watts M=Coleman S=Smith	12/2021 12/2021	Jerome McMillian Re-appoint
EMS Peer Review	EB EB	Commissioner Chris Smith M=McDowell S=McMillian Commissioner Lavern Coleman M=McDowell S=McMillian	12/04/2021 12/04/2021	Re-appoint Re-appoint

Fire Peer Review	EB	Commissioner Charles T. McDowell	12/04/2021	Re-appoint
	EB	M=Coleman S=Smith Chairman Ricky Bullard M=Coleman S=Smith	12/04/2021	Re-appoint
Juvenile Crime Prevention Council	V	Chip Gore (resigned)	06/30/2022	Michael Glenn
Cape Fear Rural Transportation Planning Organization (RPO)	EB	Giles Byrd (resigned) M=McMillian S=Byrd	12/2022	Charles McDowell

RECESS REGULAR SESSION and enter into COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV, and V BOARD MEETING:

At 7:26 P.M., Commissioner McMillian made a motion to recess Regular Session and enter into a combination meeting of Columbus County Water and Sewer Districts I, II, III, IV, and V Board Meeting, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #23: CHANGE ORDER for OLD DOCK DISTRICT II WATER PROJECT:

Gail Edwards, Senior Advisor, requested Board approval.

Form RD 1924-7
(Rev. 2-97)

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT AND
FARM SERVICE AGENCY
CONTRACT CHANGE ORDER

OMB NO. 0575-0042
ORDER NO. Three (3)
DATE November 1, 2021
STATE North Carolina
COUNTY Columbus

CONTRACT FOR Old Dock Deep Well - Water Supply Improvements

OWNER Columbus County

TO Bill's Well Drilling Company
(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
1. Drilling Test Hole Estimated 400 ft, Geophysical Logging, Collection of Formation Samples and Installing 6" PVC Test Well Estimated Drilling Per Foot.	\$	\$ 32,000.00
2. 6 Hour Pumping Test & Water Analysis Including TOC, VOC, SOC, RAD6 & Bacteriological.		5,000.00
3. Site Access Required Clearing		7,500.00
TOTALS \$		\$
NET CHANGE IN CONTRACT PRICE \$	0.00	\$ 44,500.00

JUSTIFICATION:
In accordance with Bill's Well Drilling Proposals (See Attached)

The amount of the Contract will be (Decreased)(Increased) By The Sum Of: Forty-Four Thousand
Five Hundred and 00/100 ***** Dollars (\$ 44,500.00).

The Contract Total Including this and previous Change Orders Will Be: Five Hundred One Thousand
Seven Hundred Two and 97/100 ***** Dollars (\$ 501,702.97).

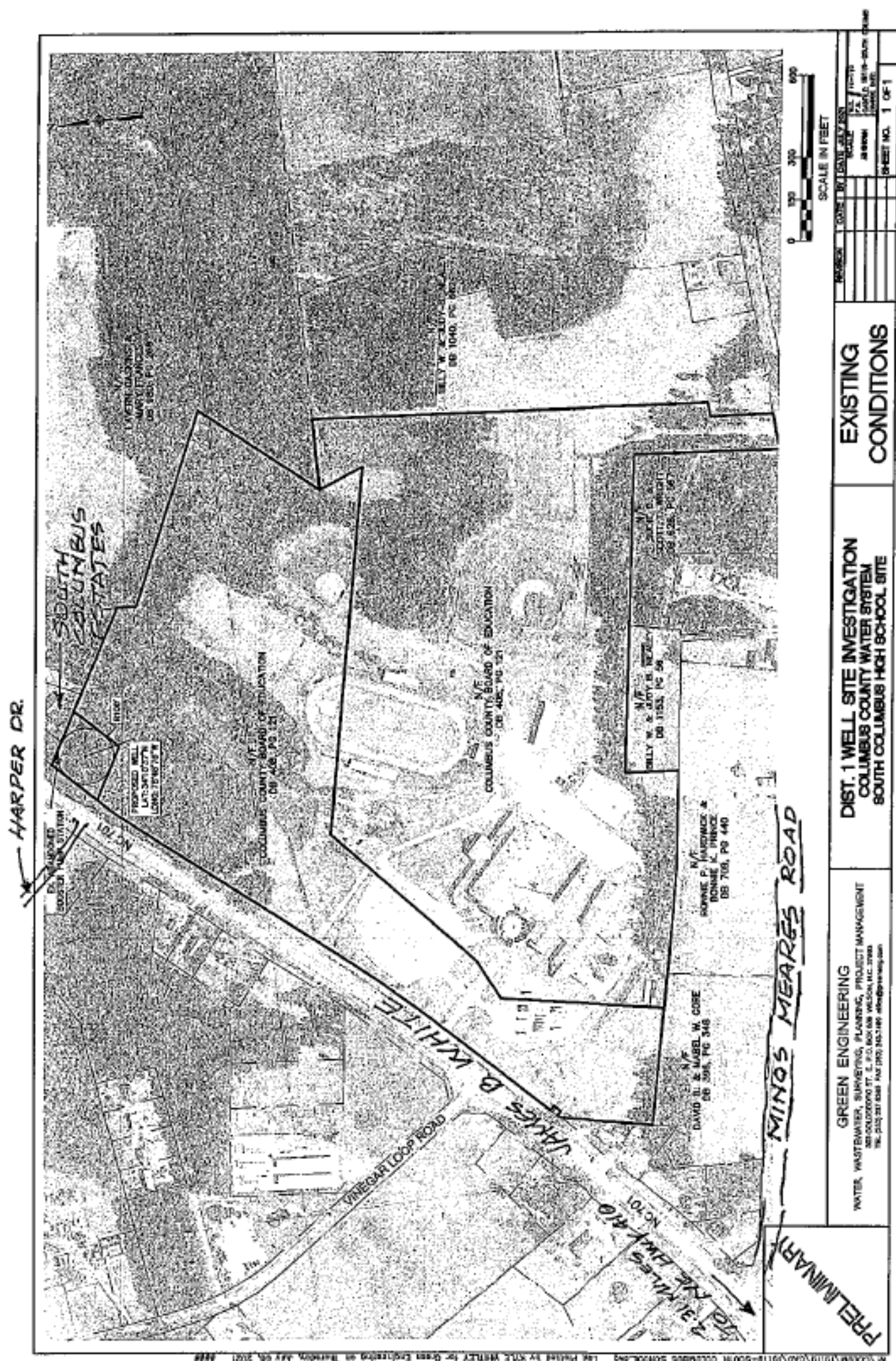
The Contract Period Provided for Completion Will Be (Increased)(Decreased)(Unchanged): To Be Determined Days.

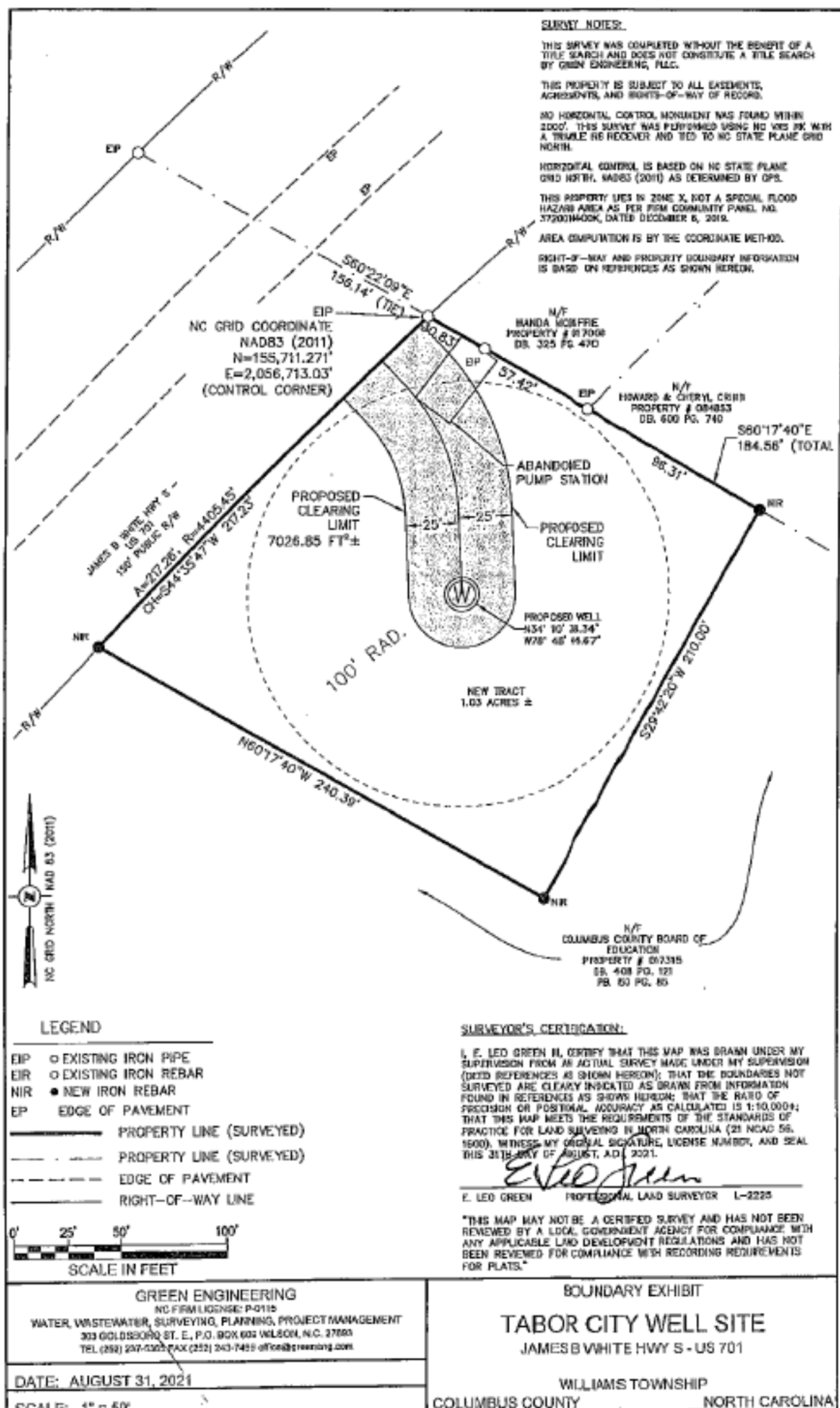
This document will become a supplement to the contract and all provisions will apply hereto.

Requested Columbus County (Signature of Owner)
Recommended E. Leo Green (Signature of Owner's Architect/Engineer)
Accepted Christina Jester (Signature of Contractor)
Certification Columbus County (Signature of Owner's Finance Officer)

November 1, 2021
11-2-21
(Date)

This change order has been pre-audited in accordance with the Local Government Budget and Fiscal Control Act.
(Date)





MOTION:

Commissioner McDowell made a motion to approve the change order, seconded by Vice Chairman McMillian. The motion unanimously passed.

ADJOURN COMBINATION MEETING of COLUMBUS COUNTY WATER and SEWER DISTRICTS I, II, III, IV and V BOARD MEETING:

At 7:27 P.M., Commissioner Coleman made a motion to adjourn the combination meeting of Columbus County Water and Sewer Districts I, II, III, IV and V Board Meeting, seconded by Commissioner Smith. The motion unanimously passed.

Agenda Item #24: COMMENTS:

Chairman Bullard opened the floor for comments. The following spoke.

A. Board of Commissioners:**1. Commissioner Coleman** stated the following:

- I would like to personally thank the Sheriff and Mr. Herring for the progress that they're making at the satellite station in Delco.
- I went by there a few times and I've seen the progress that they're making and it looks good, so on behalf of the citizens and myself I'd like to thank you for that and keep up the good work, we're looking forward to having it down there.
- And I'd like to thank all the citizens for their support, it really keeps us going.

2. Commissioner McDowell stated the following:

- I would like to remind folks of the Parks and Rec community meetings tomorrow night.
- I want to wish everyone a safe and Happy Thanksgiving, we won't see each other again until after that fact, and if you travel please be careful.
- I'd like to thank the staff for the updated cards.

Commissioner Watts stated the following:

- I plan to go to the Parks and Rec meeting on tomorrow night, that's a big item on my agenda, and for those who can't go, you can complete the survey online.
- It's at four locations and it's from 5:30 P.M. to 8 P.M. and you can stop by any time between that.
- Everyone needs to participate so that we can get moving on our Parks & Rec department and so there will be an understanding of what we want.
- And, Happy Thanksgiving everyone.

3. Commissioner Byrd stated the following:

- I have been approached at Hallsboro about some property that the county bought where the water tower is.
- Some people in the community want to put a sign up giving directions in Hallsboro.
- It would be completely away from view of the intersection.
- Since the property belongs to the county I wanted to bring it to the Board's attention.
- It would just be a sign painted with directions on how to get to different places and it would not be a hindrance to sight at the intersection.

County Manager Eddie Madden stated the following:

- I would suggest the person who expressed interest contact Gary Lanier's office for permitting or coordination.

Commissioner Byrd stated the following:

- Okay, that's fine. Mr. Gary I'll make contact with you tomorrow.

4. Commissioner McMillian stated the following:

- Good evening to all.
- I'd like to thank Mr. Madden and Mr. Harold Nobles and the rest of the Board for working so hard with me the last couple of years on these water extensions.
- People who have been wanting water for years are finally starting to get it.
- Right now we're working a project on Otto Nance Rd and after that, hopefully, there will be more projects in the county.
- I want to wish everyone a Happy Thanksgiving and for those travelling just remember that we have to drive for ourselves and the next person too so please be safe.

5. Chairman Bullard stated the following:

- I would like to say thank you to the staff and County Manager for putting on a Veteran's Day tribute in support of past and present veterans.
- I thought it was appropriate and very nice and thoughtful to have families there who could recognize their loved ones, deceased or living.
- They're important to our protection here in Columbus County and the United States so we thank the staff for reaching out and doing that and showing support.
- I would like to wish everyone a Happy Thanksgiving.
- Enjoy your families, tell them you love them and appreciate them because they may not be here next year.
- Congratulation to Mrs. Kay Stephens on her change in job duties, I know she'll do a great job, she always has.
- Thank you Mr. Madden and Kay for negotiating the \$600,000 of savings with the tower.
- Every time we save a little money here and there it adds to the pot and that's what it's all about, good management and saving money, and I thank you for what you do.
- Commissioner Coleman** stated the following:
- The Veteran's BBQ Butt Sale is Friday and I encourage everyone to order one or stop by and get one.
- It goes to a great cause and it's for our veterans.

B. County Manager Eddie Madden stated the following:

- Good to be with you this evening.
- First, I'm very pleased to make you aware that today's positivity rate, county wide, is down to 4%, and we're actually ahead of the state average at that rate and we're very thankful to see our numbers declining at a rapid rate.
- The courthouse demolition plans have been thoroughly reviewed by our staff and they are now ready to go out for bid.
- We anticipate that this Board will see the opening of bids and potentially the awarding of bids for the demolition portion of the project to be on your Jan 3rd meeting agenda.
- The HUD lease that you've approved this evening is an increase in the revenue that we've seen in years past.
- Obviously the office space is much nicer and so HUD has agreed to increase their rental payment to the county now to \$1,000/mo.
- In addition to that, HUD paid for the renovations and if you get a chance to visit you will see we have a much improved facility paid for by federal funds and as a consequence we have a higher revenue as well to the county.
- Our Lean Task Force met for the first time last week, in total we have about ten of our staff members working on this project.
- The first thing they did was decide they needed to break up into two groups.
- The first group, or internal group, will be evaluating the internal processes of how we work between departments, so they will be looking at things like the technology we use and whether or not it's compatible between departments.
- The second group, or external group, will be evaluating processes from the customer's viewpoint.
- Both groups will be visiting various departments and speaking with staff, but the external group will also be seeking the public's input to gain an overview of the customer's experience as to what it is now and what we would like to see in the future.
- We're trying to cut down on the number of steps, the applications needed and the time associated with each, which should, consequently, reduce costs.
- This process has been described in the media as our way of reducing "fat" or "waste".
- I want to be clear about this, our staff is made up of tremendous people and I'm very impressed with the staff and the professionalism of our staff members and they are very much leading this process.
- So, what I've asked them to do is to be thinking about improvements they would like to make to streamline the process, to think of things they may have wanted to do for many years but have never really been given the opportunity.
- So this whole project is a way for us to bring ideas to the table, to simplify and streamline the things we do on a daily basis and make processes more customer friendly for those that walk through our door.
- I do want to acknowledge Kay Stephens.
- She was selected for the position of our Employee Relations and HPO Director.
- We will discuss that in more detail in the months ahead, but the HPO effort that we are embarking on has a lot to do with the Lean Task Force.
- We want to become a higher performing organization.
- Under Kay's leadership, we hope to move away from a traditional HR point of view to one that makes our employees a priority.

- Kay will be providing training opportunities, engaging the staff in leadership development and helping to identify ways to develop an engaged highly qualified and professional workforce.
- One of the things we've talked about is we have far too much turnover, and when we lose a valuable employee to another organization, not only are we losing good person but it's costing us money.
- So, we have to find a way to close the gap, retain the employees we have, take care of them while they're with us and make sure they're properly trained along the way.
- There's been a lot of conversation as to what will happen at EMS, Mr. Nick West who is the Assistant County Manager will be assuming those duties.
- We've talked about realignment a lot and that is what will be happening here, it's a savings to the taxpayers of over \$100,000.00 and we'll still be keep that level of expertise at the forefront as well.
- The same is true in our Finance Department.
- We've saved around \$65,000.00 in payroll just by bringing the Water Department employees over to Finance.
- The VIPER radio system, with the exception of paging, will go live on November 22, 2021.
- We want to commend Kay for her efforts there along with all the EMS, Fire, Law Enforcement staff that participated in the planning and implementation of this project.
- It was a huge undertaking and it improves the safety of our citizens and taxpayers, and I just want to underscore that effort.
- The recreation meetings will be held tomorrow evening from 5:30 P.M. to 8:00 P.M.
- One will be held at this location in the Commissioner's Chambers, the others will take place at East Columbus High School, South Columbus High School and West Columbus High School.
- Representatives from WithersRavenel, our consultant, will be on hand along with our staff members, and committee members you have appointed will be there as well in an advisory capacity on tomorrow night.
- We encourage everyone to come out and make your recommendations so that we can develop a very comprehensive recreation plan.
- Finally, a reminder of the Employee Appreciation Luncheon on December 2nd from 11 A.M. to 1 P.M.
- We've encouraged our employees to not only come and be fed but to bring a toy donation for the toys-for-tots program that benefits the children of our Armed Services members.

PUBLIC INPUT:

Board Attorney Boyd Worley read the following email:

Subject: Decimal Meters to Measure Noise

Good Evening,

A couple of months ago you passed a county wide noise ordinance because of citizens complaining about loud noise from several sources. Is the county going to provide the decimal meters to each police department to address the violation of this noise ordinance? I would like an answer to my question tonight.

Thank you,

Doris Strickland
Tabor City, North Carolina

Commissioner Bullard stated the following:

- The county will provide the meters to the Sheriff's Department.
- I'm sure the Sheriff will help the other municipalities out but our ordinance was addressing the county.

Agenda Item #25: ADJOURNMENT:

At 7:46 P.M., Commissioner Smith made a motion to adjourn, seconded by Commissioner Watts. The motion unanimously passed. These minutes were recorded and typed by LaToya Williams.

LATOYA WILLIAMS, Deputy Clerk

RICKY BULLARD, Chairman