

TUESDAY, NOVEMBER 28, 2023
OFFICE OF THE BOARD OF COMMISSIONERS
PICKAWAY COUNTY, OHIO

The Pickaway County Board of Commissioners met in Regular Session in their office located at 139 West Franklin Street, Circleville, Ohio, on Tuesday, November 28, 2023, with the following members present: Mr. Jay H. Wippel, Mr. Harold R. Henson and Mr. Gary K. Scherer. April Metzger, County Administrator, was also in attendance.

In the Matter of
Minutes Approved:

Commissioner Harold Henson offered the motion, seconded by Commissioner Gary Scherer, to approve the minutes from November 21, 2023, with corrections.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Bills Approved for Payment:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to adopt the following Resolution:

BE IT RESOLVED, that the bills have been found to be properly filed and their respective vouchers shall be cross-referenced to the approving pages dated November 28, 2023, in the Commissioners' Voucher Journal, the date in which checks will be cut; then,

BE IT FURTHER RESOLVED, that the Board of Pickaway County Commissioners orders the Auditor of Pickaway County, Ohio, to draw his warrant on this entry in the amount of \$251,429.63 + \$165,951.59 the County Treasurer to satisfy the same.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Then and Now Certification Approved for Payment:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to adopt the following Resolution:

BE IT RESOLVED, that the County Auditor certifies that both at the time that the following contracts or orders were made and at the time that a certification (Section 5705.41) was completed, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appointed and free from any previous encumbrance. The Then and Now Certification has been found to be properly filed and their respective vouchers shall be cross-referenced to the approving pages dated November 28, 2023, in the Commissioners' Voucher Journal, the date in which checks will be cut; then,

BE IT FURTHER RESOLVED, that the Board of Pickaway County Commissioners, as Taxing Authority are authorizing the Auditor of Pickaway County, Ohio, to draw his warrant on this entry in the amount of \$172,058.66 on the County Treasurer to satisfy the same.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

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**In the Matter of
Appropriations Approved:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the following requests for APPROPRIATION:

\$17,385.26 – 906.2065.5901 – Other Expenses Safe Communities Grant – Sheriff

\$43,180.00 – 101.1105.5703 – Contingencies - Prosecutor

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Transfer and Reappropriations Approved:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the following requests for TRANSFER AND REAPPROPRIATION:

**\$2,247.00 – 101.2083.5496 – Medical – Sheriff
TO**

101.2083.5308 – Food Prisoners – Sheriff

**\$7,300.00 – 101.1120.5301 – General Supplies – Treasurer
TO**

101.1120.5102 – Treasurer Employee Salary – Treasurer

**\$1,200.00 – 101.1120.5301 – General Supplies – Treasurer
TO**

101.1120.5201 – PERS Treasurer Employees – Treasurer

**\$100.00 – 101.1120.5301 – General Supplies – Treasurer
TO**

101.1120.5202 – Medicare – Treasurer

**\$200.00 – 101.1105.5703 – Contingencies – Prosecutor
TO**

101.1130.5101 – Prosecutor Salary – Prosecutor

**\$38,300.00 – 101.1105.5703 Contingencies – Prosecutor
TO**

101.1130.5102 – Employee Salary – Prosecutor

**\$4,400.00 – 101.1105.5703 – Contingencies – Prosecutor
TO**

101.1130.5201 – Prosecutor Employee PERS – Prosecutor

**\$5.00 – 101.1105.5703 – Contingencies – Prosecutor
TO**

101.1130.5210 – Elected Official PERS – Prosecutor

**\$275.00 – 101.1105.5703 – Contingencies – Prosecutor
TO**

101.1130.5202 – Prosecutor Medicare – Prosecutor

**\$6,250.00 – 233.1250.5404 – Advertising Prosecutor Dretac – Prosecutor
TO**

233.1250.5102 – Prosecutor Dretac Salary – Prosecutor

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**\$880.00 – 233.1250.5404 – Advertising Prosecutor Dretac – Prosecutor
TO**

233.1250.5201 – PERS Prosecutor Dretac – Prosecutor

**\$15.00 – 233.1250.5404 – Advertising Prosecutor Dretac – Prosecutor
TO**

233.1250.5202 – Medicare Prosecutor Dretac – Prosecutor

**\$1,100.00 – 503.6916.5401 – Contract Services Darby Sewer – Engineer
TO**

503.6916.5102 – Salary Employees Darby Sewer – Engineer

**\$200.00 – 503.6916.5401 – Contract Services Darby Sewer – Engineer
TO**

503.6916.5201 – PERS Darby Sewer – Engineer

**\$25.00 – 503.6916.5401 – Contract Services Darby Sewer – Engineer
TO**

503.6916.5202 – Medicare Darby Sewer - Engineer

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
New Line Item Approved:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the following requests for NEW LINE ITEM:

906.2065.5901 – Other Expenses Safe Communities Frant - Sheriff

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Blanket Purchase Order Approved:**

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the following requests for BLANKET PURCHASE ORDER:

BL230626 - \$17,385.26 – 906.2065.5901 – Other Expenses Safe Communities Grant – Sheriff

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Report Provided by Michael Sherron:**

The following is a summary of the report provided by Michael Sherron, EMA Director.

- This week ARES Meeting, Wednesday off, Rickenbacker Air Show Planning Meeting, PICCA Cyber Incident Debriefing and Friday off.
- Next week Ashville Elementary School Safety Planning Meeting and EMAO Conference.

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- General Information
 - Run card project continuing – Completed Harrison, Scioto, and Pickaway Twp. Currently working with Saltcreek Twp. ~50% complete. Next is SW Pickaway and WADES.
 - Critical Incident Debriefing project continues – developing relationship with Scioto Valley Peer Assistance Team.
 - Disaster Relief Fund – Received organizing documents from Dayton Foundation – Reviewing.
 - NIMS Training for Elected Officials – February 10, 2024
 - Started a discussion about Human Trafficking and steps we can take to mitigate this during special events in the county.
 - BOE Continuity Planning – Email sent to the Board requesting a meeting in September. Still no response.
- EMA Projects
 - Futurity Orion Software – Met with the vendor, their software was not capable of doing what they represented originally. Working with them to see if they can build an add-on that will do more than what the current solution is capable of. Also working on adding Community Lifelines info.
 - PCSO fiber connection conversion – Frontier was missing some information and it has been submitted. RailPros and NS are aware of the need to conduct a prompt review and scheduling of the safety flaggers.
 - Homeland Security grant of \$58,804 to purchase PPE for law enforcement – approved by OEMA, coordinating with LE agencies for numbers to purchase. Determining the number of SWAT trained officers are in the county to guide purchasing of PPE.
 - Working with the Health Department to acquire supplies needed to create a “Disasterville” tabletop exercise set, additional stocks of first aid equipment for LE in the County, and triage tags for sorting victims after a catastrophic event.
 - Radio system is being examined from top to bottom (programming, inventory, tower sites, supervision, etc.). Went to Ross County and the Dog Shelter. There are some odds and ends equipment that I need some help from Maintenance to recover and bring to the office.
 - Replacement of ARES repeaters with County-owned equipment – getting quotes.
 - School safety planning with Teays Valley in December.
- Issues requiring Commissioners Support/Notification:
 - MOU for Siren Maintenance. Tabled.
 - Unknown if an MOU exists for EMA dues. Tabled.
 - Building project for training room / emergency capacity facility
 - Backup 911 dispatch consoles for EOC need replaced – end of service life.
 - Approval for travel to EMAO Winter Conference.

In the Matter of
Report Provided by Robert Adkins:

The following is a summary of the report provided by Robert Adkins, IT Director.

- PCHD Mailbox migration - Forms not moved.
- CAD Replication Server connected – awaiting information from Zuercher for networking details to be addressed Wednesday.
- Veeam Backups affected by VMware upgrade. Working until I broke it again with upgrade to Version 12.
- Installing rebuilt desktop at the fairgrounds for viewing cameras and for gate mgmt. - Update
- Assessing 2-factor costs
- Assessing items for 2024
- Meeting with Dell today. Assessment going on now. Server 2022 licensing affected.
- Assessing Darktrace SaaS 365 module
- Met with Cybersecurity Advisor, Spenser Wood of CISA (Cybersecurity and Infrastructure Security Agency). 3 takeaways – Browser passwords saved, time out for VPN 2-Factor - at-Factor enabled for everything possible.

In the Matter of
Report Provided by Preston Schumacher:

The following is a summary of the report provided by Preston Schumacher, Dog Warden:

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- Mr. Shumacher provided the stats from last week. There were 11 visitors and 1 volunteer.

In the Matter of
Report Provided by Marc Rogols:

The following is a summary of the report provided by Marc Rogols, Deputy County Administrator:

- There were no BWC, or unemployment claims filed this week. There have been 15 fraudulent unemployment claims filed for the year.
- Govdeals auction for a 1995 Ford 800 E-One fire engine for Pic-A-Fay ended November 10th with a bid of \$17,000. Pickup pending. The Highway Garage has relisted a 2023 F-250 8' truck bed starting at \$100.00, and auction ended Monday, November 13th at \$430.00 and has been picked-up. Additionally, the Highway Garage had a 2008 Ford F-250 SD XL Supercan 4WD that sold for \$4,050 and pending pick-up. Total sales on Govdeals \$446,492.00.
- CCAO Benefits+ will attend the year-end meeting December 5th to roll out January 2024. Mrs. Metzger has power point to present flyers for coverage.
- No new hire packets were sent out last week. A total of 77 new hire packets were handed out year-to-date. The part-time custodial positions and Deputy Dog Warden position posted with no applications received. The Maintenance Worker for the Sheriff's Office re-posted with new wage. No applicants received.
- Present updated Drug Policy and Procedure.
- PICCA Board meeting Monday, November 27th. Brenna Gibson and Jeff Phillips resigned from the Board. The Board is still attempting to fill board seats. Brad Washburn was asked, and he declined. Reallocated money from various head start line items. New playground for Ashville (\$87,000). No information relative to the cyber-attack.
- Mr. Rogols continues to meet with maintenance staff to discuss the 2023 capital improvement assignments and provided a maintenance update.
 - Memorial Hall Window Replacement: Continues.
 - The courthouse wall outside of Magistrate's courtroom is falling. Approved last week and start date unknown.
 - Building Department front door completed. Back door is pending.
 - Service Center flooring at OSU Extension started yesterday.
 - Christmas decorations at the courthouse partially started yesterday.
 - Hot box at the fairgrounds has been completed.
- County wide contract for drug screening with Ohio Health assigned last week. Contact was established with Amy Marshall, Director of Business Development at Ohio Health. Last contract was 2020. Mr. Rogols with Whitney Gentry at Adena Monday, November 27th.
- Issue 2/ legalized marijuana: Policy and Procedure Manual update.
- Juneteenth email.

In the Matter of
Report Provided by Tim McGinnis:

The following is a summary of the report provided by Tim McGinnis, Planning and Development:

- Planning Commission: Meeting – December 12th
 - Darby Township Zoning Regulations – Amending current zoning districts and adding numerous regulations.
- Outstanding Plats:
 - Navah Place – Cul-de-sac, Walnut Township, need proof of bond before final approval can be granted
- Lot Splits:
 - Approved 1 lot splits in the last week, 7 open applications currently.
- CDBG:
 - Williamsport Water Tank Project complete.

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In the Matter of
Travel Authorization Signed for EMA Director:

Commissioner Henson offered the motion, seconded by Commissioner Wippel, to approve and sign the Travel Authorization at the total probable cost of \$550.00 for Michael Sherron, EMA Director, to attend the Emergency Management Association of Ohio 2023 Winter Conference that will be held December 7, 2023, through December 8, 2023, at Salt Fork State Park, in Cambridge, Ohio.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Accurate Quote for Ductless Mini Split
Installation at the Pickaway County Jail:

Commissioner Gary Scherer offered the motion, seconded by Commissioner Harold Henson, to approve the quote from Accurate to furnish and install a Ductless Mini Split at the Pickaway County Jail. Installation of a Bryant 3-ton ductless heat pump system at the cost of \$8,882.00. Invoice shall be paid from unplanned capital.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Wippel, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Pickaway County Personnel Policy and Procedure
Manual Drug Free Workplace Policy:

Commissioner Harold Henson offered the motion, seconded by Commissioner Gary Scherer to approve the inclusion of **Section 5.15 – “Drug Free Workplace Policy”** in the Pickaway County Personnel Policy and Procedure Manual. to approve. The section reads as follows:

- A. **Notice Upon Hiring:** As a condition prior to hiring, all prospective employees will receive a copy of the Pickaway County Drug Free Workplace Statement and Policy, and Drug Testing Policy; and will be required to sign a receipt which will become a permanent part of the employee’s personnel file.
- B. In addition, as a further condition precedent to hiring, all prospective employees will be required to sign a written statement to the effect that:
1. They understand and support the Pickaway County Drug Free Workplace Policy.
 2. They agree to refrain from violating this policy while employed by the county.
 3. They acknowledge, in advance, that they understand that the penalty for breach can be discharge and they agree that the penalty is appropriate when supported by evidence.
 4. They acknowledge that they have been warned that alcohol and drug testing of employees will be conducted in accordance with the county’s policy where there is individualized reasonable suspicion of alcohol or drug use.
- C. **Distribution of Drug Free Workplace Policy:**
1. All current employees will receive a copy of the county’s Drug Free Workplace Statement and Policy and will be required to sign a receipt for it, which becomes a permanent part of the employee’s personnel file.
 2. All current employees will be asked to voluntarily sign a statement supporting the strict enforcement of this policy.

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3. All current employees will be given notice that the county reserves the right to order employees to submit to alcohol or drug testing; supported by an individualized reasonable suspicion of alcohol or drug use.

DRUG FREE WORKPLACE POLICY GUIDANCE

A. Definitions:

1. Alcohol: the intoxication agent in beverage alcohol, ethyl alcohol, or other lower molecular weight alcohols including methyl and isopropyl alcohol.
2. Controlled Substance: Any controlled substance contained in Schedules I through V of Section 202 of the Controlled Substance Act (21 USC 812; or as defined in ORC 3719.01).
3. Conviction: Any finding of guilt, including a plea of nolo contendere (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
4. Criminal Drug Statute: A criminal statute which states that a person may not manufacture, distribute, dispense, use, possess, provide, or administer any controlled substance.
5. For the purposes of this policy all definitions will be consistent with ORC 3719.01 et seq.

B. STATEMENT OF POLICY:

1. It is the policy of Pickaway County to maintain a safe and productive workplace free of drugs and free of those individuals who use drugs.
2. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee which takes place in whole or in part in the workplace is strictly prohibited and will result in criminal prosecution and employee discipline, which may include termination from employment.
3. Any employee convicted of any federal, state, or municipal criminal drug statute must notify the employer of that fact within five (5) calendar days of the conviction. Notification by the employee does not excuse that employee from possible disciplinary action under the county's Personnel Policy Manual.
4. The County has a zero-tolerance policy for employees who are under the influence of drugs or alcohol while at work. The arrival or return to duty under the influence of any drug, legal or illegal, or alcohol will be subject to disciplinary action or discharge. Employees who are using marijuana with a valid prescription are not exempt from this policy. The use of marijuana in any form, with or without a valid prescription will be treated the same as the use of all other Schedule 1 controlled substances, illegal drugs, or the abuse of legal drugs. Employees using Schedule 1 controlled substances or illegal drugs, including marijuana with a valid prescription, are still subject to all provisions of this policy and may be subject to discipline including termination for such use.
5. Any employee convicted of a drug offense, who fails to report the conviction as required by the above, will be:
 - a. Terminated from employment.
 - b. Forever barred from future employment with Pickaway County.
 - c. Held civilly liable for any loss of federal funds resulting from the failure to report the conviction.

C. ALCOHOL / DRUG TESTING:

1. Applicant Drug Testing: Applicants for positions covered by this policy shall be required to sign a written waiver and consent form and to take a drug test as a condition of employment. Additional rules apply specifically for commercial driver's license holders under a separate policy.

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2. **Employee Drug Testing:** The employer reserves the right to set standards for employment and to require employees, as a condition of continued employment, to submit to physical examinations including breath or urine tests for alcohol, illegal drugs, misuse of legal drugs where there is reasonable suspicion that the employee's work performance is, or could be, affected by the conditions. **Recreational marijuana use may still result in a positive test and discipline under this policy.**
 3. In cases in which the employer has a reasonable suspicion to believe that the employee is in an altered or impaired condition as the result of the influence of alcohol or the controlled substances referred to in DEFINITIONS above, the employer may require the employee to go to a medical clinic, at the employer's expense, to provide breath or urine specimen. For purposes of this policy, "reasonable suspicion" means suspicion based on personal observation by an employer representative, including descriptions of inexplicable or abnormal behavior, appearance, speech, or breath.
 4. If requested, the employee will sign a waiver and consent form authorizing the clinic to examine a specimen of breath or urine and release the test result to the employer.
 5. A refusal to sign a waiver and consent form or to provide a specimen will constitute insubordination and a presumption of a positive test and may result in discharge.
 6. Any employee tested in accordance with the above procedure may, if the test results are positive, request retesting at the employee's expense using a federal certified laboratory or may request, in advance of the original test, that a portion of the original specimen be delivered to a third party for testing at the employee's expense.
 7. The results of any such test will constitute medical information and will remain confidential in accordance with state law.
- D. **POLICY DISTRIBUTION:** Each employee will receive annually an information packet containing:
1. Information concerning the dangers of drug and alcohol use in the workplace.
 2. A current copy of the county's published statement.
 3. A current copy of the county's Drug Free Workplace Policy.
 4. A current copy of the county's Drug Testing Policy.
 5. Information concerning any available drug counseling, rehabilitation, and employee assistance programs.
 6. Information concerning the penalties that will be imposed for the breach of the county's Drug Free Workplace Policy.
 7. Notice to the employee that any work-related conviction of any federal or state criminal drug statute must be reported in writing to the employer within five (5) calendar days after such conviction.
- E. **TRAINING:**
1. All employees and supervisors will receive annual training in the dangers of drug abuse.
 2. All supervisors and managers will receive annual training in the enforcement of this policy.

The Pickaway County Board of Commissioners adopted this revised policy on 11/27/23 (Revised Drug Free Workplace Policy) by resolution.

DRUG-FREE WORKPLACE POLICY:

I. Overview:

This document (referred to as "the Policy") describes our Pickaway County's Drug-Free Workplace Program, and every employee is expected to read and understand it. The Policy applies to **all** employees as well as contractors and subcontractors. The consequences stated in this Drug-Free Workplace Policy

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will apply to anyone who violates the Policy. The county holds all employees accountable in terms of substance use but also supports getting help for employees. Employees who come forward voluntarily to identify that they have a substance problem will receive county support and assistance. However, if an employee has a substance problem and does not come forward, and the employee then tests positive for drug or alcohol use in violation of this Policy, the County reserves the right to take appropriate action up to and including termination.

Employees will have the opportunity to receive information about substance use as a workplace problem, signs and symptoms, dangers of use, and how and where to get help for themselves and their families. Each county employer will be responsible for coordinating drug and alcohol testing, identifying resources that employees can turn to for help for themselves and/or their families, and arranging for qualified people to help with employee awareness education and with supervisor training.

A. Program Protections:

This program is designed to protect employees from the behaviors of substance users. Some of the protections built into the program are:

- Employee records such as testing results and referrals for help will be kept confidential. Information will be on a need-to-know basis. Any violation of confidentiality rights is subject to disciplinary action up to and including termination of employment.
- Employees will receive substance awareness education from a qualified person to help identify problems and learn where to turn to for help. This will be done annually.
- Testing will be done through a federally certified laboratory that uses the highest level of care in ensuring that results are accurate including the use of a Medical Review Officer (MRO). The MRO is an expert in substance use. When the MRO receives positive test results, the MRO will contact the employee and any appropriate health care provider to determine whether there is a valid reason for the presence of the drug in the person's system.
- The testing program consists of an initial screening test. If the initial results are positive, then a second test is used. Cut-off levels for each drug and for alcohol are established based on federal and state guidelines.

B. Employee Awareness Education:

Every current employee will be required to attend a session in which this program is discussed. There will be an opportunity to ask questions.

C. Supervisor Training:

Supervisors will be trained to recognize substance problems that may endanger the employee and others as well as violate this Policy. This training is in addition to annual employee education. Supervisors will be trained about testing responsibilities, how to recognize behaviors that demonstrate an alcohol/drug problem and how to make referrals for help.

D. Drug and Alcohol Testing:

Testing is intended to detect problems, deter usage and allow appropriate corrective action. In addition to alcohol, the drugs that we're testing for are:

- Amphetamines (speed, uppers)
- Cocaine (including Crack)
- Marijuana
- Opiates (Codeine, Morphine)
- Phencyclidine (PCP, "angel dust")

An employee attempting to adulterate a specimen or otherwise manipulate the testing process will result in termination of employment, as will a refusal to produce/provide a specimen.

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E. Employee Assistance:

The county employer believes in aiding employees with a substance problem. We are supportive of employees acting on their own behalf to address a substance problem. The county employer believes in offering a second chance to employees who are willing to do something about their problem. To help those who come forward voluntarily and those who test positive in violation of this Policy, we've established a relationship with Mount Carmen Behavioral Healthcare – Interact through our medical benefits program, an employee assistance provider. If an employee is willing to actively engage in resolving the substance use problem, the county will refer the employee to the provider for an assessment and possible outpatient counseling with a substance professional.

An employee who violates this Policy will have the opportunity to meet with the substance counselor, and the county employer will be informed whether the employee is attending sessions and actively participating but will not receive information about the specifics of the counseling. An employee who completes these counseling sessions will be allowed to return to work, subject to signing a "second chance" or "last chance" agreement acknowledging that a second violation of the county Substance Use Policy will result in termination of employment. The employee will be tested prior to being allowed to return to work and must produce a negative test result, and at various times thereafter in conjunction with the substance use professional.

II. Frequency and Situations When Testing Occurs:

Employees will be tested for the presence of drugs in the urine and/or alcohol on the breath under any and / or all the conditions outlined below:

A. Post-Offer, Pre-Employment Drug Testing:

As part of the county employer's employment procedures, all applicants will be required to undergo a post-offer, pre-employment drug screen/test within the first 45 days of employment that is conducted by a contractor designated by the employer. Any continuing employment is contingent upon, among other things, a negative result upon completion of this screening, and the determination by the County that the applicant is capable of performing the responsibilities of the position that has been offered.

B. Reasonable Suspicion Testing:

Reasonable suspicion testing will occur when county employer management and/or supervision have reason to suspect that an employee may be in violation of this Policy. The suspicion must be documented in writing within 24 hours of the event or prior to the release of the test findings. Reasonable suspicion testing may be based upon, among other things:

1. Observed behavior, such as direct observation of drug/alcohol use or possession and/or the physical symptoms of drug and/or alcohol use.
2. A pattern of abnormal conduct or erratic behavior.
3. Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking. The employee is responsible for notification of the employer, within five (5) working days of any drug-related conviction.
4. Information provided either by reliable and credible sources or independently corroborated regarding an employee's substance use.
5. Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

C. Post-Accident Testing:

Post-accident testing will be conducted whenever an accident occurs as defined below. For purposes of this policy, an accident is considered an unplanned, unexpected, or unintended event that occurs on county employer property, during the conduct of the employer's business,

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or during working hours, or which involves employer-supplied motor vehicles or motor vehicles that are used in conducting county business, or is within the scope of employment, and which results in any of the following:

- (i) A fatality of anyone involved in the accident.
- (ii) Bodily injury to the employee and/or another person that requires off-site medical attention away from the county's place of employment.
- (iii) Vehicular damage in apparent excess of \$750.
- (iv) Non-vehicular damage in apparent excess of \$500.

When such an accident results in one of the situations above, any employee who may have contributed to the accident will be tested for drugs or alcohol use or both.

Drug and/or Alcohol Testing after an Accident:

Urine specimen collection (for a drug test) or breath/saliva (for an alcohol test) is to occur immediately after a need has been determined. At no time shall a drug specimen be collected after 32 hours from the time of an employment-related incident. Breath or saliva alcohol testing will be performed within two (2) hours of the incident whenever possible, but within eight (8) hours, or it won't be performed but will be documented. If the employee responsible for an employment-related accident is injured, it is a condition of employment that the employee herein expressly grants unto the county employer, its officers and management, the right to request that attending medical personnel obtain appropriate specimens (breath, blood, and/or urine) for the purpose of conducting alcohol and/or drug testing. Further, all employees herein expressly grant unto the county employer, its officers and management, access to all other medical information that may be relevant in conducting a complete and thorough investigation of the employment-related accident, to include, but not be limited to, a full medical report from the examining physician(s) or other health care providers.

D. Follow-Up Testing after Return to Work from Assessment or Treatment:

This testing occurs when an employee who has previously tested positive is allowed to return to work under a "second chance" or "last chance" agreement. A return-to-duty test is required before the employee is allowed to return to work and, if the employee fails this test, this will lead to termination of employment. Once an employee passes the drug and/or alcohol test and returns to work, there will be a series of four (4) or more additional tests conducted over a period of at least a year. Any employee with a second positive test result will be terminated.

III. Substances to be Tested for and the Methods for Testing:

Systems presence testing is the procedure that is used to identify the presence of the following controlled substances or alcohol that may be present: (A negative initial screening test is considered a negative test). For each of the tested drugs (amphetamines, cocaine, marijuana, opiates, and PCP), there is an initial test used to screen the urine specimen. If the initial screen is positive [at or higher than a cut-off level that comes from the federal Department of Health & Human Services (DHHS)], a second or confirmatory test is done. This is a different test and is considered 100% accurate.

Breath alcohol testing will be conducted by a testing contractor that uses only certified equipment and personnel. Breath alcohol concentrations exceeding 0.4 will be considered a verified positive result. In the event of an accident where an employee has a "whole blood" alcohol drawn at a medical treatment facility, a result equal to or greater than .04 shall be considered a verified positive result. An Evidentiary Breath Test (EBT) is used to confirm any initial positive test result. The county also expressly reserves the right to add or delete substances on the list above, especially if mandated by changes in existing Federal, State or local regulations or legislation.

IV. Specimen Collection Procedure:

Testing shall be conducted by trained collection personnel, who meet quality assurance and chain-of-custody requirements for urine collection and breath alcohol testing. Confidentiality is required from our labs. Any individual subject to testing under this Policy shall be permitted to provide

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urine specimens in private, but subject to strict scrutiny by collection personnel to avoid any alteration or substitution of the specimen to be provided. Breath alcohol testing will likewise be done in an area that affords the individual privacy. In all cases, there will only be one individual tested at a time. Failure to appear for testing when scheduled shall be considered refusal to participate in testing and will subject an employee to the range of disciplinary actions, including dismissal, and an applicant to the cancellation of an offer of employment.

V. Reporting of Results:

All test results will be reported to the MRO prior to the results being issued to the county employer. The MRO will receive from the testing laboratory a detailed report of the findings of the specimen. Each substance tested for will be listed along with the results of the testing. The county employer will receive a summary report, and this report will indicate that the employee passed or failed the test. All these procedures are intended to be consistent with the most current guidelines for Medical Review Officers, published by the federal DHHS.

VI. Positive Test Results/Misuse:

Employees who are found to have a confirmed positive drug or alcohol test will be immediately taken off safety-sensitive duties and are subject to discipline up to and including termination.

Use of illegal substances or drugs would include those items listed in R.C. 2925.01 and R.C. 3719.01, including but not limited to, items listed in Schedules I, II, III, IV, and V, and all harmful intoxicants.

Misuse of lawfully obtained drugs which can encompass either prescription or over-the-counter preparations whenever dosages are exceeded, or where safety warnings are ignored (i.e., driving, or operating machinery while under the influence).

Misuse of alcohol includes both the consumption of alcohol while on duty; as well as the act of reporting to duty or working while having sufficient alcohol in blood, breath, or urine to constitute a "positive" result under R.C. 4511.19; or the CDL standard, for those Employees who operate commercial motor vehicles.

VII. Termination Notice:

In those cases where substance testing results in the termination of employment, all termination notices will list "misconduct" as the reason. Termination shall be deemed "for cause."

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

**In the Matter of
Report Provided by Sheriff Hafey:**

The following is a summary of the report provided by Sheriff Hafey:

- Sheriff Hafey reported that they received additional resignation from jail corrections division. This will take them down to 6 officers.
- No shave November \$2280.00. Shop with a Cop is December 9th, the money goes to foundation for youth. They will do shopping for families and deliver. Light the sky is December 22nd starting at Crites Park at 5:00 p.m. It will go through the local nursing homes and Berger OhioHealth. December 23rd is Light Ohio Blue in Columbus; it will travel to Nationwide Children's Hospital.

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In the Matter of
Change Order No. 1 with Double Z Construction Company for
Project Referred to as PIC-CR7-2.30 PID: 113732 for
Pickaway County Engineer Department:

In reference to the PIC-CR7-2.30 PID: 113732 project, Commissioner Harold Henson offered the motion, second by Commissioner Gary Scherer, to approve Change Order No. 1 with Double Z Construction Company in the amount of (\$4,700.10).

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Change Order No. PCE2 Final with Double Z Construction Company for
Project Referred to as PIC-CR7-2.30 PID: 113732 for
Pickaway County Engineer Department:

In reference to the PIC-CR7-2.30 PID: 113732 project, Commissioner Gary Scherer offered the motion, second by Commissioner Harold Henson, to approve Change Order No. PCE2 Final with Double Z Construction Company in the amount of \$42,612.56.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
Sheriff Vehicle Titles:

Commissioner Gary Scherer offered the motion, second by Commissioner Harold Henson, to approve and authorize Commissioner Jay Wippel to execute titles for Pickaway County Sheriff vehicles to be donated to Pickaway Ross Career Technology Center, Pickaway Township Trustees and Eastland-Fairfield Career Technology School.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Attest: Angela Karr, Clerk

In the Matter of
County Administrator Report:

The following is a summary of the report provided by April Metzger, County Administrator:

- Mrs. Metzger discussed the 2024 Budget worksheets for the upcoming meeting December 5th.
- Mrs. Metzger discussed appropriating funds to Port Authority contract services line item to pay Bricker and Eckler LLC bills.
- Family Children's First Council request for funding. Commissioners gave \$25,000 in the last two fiscal years. Will further review.
- Ohio Capital Budget request form needs additions and add Memorial Hall request.

In the Matter of
Park District Internet Connection:

Tom Davis, Park District Director, met with the Commissioners to discuss internet connection at their new location on US 23. Mr. Davis addressed that back when they acquired Cooks Creek he discussed

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with Robert Adkins, IT Director, Spectrum statewide contract to run a line to Cooks Creek to then allow them to tap into the County internet access. It was quoted from Spectrum at \$60,000.00 and \$400.00 a monthly. Mr. Adkins advised of the kind of equipment need to access the county system. Spectrum took almost a year to bring the internet to Cooks Creek and into South Bloomfield. Mr. Davis thinks that they can run the cable inside the building. The Park District will be purchasing the equipment that Mr. Adkins is advising them to purchase. This will allow for the Park District to connect to county software and county phone lines. Mr. Davis expressed that if they need to pay for Mr. Adkins' services they will and the Commissioners informed that is not necessary, they understood that Park District was wanting the County to pay for Spectrum to install. The Park District will be paying for Spectrum to install the service.

Mr. Davis informed that they will be putting for a capital request with the state for \$400,000 in capital improvements to the new facility. This will allow for the facility to be up and running sooner than anticipated.

In the Matter of
Weekly Dog Warden Report:

The weekly report for the Wright Poling/Pickaway County Dog Shelter was filed for the week ending November 25, 2023.

A total of \$425 was reported being collected as follows: \$75 dog license; \$30 in dog license late penalty; \$120 in adoptions; \$75 in redemptions; \$75 in microchip fees and \$50 in vet exam voucher issued.

Seven (7) stray dogs were processed in; two (2) dogs were adopted.

With there being no further business brought before the Board, Commissioner Scherer offered the motion, seconded by Commissioner Wippel, to adjourn.

Voting on the motion was as follows: Commissioner Wippel, yes; Commissioner Henson, yes; Commissioner Scherer, yes. Voting No: None. Motion carried.

Jay H. Wippel, President

Harold R. Henson, Vice President

Gary K. Scherer, Commissioner
BOARD OF COUNTY COMMISSIONERS
PICKAWAY COUNTY, OHIO

Attest: Angela Karr, Clerk