



Moore County Board of Commissioners

April 21, 2026 | 5:30 PM
Historic Courthouse
1 Courthouse Square
Carthage, NC 28327

MINUTES

BOARD MEMBERS PRESENT

Chairman Nick Picerno, Vice Chairman Jim Von Canon, Kurt Cook, John Ritter, and Tom Adams

CALL TO ORDER

Chairman Picerno called the meeting to order.

INVOCATION

Pastor Don Cherry with the Sandhills Baptist Association offered the invocation.

PLEDGE OF ALLEGIANCE

Senior Planner Danielle Orloff led the Pledge of Allegiance.

1. ADDITIONAL AGENDA

Chairman Picerno requested to add an agenda item to new business - a letter to Trillium asking for status updates on two properties in Seven Lakes. This will become item C under new business.

Upon motion made by Chairman Picerno, seconded by Vice Chairman Von Canon, the Board voted unanimously to add the letter to Trillium as New Business Item C.

Chairman Picerno asked whether any commissioner had a conflict of interest regarding the agenda items, and none were declared.

2. CONSENT AGENDA

Upon motion made by Commissioner Adams, seconded by Vice Chairman Von Canon, the Board voted unanimously to approve all consent agenda items below. *The meeting schedule and resolution, letter of support, bond referendum revision 37, aviation grant award revision 1 and resolution, tax release/refunds, and the drug and alcohol testing policy are hereby incorporated and made a part of these minutes by attachments as Appendices A, B, C, D, E, and F.*

A. Board of Commissioners - Regular Meeting Minutes, April 7, 2026

- B. Board of Commissioners - Board of Commissioners FY27 Meeting Schedule Resolution
- C. Administration - Letter of Support to Habitat for Humanity of the NC Sandhills
- D. Finance - Local Educational Bonds - 2018 Bond Referendum – Revision 37
- E. Finance - Davenport & Company LLC Agreement
- F. Finance - NCDOT Aviation Grant Award – WBS #36237.67.14.3 (Hangar Taxilane Design/Bid) Revision 1
- G. Information Technology - Tyler Technologies, Inc. (Amendment 11)
- H. Tax - Tax Releases/Refunds for the Month of March
- I. Transportation - Drug and Alcohol Testing Policy for MCTS

3. RECOGNITIONS

A. Register of Deeds - Authorizing the Erection of a Commemorative Plaque Honoring the 250th Anniversary of the United States of America

Register of Deeds Bill Britton presented a request from the Daughters of the American Revolution to place a commemorative plaque honoring the 250th anniversary of the United States and Revolutionary War patriots on county property. He suggested placing it near the Charters of Freedom display at the courthouse.

Marsha Jacobs, Regent of the Alfred Moore Chapter of the Daughters of the American Revolution, spoke in support of the plaque. She described how the plaque would complement the existing Charters of Freedom display by adding a human connection to the founding documents, honoring those who risked everything to bring those ideals to life. She emphasized the organization's motto of "God, home, and country" and how the marker would serve as both commemoration and education for future generations.

The resolution would formally authorize the installation of the plaque on appropriate county property, subject to coordination with county staff regarding location, design specifications, and installation requirements. Mr. Britton indicated they hoped to hold a ceremony after July 4th to unveil the plaque in cooperation with the county and other organizations.

Chairman Picerno noted that all five commissioners seemed enthusiastic about the proposal.

Upon motion made by Vice Chairman Von Canon, seconded by Commissioner Cook, the Board voted unanimously to approve the resolution authorizing the commemorative plaque honoring the 250th anniversary of the United States of America. *The resolution is hereby incorporated and made a part of these minutes by attachment as Appendix G.*

4. PRESENTATIONS

There were no presentations.

5. PUBLIC HEARINGS

A. Planning - Unified Development Ordinance Amendments to Chapter 5 - Dimensional Standards, Section 5.1 (Table of Area and Setbacks) Table of Dimensional Requirements.

Senior Planner Danielle Orloff presented a request to amend the Moore County Unified Development Ordinance, Chapter 5 - Dimensional Standards, Section 5.1 (Table of Area and Setbacks) Table of Dimensional Requirements, to reduce minimum front principal building setbacks from 40' to 30' in all residential zoning districts.

The Planning Board had requested this change during their February 5, 2026 meeting and voted 6-0 to recommend approval after reviewing it on March 5, 2026.

Ms. Orloff explained that staff research showed surrounding counties use 30-foot setbacks, making this a reasonable request. The current 40-foot requirement had been in place since the original 2014 UDO and had never been changed. The amendment was driven by concerns about infill development on older lots, where new construction at the 40-foot setback would be positioned to look into neighboring backyards of existing homes built closer to the front property line. The amendment was deemed consistent with the Land Use Plan's recommendation to support and promote development in harmony with existing character and would allow continuity between adjacent parcels, particularly benefiting older pre-UDO lots.

Chairman Picerno opened the public hearing.

Ron Jackson, a Planning Board member and builder, offered comments in favor of this request.

Vice Chairman Von Canon asked for clarification on the septic issue, and Mr. Jackson explained that septic systems require both a main system and a backup repair area, and with current setbacks on smaller lots, the repair area often must go in front, requiring future pumping costs when repairs are needed.

Chairman Picerno praised the Planning Board's professional expertise and thanked Mr. Jackson for bringing practical building knowledge to address this issue.

Chairman Picerno closed the public hearing after everyone who wished to speak had done so.

Upon motion made by Commissioner Adams, seconded by Vice Chairman Von Canon, the Board voted unanimously to adopt the Board of Commissioners Land Use Plan Consistency Statement as consistent and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605.

Upon motion made by Commissioner Adams, seconded by Vice Chairman Von Canon, the Board voted unanimously to approve the proposed amendment, to reduce minimum front principal building setbacks from 40' to 30' in all residential zoning districts, to the Moore County Unified Development Ordinance, Chapter 5 - Dimensional Standards, Section 5.1 (Table of Area and Setbacks) Table of Dimensional Requirements.

6. QUASI-JUDICIAL HEARINGS

There were none.

7. OLD BUSINESS

There was none.

8. NEW BUSINESS

A. Public Works - Utility Solutions & Automation, LLC Contract and Sole Source Form for Meter Purchase

Public Works Director Brian Patnode requested the Board's approval of the contract with Utility Solutions & Automation LLC (USA) and the sole source form for the purchase of 1,600 new ultrasonic water meters.

Moore County Public Utilities (MCPU) has over 18,000 water meters in the ground, many of which are reaching the end of their useful life. These 1,600 meters will replace the oldest and least responsive meters in Pinehurst, improving meter reading and revenue capture. MCPU has standardized on Badger Meter, whose local distributor is USA, and these will operate seamlessly with our existing system.

The full contract amount is \$653,984, which includes sales tax of \$42,784.

Mr. Patnode explained that they are systematically replacing the oldest and dead meters throughout neighborhoods and subdivisions with new, more accurate ultrasonic meters. The new system will use cellular endpoints to provide real-time water usage data to both the utility and customers through apps and websites, showing daily gallons used. The system will include leak-detection capabilities that send alerts when water runs continuously for 24 hours, thereby improving customer service and preventing waste.

Commissioner Adams asked about the notification process, and Mr. Patnode confirmed they would contact customers when unusual usage patterns are detected, particularly helpful for irrigation system leaks.

Chairman Picerno asked Mr. Patnode to provide an update on the county's water supply situation during the current drought. Mr. Patnode reported that Moore County is in severe drought conditions (D3 category) but is monitoring groundwater wells and purchasing from neighboring communities. While the aquifer has dropped a few feet, this is normal during drought conditions. They are not currently considering restrictions but will monitor closely and communicate any changes.

Upon motion made by Chairman Picerno, seconded by Commissioner Ritter, the Board voted unanimously to approve the contract with Utility Solutions & Automation, LLC, and approve the sole source form and authorize the Chairman to sign all necessary documents related to this item.

B. Property Management - Republic Services of North Carolina, LLC Amendment # 9

Assistant Property Management Director Steven Perkins presented a request to the Board for approval of an Amendment to the Disposal Service Agreement between Moore County and Republic Services of North Carolina, LLC, extending the term of the agreement for 5 years, from July 1, 2026, to June 30, 2031. He

provided historical context, explaining that Moore County closed its municipal solid waste landfill in 1993 in response to EPA regulations requiring liners, leachate collection systems, and final cover systems for landfills after January 1, 1998.

The financial impact includes a one-time 2% rate increase from \$64.68 to \$65.97 per ton for Republic Services to operate the transfer station and transport waste to their Montgomery County landfill. Future annual increases will be based on the Consumer Price Index. Additionally, the rate for county-hauled waste from convenience sites will decrease from \$43.65 to \$41.15 per ton for the first 6,000 tons annually, with excess tonnage charged at \$44.48 per ton.

The Chairman noted it was nice to see a price decrease for once.

- Upon motion made by Vice Chairman Von Canon, seconded by Commissioner Ritter, the Board voted unanimously to approve amendment #9 to the Disposal Service Agreement between Moore County and Republic Services of North Carolina, LLC, and authorize the Chairman to sign. *The amendment is hereby incorporated and made a part of these minutes by attachment as Appendix H.***
- C.

Approval of Trillium Letter

Chairman Picerno explained that he continues to receive citizen inquiries about two Trillium properties in Seven Lakes. The larger building now has its sign removed, with weeds growing around it, appearing to be deteriorating without regular upkeep. The newer building sees very light usage with only 2-3 cars at any given time. He expressed concern about the out-of-sight, out-of-mind situation and felt the board should request a status update from Trillium by sending them a letter.

Upon motion made by Chairman Picerno, seconded by Vice Chairman Von Canon, the Board voted unanimously to approve the letter to Trillium, addressed to Cecilia Peers, requesting a status update. *The letter is hereby incorporated and made a part of these minutes by attachment as Appendix I.*

9. APPOINTMENTS

- A. Board of Commissioners - Board of Health Appointment
Upon motion made by Commissioner Ritter, seconded by Commissioner Adams, the Board voted unanimously to reappoint Tom LoSapio to the Board of Health as an at-large member with a term expiring April 30, 2029.
- B. Board of Commissioners - Nursing and Adult Care Home Community Advisory Committee Appointment
Upon motion made by Commissioner Ritter, seconded by Commissioner Cook, the Board voted unanimously to reappoint Patricia Smith to the Moore County Nursing and Adult Care Home Community Advisory Committee with a term expiring April 2029.

10. ADDITIONAL AGENDA

There were no additional agenda items.

11. PUBLIC COMMENT PERIOD

John Misiaszek offered comments.

12. MANAGER'S REPORT

County Manager Vest had no further comments.

13. COMMISSIONERS' COMMENTS

Commissioner Cook praised the upcoming 250th-anniversary plaque, emphasizing that America's recipe for freedom has inspired liberation movements worldwide. He reflected on how living in other countries makes one appreciate American freedom more, encouraging daily gratitude for the flag and the freedom it represents.

Commissioner Adams seconded Cook's comments and noted Moore County's particular connection to Revolutionary War history through sites like the House in the Horseshoe. He expressed pride in the Daughters of the American Revolution's initiative and looked forward to photos of the plaque when it is installed, emphasizing how the war involved great sacrifices as Americans decided what type of government they wanted rather than having it dictated to them.

Commissioner Von Canon agreed with his colleagues about American freedom, noting that most countries wish they were like America. He shifted focus to current drought conditions, warning about increased fire danger and urging citizens to ensure pets and children have adequate water. He emphasized the statewide ban on controlled burning and asked residents to remind neighbors about fire safety, noting that several hundred acres had already burned from small fires that got out of control, with fire departments working overtime.

Commissioner Ritter echoed appreciation for the Daughters of the American Revolution's work on preserving history and understanding America's founding and praised Register of Deeds Bill Britton as a fine public servant. He noted the busy weekend with historical demonstrations at Clenny Creek Heritage Day and the well-attended West Moore Fire Department barbecue, emphasizing how community support demonstrates what makes Moore County special.

The Chairman recognized the Interim Superintendent of Moore County Schools, Jenny Purvic, who was in attendance, noting the school board's decision the previous night to have the sheriff take over school policing beginning January 1, 2027. He announced that the next commissioner meeting would include a vote to reaffirm the county's 38.5% funding commitment and support for the sheriff's equipment and staffing needs, noting they already have an agreement in place that doesn't require changes. He expressed confidence that the sheriff would do an excellent job with the program.

The Chairman concluded by expressing puzzlement over newspaper reports suggesting someone opposed the commemorative plaque, unable to understand such opposition.

14. CLOSED SESSION

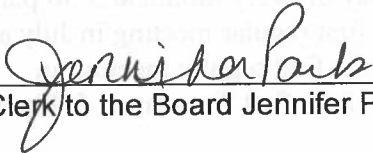
None was needed.

ADJOURNMENT

Upon motion made by Commissioner Adams, seconded by Vice Chairman Von Canon, the Board voted unanimously to adjourn the April 21, 2026, Regular Meeting of the Moore County Board of Commissioners at 6:13pm.



Chairman Nick Picerno



Clerk to the Board Jennifer Parks





A RESOLUTION TO ESTABLISH THE REGULAR MEETING SCHEDULE FOR THE MOORE COUNTY BOARD OF COMMISSIONERS FOR FISCAL YEAR 2027

WHEREAS, per N.C.G.S. 153A-40, the Moore County Board of Commissioners shall hold a regular meeting at least once a month and may hold more frequent regular meetings, and may by resolution fix the time and place of its regular meetings; and

WHEREAS, a regular meeting will be held on the first Tuesday of every month at 5:30 p.m. and the third Tuesday of every month at 5:30 p.m., except that the first regular meeting in July and the second regular meeting in December will not be held, and the first regular meeting in December will be held on the first Monday at 9:00am instead of the first Tuesday at 5:30pm; and

WHEREAS, when necessary, meetings will begin one hour earlier for closed sessions to be held at 4:30 p.m. for the first regular monthly meeting or 4:30 p.m. for the second regular monthly meeting, and closed sessions may also be held at the end of the regular meeting, or at another time designated by the Chair or approved by the Board; and

WHEREAS, all regular meetings will be held in the Commissioners Meeting Room on the second floor of the Historic Courthouse in Carthage, North Carolina. However, some meetings may need to be held remotely, and if circumstances require a remote meeting, notice will be made to the public in ample time congruent with the law; and

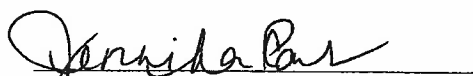
WHEREAS, in preparation for the meetings, unless otherwise announced, a pre-agenda meeting generally including the Chairman, one other commissioner, and staff will be held on the Wednesday prior to each regular meeting at 9:30am via conference call to 910-947-4395, except that the pre-agenda meeting for the November 17, 2026 regular meeting will be held on the Tuesday prior to the meeting; and

NOW THEREFORE BE IT RESOLVED that the Moore County Board of Commissioners has hereby established the dates, times, and places of its regular meetings for Fiscal Year 2027.

FURTHER BE IT RESOLVED that a copy of this resolution be posted on the Courthouse bulletin board and a summary of it be published.

This the 21st day of April 2026.


Nick Picerno, Chairman


Jennifer Parks, Clerk to the Board



BOARD OF COMMISSIONERS FY27 MEETING CYCLES

MEETING DATE & TIME:

Tuesday, July 21, 2026, 5:30pm
 Tuesday, August 4, 2026, 5:30pm
 Tuesday, August 18, 2026, 5:30pm
 Tuesday, September 1, 2026, 5:30pm
 Tuesday, September 15, 2026, 5:30pm
 Tuesday, October 6, 2026, 5:30pm
 Tuesday, October 20, 2026, 5:30pm
 Tuesday, November 3, 2026, 5:30pm
 Tuesday, November 17, 2026, 5:30pm
 Monday, December 7, 2026, 9:00am
 Tuesday, January 5, 2027, 5:30pm
 Tuesday, January 19, 2027, 5:30pm
 Tuesday, February 2, 2027, 5:30pm
 Tuesday, February 16, 2027, 5:30pm
 Tuesday, March 2, 2027, 5:30pm
 Tuesday, March 16, 2027, 5:30pm
 Tuesday, April 6, 2027, 5:30pm
 Tuesday, April 20, 2027, 5:30pm
 Tuesday, May 4, 2027, 5:30pm
 Tuesday, May 18, 2027, 5:30pm
 Tuesday, June 1, 2027, 5:30pm
 Tuesday, June 15, 2027, 5:30pm

AGENDA ITEMS DUE TO CLERK:

Thursday, July 9, 2026, 12:00pm
 Thursday, July 23, 2026, 12:00pm
 Thursday, August 6, 2026, 12:00pm
 Thursday, August 20, 2026, 12:00pm
 Thursday, September 3, 2026, 12:00pm
 Thursday, September 24, 2026, 12:00pm
 Thursday, October 8, 2026, 12:00pm
 Thursday, October 22, 2026, 12:00pm
 Thursday, November 5, 2026, 12:00pm
 Wednesday, November 25, 2026, 12:00pm
 Monday, December 21, 2026, 12:00pm
 Thursday, January 7, 2027, 12:00pm
 Thursday, January 21, 2027, 12:00pm
 Thursday, February 4, 2027, 12:00pm
 Thursday, February 18, 2027, 12:00pm
 Thursday, March 4, 2027, 12:00pm
 Thursday, March 25, 2027, 12:00pm
 Thursday, April 8, 2027, 12:00pm
 Thursday, April 22, 2027, 12:00pm
 Thursday, May 6, 2027, 12:00pm
 Thursday, May 20, 2027, 12:00pm
 Thursday, June 3, 2027, 12:00pm

PRE-AGENDA MEETING 910-947-4395:

Wednesday, July 15, 2026, 9:30am
 Wednesday, July 29, 2026, 9:30am
 Wednesday, August 12, 2026, 9:30am
 Wednesday, August 26, 2026, 9:30am
 Wednesday, September 9, 2026, 9:30am
 Wednesday, September 30, 2026, 9:30am
 Wednesday, October 14, 2026, 9:30am
 Wednesday, October 28, 2026, 9:30am
 Tuesday, November 10, 2026, 9:30am
 Wednesday, December 2, 2026, 9:30am
 Wednesday, December 30, 2026, 9:30am
 Wednesday, January 13, 2027, 9:30am
 Wednesday, January 27, 2027, 9:30am
 Wednesday, February 10, 2027, 9:30am
 Wednesday, February 24, 2027, 9:30am
 Wednesday, March 10, 2027, 9:30am
 Wednesday, March 31, 2027, 9:30am
 Wednesday, April 14, 2027, 9:30am
 Wednesday, April 28, 2027, 9:30am
 Wednesday, May 12, 2027, 9:30am
 Wednesday, May 26, 2027, 9:30am
 Wednesday, June 9, 2027, 9:30am

AGENDA ITEMS WILL NOT BE ACCEPTED WITHOUT REQUIRED APPROVALS FROM LEGAL, FINANCE, AND/OR ADMINISTRATION.
 PLEASE ALLOW AMPLE TIME FOR THESE APPROVAL PROCESSES AHEAD OF THE AGENDA ITEM DUE DATES.

JENNIFER PARKS
CLERK



COUNTY OF MOORE BOARD OF COMMISSIONERS

P.O. BOX 905 / ONE COURTHOUSE SQUARE
CARTHAGE, NC 28327
TELEPHONE: 910.947.6403

NICK PICERNO
CHAIRMAN
JIM VON CANON
VICE CHAIRMAN
KURT COOK
JOHN RITTER
TOM ADAMS

April 21, 2026

To Whom It May Concern:

I am pleased to once again offer my support for the application by Habitat for Humanity of the NC Sandhills for a USDA Home Preservation Grant. These funds would allow Habitat to address critical repairs needed for non-Habitat homes. Habitat for Humanity of the NC Sandhills continues to have a tremendous impact on our community and our citizens, and are happy to help their neighbors if given the opportunity to utilize these funds.

Thank you for your consideration.

Sincerely,

Nick Picerno, Chairman
Moore County Board of Commissioners

County of Moore
Local Educational Bonds – 2018 Bond Referendum (Fund 482)
Project Ordinance – Revision #37

Journal 100245

BE IT ORDAINED by the Board of Commissioners, County of Moore, North Carolina, pursuant to North Carolina General Statute § 159-13.2, the following project ordinance is hereby adopted as follows:

Section 1. The capital project authorized is to provide funds for acquiring and constructing New Elementary Schools and improving, expanding and renovating other public school facilities; also will provide funds, for acquiring, constructing, improving, expanding, renovating and equipping community college facilities, including Nursing Education Facilities.

Section 2. The officers and staff of this unit are hereby directed to proceed with the project within the budget contained herein.

Section 3. The following amounts are appropriated for the Local Educational Bonds – 2018 Bond Referendum Capital Project Ordinance:

New Southern Pines Elementary School:

	GL Account	Budget	Incr./Decr.	Revised Budget
Architect	48263396 55805	\$ 1,770,000	\$ -	\$ 1,770,000
Construction	48263396 55806	\$ 31,183,483	\$ -	\$ 31,183,483
FF&E	48263396 56292	\$ 2,306,540	\$ -	\$ 2,306,540
Cost of Issuance	48263396 57559	\$ 259,923	\$ -	\$ 259,923
Transfer to Capital Res for Govt Project	48263356 59935	\$ 2,901,361	\$ -	\$ 2,901,361
2019 SP GO BD Premium	48263396 57561	\$ -	\$ -	\$ -
Modernization EL Gym Project MEGYM	48263396 57561 MEGYM	\$ 3,474,273	\$ -	\$ 3,474,273
Transfer to General Fund Digital Equip	48263356 59911 DIGIT	\$ 243,215	\$ -	\$ 243,215
Transfer to General Fund - Interest Debt	48263356 59911 INTDE	\$ 150,000	\$ -	\$ 150,000
Arbitrage Rebate	48263396 55876	\$ 140,581	\$ -	\$ 140,581
UP Artificial Turf Field	48263396 57667	\$ 424,381	\$ -	\$ 424,381
NM Other Athletic Improvements	48263396 57668	\$ 446,158	\$ -	\$ 446,158
Transfer to General Fund-Debt Payment	48263356 59911 DEBT	\$ 217,300	\$ -	\$ 217,300
Total		\$ 43,517,215	\$ -	\$ 43,517,215

New Pinehurst Elementary School:

	GL Account	Budget	Incr./Decr.	Revised Budget
Architect	48263596 55805	\$ 2,453,000	\$ -	\$ 2,453,000
Pinehurst Modular Classrooms	48263596 55813	\$ 2,400,000	\$ -	\$ 2,400,000
Construction	48263596 55806	\$ 29,636,186	\$ -	\$ 29,636,186
FF&E	48263596 56292	\$ 2,306,540	\$ -	\$ 2,306,540
Cost of Issuance	48263596 57559	\$ 259,210	\$ -	\$ 259,210
Contingency	48263596 55807	\$ 945,064	\$ -	\$ 945,064
GO Bond Premium	48263596 57562	\$ -	\$ -	\$ -
Modernization EL Gym Project MEGYM	48263596 57562 MEGYM	\$ 862,247	\$ -	\$ 862,247
District Wide Projects	48263596 57562 DWP	\$ 3,046,303	\$ -	\$ 3,046,303
Transfer to Capital Res for Govt Project	48263596 59935	\$ 4,853,000	\$ -	\$ 4,853,000
PHST Transfer to GF Digital Equip	48263596 59911 DIGIT	\$ 132,078	\$ -	\$ 132,078
Arbitrage Rebate	48263596 55876	\$ 310,501	\$ 107,737	\$ 418,238
NM Other Athletic Improvements	48263596 57668	\$ 153,842	\$ -	\$ 153,842
PES Transfer to General Fund - Interest Debt	48263556 59911 INTDE	\$ 150,000	\$ -	\$ 150,000
Transfer to General Fund-Debt Payment	48263556 59911 DEBT	\$ 1,395,445	\$ (64,949)	\$ 1,330,496
Pinecrest HS PAC Maint Costs	48263596 55895	\$ 600,000	\$ -	\$ 600,000
Total		\$ 49,503,416	\$ 42,788	\$ 49,546,204

New Aberdeen Elementary School:

	GL Account	Budget	Incr./Decr.	Revised Budget
Construction	48263696 55806	\$ 27,009,980	\$ -	\$ 27,009,980
Contingency	48263696 55807	\$ -	\$ -	\$ -
Off-Site Sewer	48263696 56291	\$ 450,000	\$ -	\$ 450,000
FF&E/Tech	48263696 56292	\$ 1,859,669	\$ -	\$ 1,859,669
Testing & Inspection	48263696 56293	\$ 93,270	\$ -	\$ 93,270
Cost of Issuance	48263696 57559	\$ 274,042	\$ -	\$ 274,042
2018 Aberdeen GO BD Prem	48263696 57558	\$ -	\$ -	\$ -
Modernization EL Gym Project MEGYM	48263696 57558 MEGYM	\$ 353,726	\$ -	\$ 353,726
Carthage EL-HVAC Bid 7	48263696 57558 CHVAC	\$ 47,582	\$ -	\$ 47,582
Elise MS-Buried boiler	48263696 57558 EBOIL	\$ 32,000	\$ -	\$ 32,000
Vass LE-HVA Bid 5	48263696 57558 VHVAC	\$ 28,500	\$ -	\$ 28,500
Carthage EL-Return piping	48263696 57558 CPIPE	\$ 151,106	\$ -	\$ 151,106
Community L-Air handlers	48263696 57558 CLAIR	\$ 326,322	\$ -	\$ 326,322
Sandhills FL-Heat pumps	48263696 57558 SHEPU	\$ 120,225	\$ -	\$ 120,225
Carthage EL-Gym	48263696 57558 CEGYM	\$ 27,105	\$ -	\$ 27,105
Carthage EL-Fire alarm	48263696 57558 CFALM	\$ 87,000	\$ -	\$ 87,000
All schools-Classroom display syst	48263696 57558 ACLDI	\$ 387,400	\$ -	\$ 387,400
Elise MS-Gym	48263696 57558 EMGYM	\$ 68,917	\$ -	\$ 68,917
Union Pines-Furnace ROTC Bid	48263696 57558 UPFUR	\$ 6,975	\$ -	\$ 6,975
Sandhills FL-Install foundation	48263696 57558 SFINS	\$ 33,124	\$ -	\$ 33,124
Highfalls ES-sanitary lift station	48263696 57558 HFSLS	\$ -	\$ -	\$ -
NMHS-sanitary lift station	48263696 57558 NMSLS	\$ 252,538	\$ -	\$ 252,538
Union Pines-Water main pipes	48263696 57558 UPWAT	\$ 236,817	\$ -	\$ 236,817
Transfer to General Fund Digital Equip	48263656 59911 DIGIT	\$ 1,124,707	\$ -	\$ 1,124,707
Transfer to Southern Pines Construction	N/A	\$ 1,560,208	\$ -	\$ 1,560,208
Transfer to General Fund - Interest Debt	48263656 59911 INTDE	\$ 300,000	\$ -	\$ 300,000
UP Artificial Turf Field	48263696 57667	\$ 175,619	\$ -	\$ 175,619
Transfer to General Fund-Debt Payment	48263656 59911 DEBT	\$ 102,206	\$ -	\$ 102,206
Total		\$ 35,109,038	\$ -	\$ 35,109,038

SCC Nursing Education Facilities:

	GL Account	Budget	Incr./Decr.	Revised Budget
Architect	48263797 55805	\$ 1,506,830	\$ -	\$ 1,506,830
SCC Construction	48263797 55806	\$ 15,132,773	\$ -	\$ 15,132,773
Cost of Issuance	48263797 57559	\$ 353,500	\$ -	\$ 353,500
SCC Contingency	48263797 55807	\$ -	\$ -	\$ -
SCC FF&E	48263797 56292	\$ 1,803,217	\$ -	\$ 1,803,217
SSC Planning & Design	48263797 56318	\$ 320,529	\$ -	\$ 320,529
SCC GO Bond Premium	48263797 57566	\$ -	\$ -	\$ -
Arbitrage Rebate	48263797 55876	\$ 165,571	\$ 69,554	\$ 235,125
Phase I & II - Water Utility Improvements	48263797 57566 WUIMP	\$ -	\$ -	\$ -
Meyer Hall Science Lab Renovations	48263797 57566 MEYER	\$ 1,009,310	\$ -	\$ 1,009,310
Fire & Construction Education Center	48263797 57566 FIRCO	\$ 1,100,000	\$ -	\$ 1,100,000
SCC Transfer to CR for GOV PROJ	48263756 59909	\$ 1,600,000	\$ -	\$ 1,600,000
Transfer to General Fund-Debt Payment	48263756 59911 DEBT	\$ 1,382,278	\$ -	\$ 1,382,278
Total		\$ 24,374,008	\$ 69,554	\$ 24,443,562

Section 4. The following revenues are anticipated to be available to complete the Local Educational Bonds – 2018 Bond Referendum Project Ordinance:

New Southern Pines Elementary School:

	GL Account	Budget	Incr./Decr.	Revised Budget
Transfer fr Capital Res for Govt Project	48219056 32995	\$ 2,901,361	\$ -	\$ 2,901,361
2019 SP GO BD Proceeds	48219000 36931	\$ 34,000,000	\$ -	\$ 34,000,000
2019 SP GO BD Premium	48218000 36932	\$ 3,474,273		\$ 3,474,273
SP Sales Tax Refund	48218000 32351	\$ 453,876	\$ -	\$ 453,876
2019 SP GO BD Interest	48218000 36933	\$ 1,127,497	\$ -	\$ 1,127,497
Transfer from New Aberdeen Elementary	N/A	\$ 1,560,208	\$ -	\$ 1,560,208
Total		\$ 43,517,215	\$ -	\$ 43,517,215

New Pinehurst Elementary School:

	GL Account	Budget	Incr./Decr.	Revised Budget
Transfer from Capital Res for Govt Project	48219056 32995	\$ 4,853,000	\$ -	\$ 4,853,000
2019 PHST GO BD Proceeds	48219000 36934	\$ 38,000,000	\$ -	\$ 38,000,000
2019 PHST GO BD Premium	48218000 36935	\$ 4,712,988	\$ -	\$ 4,712,988
PHST Sales Tax Refund	48218000 32352	\$ 778,604	\$ -	\$ 778,604
2019 PHST GO BD Interest	48218000 36936	\$ 1,158,824	\$ 42,788	\$ 1,201,612
Total		\$ 49,503,416	\$ 42,788	\$ 49,546,204

New Aberdeen Elementary School:

	GL Account	Budget	Incr./Decr.	Revised Budget
2018 Aberdeen GO BD Proceeds	48219000 36927	\$ 31,000,000	\$ -	\$ 31,000,000
2018 Aberdeen GO BD Prem	48218000 36928	\$ 2,472,281	\$ -	\$ 2,472,281
2018 Aberdeen GO Bond Int	48218000 36929	\$ 1,058,382	\$ -	\$ 1,058,382
Aberdeen Elem Sales Tax Refund	48218000 32350	\$ 578,375	\$ -	\$ 578,375
Total		\$ 35,109,038	\$ -	\$ 35,109,038

SCC Nursing Education Facilities:

	GL Account	Budget	Incr./Decr.	Revised Budget
Transfer fr Capital Res for Govt Project	48219056 32995	\$ 1,600,000	\$ -	\$ 1,600,000
SCC GO BD Proceeds	48218000 36937	\$ 20,000,000	\$ -	\$ 20,000,000
SCC GO BD Premium	48218000 36938	\$ 2,109,310	\$ -	\$ 2,109,310
SCC GO Bond Interest	48218000 36939	\$ 664,698	\$ 69,554	\$ 734,252
Total		\$ 24,374,008	\$ 69,554	\$ 24,443,562

Section 5. The Finance Officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to satisfy the requirements of North Carolina General Statutes, federal regulations and any other applicable laws.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due.

Section 7. The Finance Officer is directed to report the financial status of the project, as requested by the Board of Commissioners.

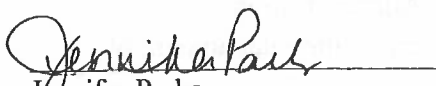
Section 8. This Project Ordinance shall be entered in the minutes by the Clerk to the Board of Commissioners and within five days after adoption of this Ordinance, copies shall be filed with the finance officer, budget officer and Clerk to the Board of Commissioners.

Adopted this 21st day of April 2026.



Nick Picerno, Chairman

Moore County Board of Commissioners



Jennifer Parks
Clerk to the Board



**RESOLUTION AUTHORIZING THE
ACCEPTANCE OF FUNDS FOR CONSTRUCT HANGAR TAXILANE (DESIGN &
BIDDING)
PROJECT # 36237.67.14.3 Revision 1**

WHEREAS, the Moore County Airport Authority is eligible for State Aid to Airports funding through the North Carolina Department of Transportation (NCDOT) – Division of Aviation for the Construct Hangar Taxilane (Design & Bidding) Project – including Project Formulation, Grants Administration, Environmental Coordination, Engineering Design, Permitting, and Bidding; and

WHEREAS, the Moore County Airport Authority submitted a Request for Aid (Application #1000027299) for the Construct Hangar Taxilane (Design/Bid) Project, and the NCDOT Division of Aviation has approved said request in the amount of \$272,616 under the Aviation Block Grant Program; and

WHEREAS, this funding requires a 5% local match in the amount of \$14,349, resulting in a total project cost of \$286,965;

WHEREAS, the Construct Hangar Taxilane (Design & Bidding) Project supports long-term airfield development, expansion of hangar capacity, and continued aviation growth at Moore County Airport; and

WHEREAS, the North Carolina Department of Transportation – Division of Aviation has provided a Grant Agreement and required State and Federal assurances for execution by the Authority; and

WHEREAS, such allocation of funds was approved by the Moore County Airport Authority at its meeting on November 12, 2025, and the total project cost will be \$286,965 (\$272,616 State/Federal; \$14,349 Local);

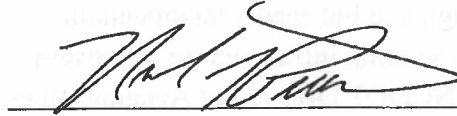
WHEREAS, the Moore County Airport Authority incurred eligible professional services expenses in FY2025 related to the Construct Hangar Taxilane (Design & Bidding) Project in the amount of \$117,392, to be reimbursed through a transfer to the Airport Authority' Operating Fund (640). The transfer of \$117,392 will be approved at the Moore County Airport Authority's meeting on April 8th, 2026;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED that the Chairman of the Moore County Airport Authority is hereby authorized and empowered to enter into all Grant Agreements, Work Authorizations, and associated documents and amendments for the following work elements for Project #36237.67.14.3: Project Formulation, Grants Administration, Environmental Coordination, Engineering Design, Permitting, and Bidding in the total amount of \$286,965.

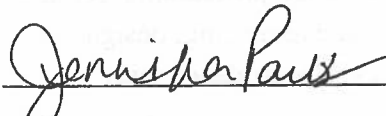
FURTHER, the County's Finance Director is authorized to request payment under said State grant using the State's Partner online program and to approve electronically the AV-502 Quarterly Project Status Reports.

FURTHER, the Moore County Airport Authority is authorized to administer the grant and any associated State agreements in accordance with regulations and to enter into any contracts or agreements necessary to carry out the project.

First adopted on January 6th, 2026, with Revision #1 adopted on this the 21st day of April, 2026.



Nick Picerno, Chairman
Moore County Board of Commissioners



Jennifer Parks,
Clerk to the Board



PROJECT BUDGET ORDINANCE
CONSTRUCT HANGAR TAXILANE (DESIGN/BID)
WBS # 36237.67.14.3 Revision 1

BE IT ORDAINED, by the Moore County Board of Commissioners, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant ordinance is hereby adopted:

Section 1: The authorized project is for the Design and Bid Phase of the Construct Hangar Taxilane Project at Moore County Airport, Pinehurst, North Carolina. This project will advance design and bid-ready documentation to support new hangar site development as part of the Airport's ongoing infrastructure improvement plan. The total project cost of \$286,965 includes the NCDOT Division of Aviation Block Grant Program funding of \$272,616 (Request for Aid #1000027299), the required 5% local match of \$14,349. \$117,392 will be transferred to the Airport Authority's Operating Fund (640) for reimbursement of FY2025 professional services expenses related to the project. The project scope includes professional engineering, design, environmental coordination, permitting, preparation of bid documents in accordance with Division of Aviation standards.

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents and the rules and regulations of the North Carolina Department of Transportation – Division of Aviation and the Federal Aviation Administration, and in accordance with the budget contained herein.

Section 3: The following revenues are anticipated to be available to complete the Construct Hangar Taxilane (Design/Bid) Project:

Funding Source	GL Account	Budget	Increase / Decrease	Budget
36237.67.14.3 Hangar Taxilane	46142000 36404	\$ 272,616	\$ -	\$ 272,616
Transfer from Airport Enterprise	46119056 32986 14.3	\$ 14,349	\$ -	\$ 14,349
Total		\$ 286,965	\$ -	\$ 286,965

Section 4: The following amounts are appropriated for the completion of the Hangar Taxilane (Design/Bid) Project – Design, Permitting, and Bidding:

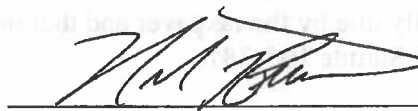
Funding Source	GL Account	Budget	Increase / Decrease	Budget
36237.67.14.3 Hangar Taxilane	46161555 56349	\$ 286,965	\$ (117,392)	\$ 169,573
Transfer to Airport Enterprise	46161556 59920 14.3	\$ -	\$ 117,392	\$ 117,392
Total		\$ 286,965	\$ -	\$ 286,965

Section 5: The Finance Director is hereby directed to maintain within the project fund sufficient, specific, and detailed accounting records to satisfy the requirements of the funding agencies, North Carolina General Statutes, federal regulations, and any other applicable laws.

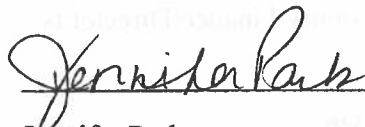
Section 6: The Finance Director shall report on the financial status of the project as requested by the Board.

Section 7: This Project Ordinance shall be entered in the minutes of the Moore County Board of Commissioners meeting after adoption of this Ordinance and copies shall be filed with the Finance Officer.

First adopted on January 6th, 2026, with Revision #1 adopted on this the 21st day of April, 2026.



Nick Picerno, Chairman
Moore County Board of Commissioners



Jennifer Parks
Clerk to the Board



**RESOLUTION AUTHORIZING AND APPROVING
(CURRENT) RELEASES AND REFUNDS BY THE
TAX ADMINISTRATOR**

WHEREAS, Gary E. Briggs, Moore County Tax Administrator, has certified a list comprised of various county taxes illegally levied and assessed, the amount certified as being in excess of the amount legally due by the taxpayer and therefore should be released or refunded in accordance with General Statute 105-381.

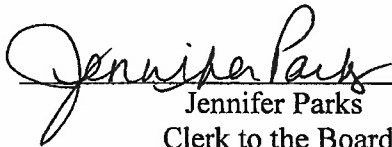
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 21 day of April, 2026.



Nick Picerno, Chairman

ATTEST:



Jennifer Parks
Clerk to the Board



**RESOLUTION AUTHORIZING AND APPROVING
(DELINQUENT) RELEASES AND REFUNDS BY THE
TAX ADMINISTRATOR**

WHEREAS, Gary E. Briggs, Moore County Tax Administrator, has certified a list comprised of delinquent taxes illegally due by the taxpayer and therefore should be released or refunded in accordance with General Statute 105-381.

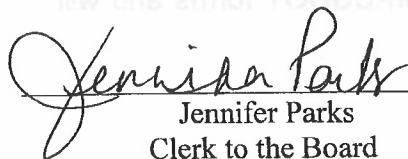
BE IT RESOLVED by the Board of Commissioners of Moore County that the taxpayers shown on said list of releases and refunds submitted by Gary E. Briggs, Tax Administrator, are hereby granted such tax release or refund of the county taxes shown and the County Finance Director is directed to make said refunds.

Adopted this the 21 day of April, 2026.



Nick Picerno, Chairman

ATTEST:



Jennifer Parks
Clerk to the Board



**DRUG AND ALCOHOL TESTING POLICY
MOORE COUNTY TRANSPORTATION SERVICES**
Adopted as of [APRIL 7, 2026]

A. PURPOSE

- 1) The Moore County Transportation Services provides public transit and paratransit services for the residents of Moore County. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Moore County Transportation Services declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.
- 2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. Covered employees shall abide by the terms of this policy statement as a condition of employment. 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 drug and 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 specimens for drug and alcohol testing.
- 3) Any provisions set forth in this policy that are included under the sole authority of Moore County Transportation Services and are not provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of Moore County Transportation Services will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all 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, persons controlling the dispatch or 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.

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.

Alternate specimen: An authorized specimen, other than the type of specimen previously collected or attempted to be collected.

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.

Collection Site: A place selected by the employer where employees present themselves for the purpose of providing a specimen for a drug test.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify a specific drug or drug 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).

Cutoff: The analytical value (e.g., drug or drug metabolite concentration) used as the decision point to determine a result (e.g., negative, positive, adulterated, invalid, or substituted) or the need for further testing.

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

DOT, The Department, DOT Agency: These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

Employee: Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of drug testing under 49 CFR Part 40, the term employee has the same meaning as the term "donor" as found on CCF and related guidance materials produced by the Department of Health and Human Services.

Evidential 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: The first 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 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 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 the minimum standards of HHS; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under 49 CFR Part 40.

Limit of Detection (LOD): The lowest concentration at which the analyte (e.g., drug or drug metabolite) can be identified.

Limit of Quantification (LOQ): For quantitative assays, the lowest concentration at which the identity and concentration of the analyte (e.g., drug or drug metabolite) can be accurately established.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS-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 specimen: A specimen that is reported as adulterated, substituted, positive (for drug(s) or drug metabolite(s)), or invalid.

Oral Fluid Specimen: A specimen that is collected from an employee's oral cavity and is a combination of physiological fluids produced primarily by the salivary glands. An oral fluid specimen is considered to be a direct observation collection for all purposes of 49 CFR Part 40, as amended.

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.

Primary specimen: In drug testing, the specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of specimen validity testing. The primary specimen is the portion of the donor's subdivided specimen designated as the primary ("A") specimen by the collector to distinguish it from the split ("B") specimen, as defined in 49 CFR Part 40, as amended.

Prohibited drug: Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine as specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split (Bottle B) specimen when the second HHS-certified laboratory corroborates the original result reported for the primary (Bottle A) specimen.

Rejected for Testing: The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

Safety-sensitive functions: 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 dispatch or movement of a revenue service vehicle and
- (5) Carrying a firearm for security purposes.

Specimen: Fluid, breath, or other material collected from an employee at the collection site for the purpose of a drug or alcohol test.

Specimen Bottle: The bottle that, after being sealed and labeled according to the procedures in 49 CFR Part 40, is used to hold a primary ("A") or split ("B") specimen during the transportation to the laboratory. In the context of oral fluid testing, it may be referred to as a "vial," "tube," or "bottle."

Split Specimen: In drug testing, the specimen that is sent to a first laboratory and stored with its original seal intact, and which is transported to a second laboratory for retesting at the employee's request following MRO verification of the primary specimen as positive, adulterated or substituted.

Split specimen collection: A collection in which the single specimen collected is divided into two separate specimen 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: An employee's specimen not consistent with a normal human specimen, as determined by HHS (e.g., 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 collection 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 specimen. An employee who does not provide a 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 collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of specimen without a valid medical explanation.
- (6) Fail or decline to take an additional test as directed by the collector or the employer for drug testing.
- (7) Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine collection .
- (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.

Undiluted (neat) oral fluid: An oral fluid specimen to which no other solid or liquid has been added. For example: A collection device that uses a diluent (or other component, process, or method that modifies the volume of the testable specimen) must collect at least 1 mL of undiluted (neat) oral fluid.

Urine specimen: Urine collected from an employee at the collection site for the purpose of 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 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 specimen, if the specimen was diluted, or if the specimen was altered.

D. EDUCATION AND TRAINING

- 1) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.
- 2) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable

suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

E. PROHIBITED SUBSTANCES

- 1) Prohibited substances addressed by this policy include the following.
 - a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 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.

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 this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.
 - b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Moore County Transportation Services 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.

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

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the Moore County Transportation Services 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 this policy.

H. TESTING REQUIREMENTS

- 1) Drug testing and alcohol testing will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in 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 Moore County Transportation Services authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

All covered employees will be subject to drug testing and alcohol testing as a condition of ongoing employment with Moore County Transportation Services.

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 this policy.

I. DRUG TESTING PROCEDURES

- 1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- 2) The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine and/or oral fluid specimen will be collected as 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 specimen. For those specimens that are not negative, a confirmatory test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the confirmatory test are at or 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 Moore County Transportation Services. If a legitimate explanation is found, the MRO will report the test result as negative.

- 4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.
- 5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Moore County Transportation Services will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, however Moore County Transportation Services will seek reimbursement for the split sample test from the employee.
- 6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.
- 7) Observed collections
 - a. Consistent with 49 CFR Part 40, as amended, collection under direct observation with no advance notice will occur if:
 - i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Moore County Transportation Services that there was not an adequate medical explanation for the result;
 - ii. The MRO reports to Moore County Transportation Services that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;
 - iii. The laboratory reported to the MRO that the urine 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 urine 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 urine specimen was out of range (See §40.65(b)(5));
- vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with (See §40.65(c)(1)).
- vii. All follow-up-tests; or
- viii. All return-to-duty tests

Urine collections that are required to be directly observed will be conducted by a person of the same gender as the donor as required by 49 CFR Part 40.67.

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 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 this policy. An alcohol concentration of less than 0.02 will be considered a negative test.
- 3) Moore County Transportation Services affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.
- 4) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

- 1) All applicants for covered transit positions shall undergo 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 this policy.
- e. If a pre-employment test is canceled, Moore County Transportation Services will require the applicant to take and pass another pre-employment drug test.
- f. In instances where a FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.
- g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.
- h. Applicants are required (even if ultimately not hired) to provide *Moore County Transportation Services* 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. *Moore County Transportation Services* 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 *Moore County Transportation Services* proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

L. REASONABLE SUSPICION TESTING

- 1) All Moore County Transportation Services FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Moore County Transportation Services' authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.
- 2) Moore County Transportation Services 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 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 this policy.
- 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 Moore County Transportation Services.
- 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 this policy. Moore County Transportation Services shall place the employee on administrative leave in accordance with the provisions set forth under this policy. Testing in this circumstance would be performed under the direct authority of the Moore County Transportation Services. 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 this policy or the associated consequences.

M. POST-ACCIDENT TESTING

- 1) **FATAL ACCIDENTS** – A covered employee will be required to undergo drug and alcohol 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

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

N. RANDOM TESTING

- 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. Individuals who may be covered under company authority will be selected from a pool of non-DOT-covered individuals.
- 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 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 Moore County Transportation Services 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 Moore County Transportation Services' 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.

O. RETURN-TO-DUTY TESTING

Moore County Transportation Services will terminate the employment of any employee that tests positive or refuses a test as specified in this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

P. FOLLOW-UP TESTING

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

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

Q. RESULT OF DRUG/ALCOHOL TEST

- 1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be immediately 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 is defined as any of the following circumstances:
 - a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
 - b. Fail to remain at the collection 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 specimen. An employee who does not provide a 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 collection in a drug test, fail to permit monitoring or observation of your provision of a specimen.
 - e. Fail to provide a sufficient quantity of specimen without a valid medical explanation.
 - f. Fail or decline to take an additional 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 urine collection.
 - 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.
- 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:
- 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 Moore County Transportation Services 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 this policy; however, all follow-up testing performed as part of a return-to-work agreement required under this policy is under the sole authority of Moore County Transportation Services 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 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 this policy.
 - f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Moore County Transportation Services.
 - g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.
- 6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

R. GRIEVANCE AND APPEAL

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

S. PROPER APPLICATION OF THE POLICY

Moore County Transportation Services is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are

required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

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

This Policy was adopted by the *Moore County Board of Commissioners* April 21, 2026.



Chairman, Moore County Board of Commissioners



Attachment B Contacts**Attachment A**

<u>Job Title</u>	<u>Job Duties</u>	<u>Testing Authority</u>
Driver	Operates Transit Vehicle	DOT/FTA
Mechanic	Works on Transit Vehicles	DOT/FTA
Dispatcher	Dispatches Drivers	DOT/FTA

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).

Moore County Transportation Services Drug and Alcohol Program Manager

Name:

Title: Director

Address: 302 Monroe Street, Carthage NC, 28327

Telephone Number: 910-947-7162

Medical Review Officer

Name: Charlton Owensby, M.D.

Title: WOLFE, Inc

Address: 681 Cabarrus Avenue West Concord, NC 28027

Telephone Number: 1-800-451-3743

Substance Abuse Professional #1

Name: Beverly Wicker

Title: Solo Behavioral Health Services

Address: 345 Carthage Street Sanford NC 27330

Telephone Number: 919-774-1131

Substance Abuse Professional #2

Name: Shelia Williamson

Title: Community Behavioral Care, PLLC

Address: 225 S Hancock St Rocking NC 28379

Telephone Number: 910-778-1724

**Moore County
North Carolina**



**AUTHORIZING THE ERECTION OF A COMMEMORATIVE PLAQUE
HONORING THE 250TH ANNIVERSARY OF THE UNITED STATES**

WHEREAS, the year 2026 marks the 250th anniversary of the founding of the United States of America, commemorating the signing of the Declaration of Independence in 1776; and

WHEREAS, the American Revolution (1775–1783) represents a defining period in the nation's history, during which men and women fought valiantly for the cause of liberty and self-governance; and

WHEREAS, it is fitting and proper to recognize and honor the sacrifices and contributions of the patriots who achieved American independence; and

WHEREAS, the Alfred Moore Chapter of the Daughters of the American Revolution, with the assistance of the elected Register of Deeds, William Britton, has proposed the erection of a commemorative plaque to honor Revolutionary War patriots and the 250th anniversary of the United States; and

WHEREAS, the proposed plaque will bear language substantially as follows:

"Revolutionary War Patriots

This marker commemorates the men and women who achieved American independence. These Patriots, each believing in the noble cause of liberty, fought valiantly to found a new nation.

1775–1783

Dedicated in 2026 by Alfred Moore Chapter, Daughters of the American Revolution in celebration of the 250th anniversary of the United States."

and

WHEREAS, the placement of such a plaque on County property would serve as an educational and commemorative resource for residents and visitors, fostering appreciation of American history and heritage; and

WHEREAS, the Moore County Board of Commissioners supports initiatives that preserve and promote the historical legacy of the United States and its founding principles;

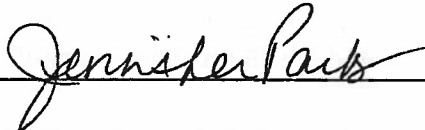
NOW, THEREFORE, BE IT RESOLVED by the Moore County Board of Commissioners that:

1. The Board hereby approves and authorizes the erection and placement of a commemorative plaque recognizing Revolutionary War patriots and the 250th anniversary of the United States.
2. The Board grants permission for the plaque to be installed on appropriate County owned property, subject to coordination with County staff regarding location, design specifications, and installation requirements.
4. This resolution shall serve as formal recognition by Moore County of the significance of the 250th anniversary of the United States and as an expression of gratitude to those who secured the nation's independence.

ADOPTED this 21 day of April, 2026, by the Moore County Board of Commissioners.



Nick Picerno Chair, Moore County Board of Commissioners



Jennifer Parks, Clerk to the Board



AMENDMENT TO DISPOSAL SERVICE AGREEMENT #9

This Amendment to Disposal Service Agreement (this "Amendment") is entered into as of April 21, 2026 ("Effective Date"), between Moore County, North Carolina (the "County"), and Republic Services of North Carolina, LLC, a North Carolina limited liability company ("RSNC" or "Contractor").

Recitals

A. The County and Contractor entered into a Disposal Services Agreement with RSNC's predecessors (Uwharrie Environmental, Inc. and Addington Environmental, Inc.) dated September 17, 1993, as amended by the Amendments to the Original Agreements dated February 17, 1997; June 28, 2002; April 28, 2008; March 5, 2009; September 17, 2013; June 7, 2016; November 1, 2016 and February 16, 2021 (collectively, the "Agreement"), to provide certain services for the County.

B. The County and Contractor have agreed to extend the Agreement and modify certain terms as identified below.

Agreement

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the parties agree to the following terms and conditions:

1. **Extension of Term.** The parties agree to extend the term of this agreement for an additional five years from July 1, 2026, to June 30, 2031. The parties agree this Agreement can be extended for an additional five years with the mutual agreement of the Parties.

2. **Service Fees.** Effective July 1, 2026, Section 5.01 is modified as follows: Moore County will be allowed to direct haul up to six thousand (6,000) tons annually, at a rate of \$41.15 per ton hauled to Uwharrie Environmental Landfill. If the County exceeds direct haul tons of (6,000), the new rate will be \$44.48 per ton.

3. **Annual Increase.** Section 5.01 is modified as follows: On July 1, 2026, the annual increase will be two percent (2%) of the then current rate of \$64.68 per ton. Thereafter, every July 1st, all rates will be increased in accordance with the change in the Consumer Price Index, all Urban Consumers U.S. City Average — Water, Sewer, and Trash (CPI) as published by the U. S. Department of Labor, Bureau of Labor Statistics based upon the month of February as compared to the February CPI-U for the preceding year or the most recently available CPI release by the U.S. Department of Labor.

4. **Storm Water Plan.** The Parties agree that Contractor will update and pay for the 2026 Moore County Transfer Station Storm Water Plan.

5. **Capitalized Terms.** Capitalized terms used but not otherwise defined in this Amendment shall have the meanings assigned to them in the Agreement.

853

6. Continuing Effect. Except as expressly modified or amended by this Amendment, all terms and provisions of the Agreement shall remain in full force and effect. In the case of a conflict in meaning between the Agreement and this Amendment, this Amendment shall prevail.

7. Counterparts. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which combined shall constitute one and the same instrument. Facsimile and/or electronic copies of the parties' signatures shall be valid and treated the same as original signatures.

IN WITNESS WHEREOF, the parties have entered into this Amendment to be effective as of the Effective Date.

CONTRACTOR:

COUNTY:

REPUBLIC SERVICES OF NORTH
CAROLINA, LLC

MOORE COUNTY

Signed by:
By: William Maness
Name: William Maness
Title: General Manager
Date: 3/31/2026

Signed by:
By: McK Picerno
Name: McK Picerno
Title: Chairman, Board of Commissioners
Date: 4/22/2026

ATTEST:

Signed by:
Jennifer Parks
Jennifer Parks
Clerk to the Board

PreAudit Certification

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

Caroline Xiong
Finance Officer

JENNIFER PARKS
CLERK



COUNTY OF MOORE BOARD OF COMMISSIONERS

P.O. BOX 905 / ONE COURTHOUSE SQUARE
CARTHAGE, NC 28327
TELEPHONE: 910.947.6403

NICK PICERNO
CHAIRMAN
JIM VON CANON
VICE CHAIRMAN
JOHN RITTER
TOM ADAMS
KURT COOK

April 21, 2026

Trillium Health Resources
Attn: Ceceilia Peers, Regional Vice President
201 W 1st Street
Greenville, NC 27858

RE: Seven Lakes Properties

Dear Ms. Peers,

The Moore County Board of Commissioners is seeking an update regarding vacant properties owned by Trillium in Seven Lakes.

Specifically, the board requests information on when the two buildings are expected to be sold. The larger building appears to remain vacant. In addition, please let us know how the smaller building is currently being used.

Lastly, the landscaping surrounding the buildings appears to be deteriorating.

We would appreciate an update regarding the status and future plans for these properties.

Sincerely,

Nick Picerno, Chair
Moore County Board of Commissioners