



Town of Altavista Town Council Work Session Agenda

J.R. "Rudy" Burgess Town Hall
510 7th Street
Altavista, VA 24517

Tuesday, April 24, 2018

5:00 PM Council Work Session

- 1. Call to Order**
- 2. Agenda Amendments/Approval**
- 3. Public Comments –Agenda Items and Non Agenda Items–** *Comments are limited to three (3) minutes per speaker. Total time allocated: 15 minutes.*
- 4. Introductions and Special Presentations/Recognitions**
- 5. Items for Discussion**
 - a. Parks & Trails Master Plan - Project Prioritization**pg. 2 - 5
 - b. WWTP Emergency Overflow Pond (PCB) – Dr. Sower’s report**pg. 6 - 9
 - c. Former EMS Building (Main Street) Reuse discussion**pg. 10 - 14
 - d. Blessing Box recognition discussion**pg. 15 - 17
 - e. Avoca’s Request to Town employee status**pg. 18 - 21
 - f. Cell tower lease agreement**pg. 22 - 32
 - g. ACTS Drug Policy Amendment**pg. 33 - 45
 - h. Employee Holiday Discussion**pg. 46
- 6. Closed Session**
- 7. Adjournment**

NEXT SCHEDULED REGULAR TOWN COUNCIL MEETING: TUESDAY, MAY 8, 2018 @ 7:00 p.m.

Notice to comply with Americans with Disabilities Act: Special assistance is available for disabled persons addressing Town Council. Efforts will be made to provide adaptations or accommodations based on individual needs of qualified individuals with disability, provided that reasonable advance notification has been received by the Town Clerk’s Office. For assistance, please contact the Town Clerk’s Office, Town of Altavista, 510 Seventh Street, Altavista, VA 24517 or by calling (434) 369-5001.

Thank you for taking the time to participate in your Town Council meeting. The Mayor and Members of Council invite and



Town of Altavista, Virginia Work Session Agenda Form

Meeting Date: April 24, 2018

Agenda Item #: | **5a** |

Attachment #: | **2** |

Agenda Placement: | **Items for Discussion** |

Subject Title: | **Parks & Trails Master Plan – Project Prioritization** |

SUBJECT HIGHLIGHTS

At your April 10th Regular Meeting, the *Altavista Parks & Trails Master Plan* final document was distributed to each of you. Staff indicated that we would review the projects with Council and work on prioritizing the projects at the April Work Session.

The Town's Recreation Committee has met and have reviewed the first four years (Short Term) and their recommendation is attached. The Recreation Committee has been invited to the Work Session and will be able to go through the process with Town Council. Staff will go through each project as laid out in the Master Plan and Council will provide input as to their priorities. This process will assist staff with including these projects in the Town's Capital Improvement Plan (CIP). In addition, this will be an opportunity for Council to begin considering which projects they would like to see worked on in FY2019 and discuss funding options.

Attached are the Short Term Projects (Recreation Committee's recommendation); as well as Medium and Long Term Projects with possible FY's that they would be funded.

Council Discussion/Staff recommendation, if applicable: Staff recommends that Council review the projects and discuss the priority order in which they would like to see them completed.

Action(s) requested or suggested motion(s):

No formal action is needed at this time. Council may wish to provide direction to staff on individual projects or on additional information that will be needed.

Exhibits

Are there exhibits for this agenda item? **YES**

List them in the order they should appear in packet: **Master Plan Project List (Short, Medium, and Long Term)**

RECREATION COMMITTEE RECOMMENDATION

PARKS AND TRAILS MASTER PLAN - PROJECT PRIORITIZATION BY FISCAL YEAR

Short Term Projects

<u>FY</u>	<u>L</u>	<u>M</u>	<u>P</u>	<u>Project</u>	<u>Cost</u>	<u>FY Totals</u>
2019	E	20	1	Splash Pad	\$ 293,625	
2019	E	22	1	Playground Improvement (English Park)	\$ 352,350	
2019	E	32	1	Trail (Passive Area Loop with River Overlook)	\$ 220,000	\$ 865,975
2020	E	19	1	Pavilion (add a new one)	\$ 72,500	
2020	E	24	1	Add Loop Trail (existing English Park)	\$ 87,000	
2020	E	33	1	Trail (Bedford Avenue to Passive Area)	\$ 120,000	
2020	E	34	1	Trail: (Cemetery Trail to FY2020 Trail)	\$ 50,000	\$ 329,500
2021	E	21	1	Improve Circulation (Pavilion Area)	\$ 87,000	
2021	E	28	1	Disc Golf Course	\$ 26,100	
2021	T	9	1	Connection to Lane Access Road	\$ 75,000	
2021	E	23	1	Convert Road to Trail (along river) ¹	\$ 87,000	\$ 275,100
2022	E	27	1	Dog Park	\$ 72,500	
2022	E	15	1	Booker Building (Update)	\$ 1,234,313	
2022	T	8	1	Trail access to Pittsylvania Avenue	\$ 300,000	\$ 1,606,813

¹ What would this project include?

KEY

FY= Fiscal Year; L =Location; M=Map #; P- Priority Type

E= English Park; S=Shreve Park; T=Trails; B/P= Bike/Pedestrian

\$ 3,077,388

PARKS AND TRAILS MASTER PLAN - PROJECT PRIORITIZATION BY FISCAL YEAR

Medium Term Projects

<u>FY</u>	<u>L</u>	<u>M</u>	<u>P</u>	<u>Project</u>	<u>Cost</u>	
2023	S	1	2	Shreve Park Playground	\$	208,438
2023	S	3	2	Bridge (Shreve Park)	\$	72,500
2023	T		2	Trail (Franklin Avenue to Shreve Park)	\$	85,000
2023	E	12	2	River Access	\$	145,000
2023	T	10	2	Improve entry to English Park (Pitt. Ave)	\$	58,000
2023	B/P		2	Bedford Highway - Buffered Bike Lanes (Both Sides)	\$	105,611
					\$	674,549
2024	E	13	2	River Overlook	\$	362,500
2024	T		2	Trail (Unknown Location) ¹	\$	100,000
2024	E	11	2	Improve Parking/Circulation (Boat Launch)	\$	159,500
2024	E	14	2	Improve Parking/Circulation (Sign area)	\$	43,500
2024	E	16	2	Improve access to overpass (Footbridge)	\$	108,750
					\$	774,250
2025	E	25	2	River Access	\$	435,000
2025	E	26	2	Improve Circulation (end of Third St.)	\$	50,750
2025	B/P		2	7th Street - Bike Lane and Sharrows	\$	84,776
					\$	570,526
2026	T		2	Trail (Unknown Location) ¹	\$	100,000
2026	B/P		2	Pitts. Avenue - Sharrows both sides	\$	5,914
2026	B/P		2	Pitts. Avenue - Sharrows both sides	\$	7,715
					\$	113,629
2027	E	18	2	Event Space	\$	685,125
2027	S	6	2	Parking Improvements (Shreve Park)	\$	232,000
2027	S	7	2	Connection to YMCA	\$	72,500
					\$	989,625
2028	S	5	2	New War Memorial Entry	\$	36,250
2028	B/P		2	Main Street - Signed Shared Road	\$	104,936
2028	B/P		2	Riverview Drive - Signed Shared Road	\$	29,093
2028	T		2	Trail (Unknown Location) ¹	\$	100,000
					\$	270,279

¹ Trails - Funding would construct approximately ½ mile of trail (crusher run).

KEY

FY= Fiscal Year; L =Location; M=Map #; P- Priority Type

E= English Park; S=Shreve Park; T=Trails; B/P= Bike/Pedestrian

Total: \$ 3,392,858

PARKS AND TRAILS MASTER PLAN - PROJECT PRIORITIZATION BY FISCAL YEAR

Long Term Projects

<u>FY</u>	<u>L</u>	<u>M</u>	<u>P</u>	<u>Project</u>	<u>Cost</u>
2029		2	3	Stream Restoration	\$ 253,750
2029			3	Bedford Avenue - Sharrows both sides	\$ 14,577
?			3	Lola Avenue and Park Stub Out - Sharrows both sides	\$ 11,135
?			3	Franklin Avenue - Sharrows both sides	\$ 4,004
?			3	Broad Street - Signed Shared Road	\$ 45,741
?			3	Broad Street - Signed Shared Road	\$ 20,143
?			3	Clarion Road - Signed Shared Road	\$ 43,934
?			3	Lynch Mill Road - Signed Shared Road	\$ 71,223
?		30	3	Ball fields (future improvements)	\$ 2,537,000
?		31	3	Future Settling Pond	?
?				Future Trails	?

KEY

FY= Fiscal Year; L =Location; M=Map #; P- Priority Type

E= English Park; S=Shreve Park; T=Trails; B/P= Bike/Pedestrian

Total: \$ 3,001,507



Town of Altavista, Virginia Work Session Agenda Form

Meeting Date: April 24, 2018

Agenda Item #: | **5b** |

Attachment #: | **3** |

Agenda Placement: | Items for Discussion |

Subject Title: | WWTP Emergency Overflow Pond (PCBs) Discussion |

SUBJECT HIGHLIGHTS

Previously Dr. Sowers, Ph.D., Associate Director and Professor, at the Institute of Marine & Environmental Technology (University of Maryland Baltimore County) (UMBC) submitted his latest report in regard to this on-going sampling/testing at the Town's WWTP Emergency Overflow Pond. The report is the "Two-Year Post-Treatment Report" and was previously distributed to Council.

Staff will submit this report to the Virginia Department of Environmental Quality as part of our reporting under the Voluntary Remediation Program (VRP). The update will also include that the FY2019 Proposed Budget has funds for "grid" sampling as a follow up to previous sampling.

Council may wish to provide direction to staff on this matter.

Council Discussion/Staff recommendation, if applicable: None at this time.

Action(s) requested or suggested motion(s): Per Council's discussion.

Exhibits

Are there exhibits for this agenda item? **YES**

List them in the order they should appear in packet: **Sower's Report**

Two-Year Post-Treatment Report

to

The Town of Altavista

**Phase II Pilot Test on *In-situ* Microbial Bioremediation of PCBs in the
Altavista WWTP**

30 March 2018

Work performed by:

Kevin R. Sowers & Rayford Payne
Institute of Marine & Environmental Technology-UMBC

Upal Ghosh
Department of Chemical, Biochemical & Environmental Engineering-UMBC

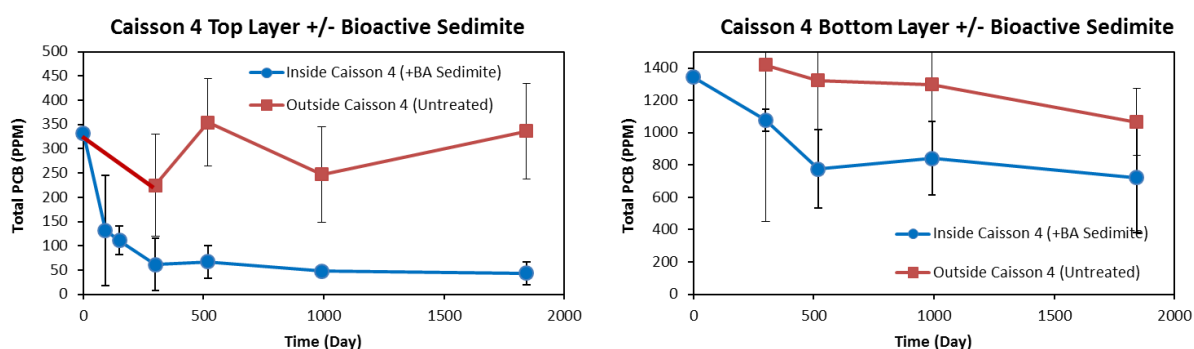
Report submitted by:

Kevin R. Sowers, Ph.D.
Associate Director & Professor
Institute of Marine & Environmental Technology
University of Maryland Baltimore County
701 E. Pratt St., Baltimore, MD 21202
Ph: 410.234.8878
Email: sowers@umbc.edu

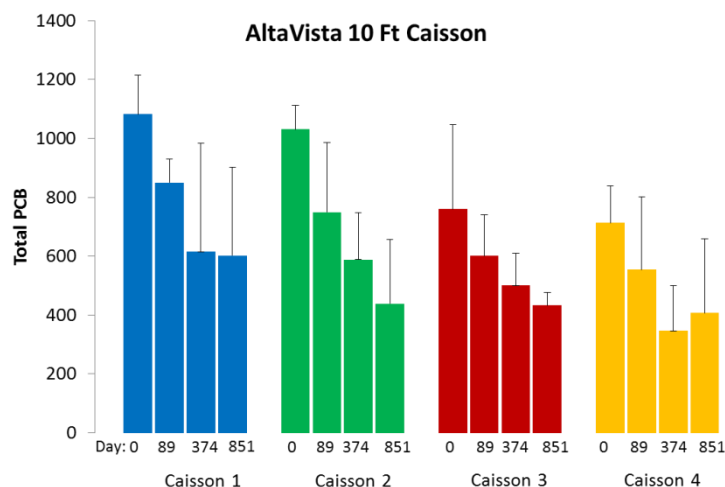


The following is an update to the prior one-year report on the effects of bioremediation on reduction of PCB levels in the Altavista WWTP. Sediment samples were taken from the small caisson treated in 2012 and the 10 ft caissons treated in 2015. Samples were retrieved on August 1, 2017.

Phase I Tests Update (August 1, 2017). Small caissons showed additional reduction of total PCB from 49 to 43 PPM since the last analysis in 2016, which is an overall 87% reduction in total PCB levels since the initial treatment. There was also an apparent downward trend in PCB concentrations in untreated sediment outside the caisson but because of the large error bars additional sampling would be necessary to determine if these trends continue. Overall the results show that the total PCB levels continue to decrease in the mixed, top sediment layer in the caisson 5 years after treatment. Although the PCB degradation rate is slower than after the initial year, the total PCB concentration continues to decline below the target level of 50 PPM.



Phase II Tests Update (August 1, 2017). Large 10 FT diameter caissons showed additional reduction of total PCBs in the bioamended treatments (caisson 2, bioamendment and nutrients; caisson 3, bioamendment only). There was 57% reduction in total PCBs in caisson 2 and 43% reduction in caisson 3. Only the reduction in caisson 2 was statistically significant, but this is likely due to the large variation between samples taken on Day 0. PCB levels in caisson 1 (no treatment) and caisson 4 (nutrients only) showed an initial reduction in PCB levels after 1 year, but no additional reduction since 2016.



Summary of results:

Caisson 1 (no treatment): an initial reduction in PCB levels was observed in the first year, but no additional reduction was observed after 2.3 years. All the caissons were mixed with a sump pump and it is possible the mixing stimulated activity by naturally occurring bacteria in the first year, but this activity subsided in the second year.

Caisson 2 (bioamendment with nutrients): degradation of PCBs continues 2.3 years after treatment at the highest rate observed for all the tests. Although the total PCB levels declined from 1031 to 439 PPM, the caisson should be monitored to determine if the accelerated reduction rate continues in subsequent years to achieve the target of 50 PPM.

Caisson 3 (bioamendment without nutrients): PCB levels continued to decline at an accelerated rate from 760 to 433 PPM after 2.3 years, but at a slightly lower rate compared with caisson 2.

Caisson 4 (nutrient without bioamendment): as observed for caisson 1 there was an initial reduction of PCB levels in the first year, but no additional decline was observed after 2.3 years. This initial stimulation may have resulted from mixing and/or addition of the nutrients.

Overall, the results indicate that addition of bioamendment stimulated the reduction of total PCB levels in the sediment. However, continued monitoring will be required to determine whether the target of 50 PPM can be achieved without additional mixing and addition of bioamendment.



Town of Altavista, Virginia Work Session Agenda Form

Meeting Date: April 24, 2018

Agenda Item #: | **5c** |

Attachment #: | **4** |

Agenda Placement: | **Items for Discussion** |

Subject Title: | **Former EMS Building (Main Street) Reuse Discussion** |

SUBJECT HIGHLIGHTS

At your April Regular Meeting during the Public Comment period, Reverend Latta Terry addressed Council and requested consideration of the possible use of the former EMS building by DAWN.

As a stipulation of the transfer of the property, the Town was asked to review and consider the use of the building for the Town's Police Department. Staff has reviewed the department's needs and at this time there is not a sufficient need in the Police Department to relocate operations to the building. Accordingly, Council may decide to begin the discussion on whether they would like to seek a tenant for the building or wait until a Town need arises.

The Town may want to consider possible use of the "bays" on the back of the building for storage of vehicles/equipment to either get them out of the weather or free up other space.

Council may wish to provide direction to staff on this matter.

Council Discussion/Staff recommendation, if applicable: None at this time.

Action(s) requested or suggested motion(s): Per Council's discussion.

Exhibits

Are there exhibits for this agenda item? **YES**

List them in the order they should appear in packet: **Property Deed transfer info**

Tax Parcel ID No.: 69-4-2-1A

Grantee's Address:

**P.O. Box 420
Altavista, VA 24517**

THIS DOCUMENT PREPARED BY:

**J. Johnson Eller, Jr., Esquire
VSB #12555
P. O. Box 209/712 Main Street
Altavista, VA 24517**

THIS DEED OF GIFT, made and entered into this 27th day of March, 2018, by and between the **ALTAVISTA LIFE SAVING AND FIRST AID CREW, INC.**, Altavista, Virginia, a Virginia Corporation, party of the first part, Grantor, and the **TOWN OF ALTAVISTA, VIRGINIA**, a Virginia Municipal Corporation, party of the second part, Grantee.

WITNESSETH:

WHEREAS, Grantor has heretofore constructed a building (hereinafter "the Building") for its use in providing life saving and first aid services to the citizens of the area which Building is situated on a portion of the property owned by the Grantee shown on the tax records of Campbell County as Parcel ID 69-4-2-1A and further is identified as 1510 Main Street, Altavista, Virginia; and

WHEREAS, the said property upon which the Building is situated was gifted to Grantee by deed of gift dated June 20, 1981 and recorded in the Office of the Clerk of the Circuit Court of Campbell County, Virginia in Deed Book 573, Page 756, from Lindley M. Winston and Joyce P. Winston (hereinafter "the Winston deed") the Winston deed containing a condition that the property be used for recreational, educational or other facilities directly serving the people of the area which use by Grantor has been in accordance with said condition; and

WHEREAS, as of March 31, 2017, Grantor has terminated its operations as a life saving

and first aid crew and can no longer use the Building to serve the people of the area; and

WHEREAS, the Board of Directors of Grantor at a duly called meeting passed a resolution that Grantor offer the Building to the Grantee as a gift for its use within the requirements of the Winston deed and Grantee has accepted the offer.

NOW THEREFORE FURTHER WITNESSETH:

That for and in consideration of the premises, and subject to the below-stated provisions, Grantor doth hereby give, grant and convey unto the Grantee the Building located at 1510 Main Street, Altavista, Virginia and situated, lying and being on the following described real estate, to-wit:

Beginning at a corner fronting on Business U. S. Route 29 and running N. 56° 53' W. 436.37' to a point; thence N. 45° 07' E. 146.00' to a point; thence S. 49° 31' E. 201.50' to a point; thence S. 47° 01' E. 221.15' to a point; thence S. 41° 14' W. 76.35' to the point of beginning.

The above-described property is a part of the same property conveyed unto the Town of Altavista, Virginia, by deed dated June 20, 1981 from Lindley M. Winston and Joyce P. Winston, his wife, which deed is recorded in the Campbell County Circuit Court Clerk's Office in Deed Book 573, Page 756.

Pursuant to a resolution passed at its meeting on April 10, 2018, the Town Council accepted the gift of the Building effective April 15, 2018. Grantor and Grantee agree to the following provisions as to the Building:

On and after April 15, 2018 Grantee shall have sole possession of the Building and sole responsibility for its maintenance.

Grantee will consider the feasibility of utilizing the Building as the headquarters of the Altavista Police Department and if, in the discretion of Grantee, it is economically feasible and beneficial to police operations in the Town such use will be made of the Building so long as Grantee deems such use to be beneficial to the Grantee and its citizens.

Grantee will make available a room in the Building for use by the Grantor to store its records for a period not to exceed five years from April 15, 2018. Should the said room be needed by the Town for its purposes, Grantee will supply a room in another Town building for said use.

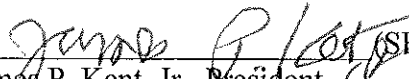
The Town will allow the Grantor the use of a wall in the Building on which to hang pictures depicting individuals and other items important to the history of Grantor's operations in the Town and other historical pictures selected by Grantor. If it becomes necessary to remove the pictures from the Building, Grantee will provide a suitable and prominent place in the Altavista Town Hall to display the items.

This conveyance is made pursuant to a resolution of the Board of Directors of the Altavista Life Saving and First Aid Crew, Inc. passed on February 19, 2018.

This conveyance is exempt from recordation tax under Section 58.1-811 D. of the Code of Virginia.

WITNESS the following signatures and seals:

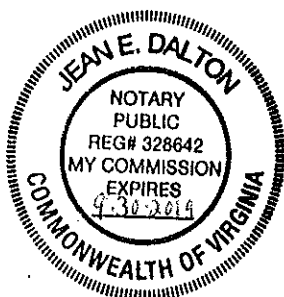
**ALTAVISTA LIFE SAVING AND
FIRST AID CREW, INC.**


By:  (SEAL)
James P. Kent, Jr., President

STATE OF VIRGINIA,

COUNTY OF CAMPBELL, to-wit:

The foregoing instrument was acknowledged before me this 27th day of March, 2018 by
James P. Kent, Jr., President of the Altavista Life Saving and First Aid Crew, Inc.




Notary Public
My commission expires 9-30-2019

AGREED: TOWN OF ALTAVISTA, VIRGINIA

By: [Signature] (SEAL)
Michael E. Mattox, Mayor

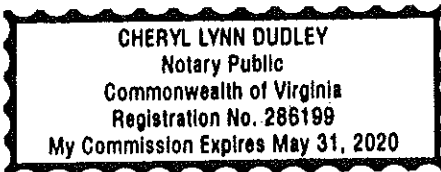
Attest:

[Signature]
J. Waverly Coggsdale, III, Clerk

STATE OF VIRGINIA,

COUNTY OF CAMPBELL, to-wit:

The foregoing instrument was acknowledged before me this 12th day of April, 2018 by Michael Mattox, Mayor and attested by J. Waverly Coggsdale, III, Clerk for the Town of Altavista.



Cheryl Lynn Dudley
Notary Public
My commission expires 5/31/2020



Town of Altavista, Virginia Work Session Agenda Form

Meeting Date: April 24, 2018

Agenda Item #: | 5d |

Attachment #: | 5 |

Agenda Placement: | Items for Discussion |

Subject Title: | Blessing Box recognition discussion |

SUBJECT HIGHLIGHTS

At your April Regular Meeting during the Public Comment period, Mr. Reggie Bennett addressed Council in regard to their previous approval of the placement of a Blessing Box on town property. He further stated that the Town has now indicated to his organization, Sons of Confederate Veterans, they cannot display their name nor that of their auxiliary organization on the box if it is placed on town property. In staff's communication with Council, that was the consensus that was reached and was communicated to Mr. Mayhew.

Mayor Mattox indicated that this item be placed on the April Work Session for discussion by Town Council. Staff was also requested to see what VDOT's policy is on placing an organization's name on their signs. An excerpt from VDOT's "Adopt-A-Highway" policy is attached.

Council Discussion/Staff recommendation, if applicable: None at this time.

Action(s) requested or suggested motion(s): Per Council's discussion.

Exhibits

Are there exhibits for this agenda item? **YES**

List them in the order they should appear in packet: **Blessing Box photo; VDOT Guidelines for recognition**

BLESSING BOX

Sponsored By:

**Major General Thomas L. Rosser
Order of the Confederate Rose #13
Campbell Guards**

Sons of Confederate Veterans #2117

Excerpts from VDOT Website regarding Adopt-a-Highway recognition.

VDOT (Adopt-a-Highway)

Terms and Conditions

General Conditions

4. Local businesses, informal groups and formal organizations, such as civic, social or school groups, may adopt highways. VDOT will print the names of the organization or the adopting group in block letters on the blue and white Adopt-a-Highway signs. No slogans or logos are allowed.



Town of Altavista, Virginia Work Session Agenda Form

Meeting Date: April 24, 2018

Agenda Item #: | 5e |

Attachment #: | 6 |

Agenda Placement: | Items for Discussion |

Subject Title: | Avoca's Request for consideration of town employee status |

SUBJECT HIGHLIGHTS

At your April Regular Meeting, staff reported back on their conversations with Avoca in regard to consideration of their employees being designated as town employees. Staff recommended proceeding with approval of the request. During Council's discussion, staff was directed to place this item on the April Work Session agenda.

Council Discussion/Staff recommendation, if applicable: Approve the transition of the Avoca positions (Executive Director and Events Coordinator) into the Town's Classification and Compensation Program with Town staff being authorized to make the necessary changes/adjustments, as outlined.

Action(s) requested or suggested motion(s): Per Council's discussion.

Exhibits

Are there exhibits for this agenda item? **YES**

List them in the order they should appear in packet: **April Regular Meeting agenda item; Avoca correspondence**



Town of Altavista, Virginia Regular Meeting Agenda Form

Meeting Date: April 10 , 2018

Agenda Item #: | 9e |

Attachment(s) #: | 7 |

Agenda Placement: | New/Unfinished Business/Items for Discussion |

Subject Title: | AVOCA's Request for consideration of town employee status |

SUBJECT HIGHLIGHTS

At the February 27, 2018 Town Council Work Session a letter from the Avoca Board was presented to Council in regard to consideration of the museum's employees becoming town employees. Staff was directed to work with the Avoca representatives and bring back the information to Council.

Following the review and consultation with the Avoca representatives, staff has received the attached letter expressing the Avoca Board's interest in transitioning the employees to the town. Based on the analysis, the funds that have been provided to Avoca over the past several years to offset benefit cost would be used by the Town for the employee's cost and Avoca would compensate the Town for any expenses associated with this change above and beyond that amount. There has been discussion about whether the funds in the Town's budget for repair and maintenance would be kept by the town to offset the additional expense or whether Avoca would just reimburse the town for the employee expenses beyond the Town's current contribution for employee benefits to Avoca. Consent from Council is sought to allow staff and the Avoca Board to agree on how the funding mechanism would work.

The Executive Director would be a Grade 16 and the Events Coordinator would be a Grade 11 in the Town's Classification Plan. Based on the Avoca Board's endorsement of the analysis, staff would recommend proceeding with the transition with an effective date of July 1, 2018. There would be no financial impact to the Town's budget.

Action(s) requested or suggested motion(s): Approve the transition of the Avoca positions (Executive Director and Events Coordinator) into the Town's Classification and Compensation Program with Town staff being authorized to make the necessary changes/adjustments, as outlined.

Staff Review Record

Are there exhibits for this agenda item? **YES**

List them in the order they should appear in packet? **Correspondence from AVOCA Board**

Department Head initials and comments, if applicable:

Finance Director initials and comments, if applicable:

Town Attorney initials and comments, if applicable:

Town Manager initials and /or comments: *JWC*

March 29, 2018

Mr. Waverly Coggsdale III, Mgr.,
Town of Altavista
510 Seventh Street
Altavista, Va. 24517

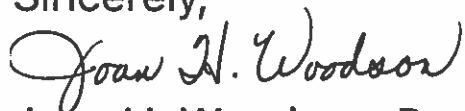
Dear Mr. Coggsdale,

The Board of Directors of "Avoca Museum and Historical Society" met on Thurs., March 29, and unanimously voted acceptance of the Town of Altavista's analysis for accepting the positions of Michael Hudson, Exec. Dir. and Theresa Boyse, Events Coordinator, as employees of the town of Altavista effective July 1, 2018.

If the "Altavista Town Council" approves this change, it is understood upon any personnel changes in the future, the same would apply.

We greatly appreciate your time and willingness to consider our request.

Sincerely,

A handwritten signature in cursive script that reads "Joan H. Woodson".

Joan H. Woodson, Pres.,

Board of Directors

Avoca Museum and Historical Society



Town of Altavista, Virginia Work Session Agenda Form

Meeting Date: February 27, 2018

Agenda Item #: | 5f |

Attachment #: | 7 |

Agenda Placement: | Items for Discussion |

Subject Title: | AVOCA Board of Director's Request – Position Status |

SUBJECT HIGHLIGHTS

Attached is a letter from Mrs. Joan Woodson, President of the Avoca Museum Board of Directors, regarding their interest in the Town's consideration of bringing their Executive Director position into the Town's Classification and Compensation Program. As noted the primary reason for this consideration is for health insurance coverage. At this time, the town is only being asked to conduct an analysis of the request's feasibility.

Staff is seeking a consensus from Town Council to proceed with conducting a financial analysis of this matter. The review will determine the cost as compared to the current contribution being made to Avoca in regard to benefits.

Council Discussion/Staff recommendation, if applicable: Staff seeks consensus from Council on their interest in having staff conduct the financial analysis for the Avoca Board in regard to their Executive Director position.

Action(s) requested or suggested motion(s):

Based on Council's discussion.

Exhibits

Are there exhibits for this agenda item? **YES**

List them in the order they should appear in packet: **Letter from Avoca Museum Board President**



Town of Altavista, Virginia Work Session Agenda Form

Meeting Date: April 24, 2018

Agenda Item #: | 5f |

Attachment #: | 7 |

Agenda Placement: | Items for Discussion |
Subject Title: | Cell tower lease agreement |

SUBJECT HIGHLIGHTS

Attached is correspondence regarding staff's progress on working with the American Tower representative regarding the lease agreement for the tower that is located at the Town's Melinda Drive water tower site.

At this point, the proposal would be for either a 5 year or 10 year lease. The monthly rate would stay the same with an annual 3% increase; the 5 year lease would pay \$10,000 up front while the 10 year would pay \$25,000 up front.

Council Discussion/Staff recommendation, if applicable: Direct staff if this is the proper path in regard to the tower lease agreement. If Council opts to then the proposal can be approved and staff will work with American Tower to finalize and execute the new lease agreement (the 5 or 10 year term would need to be decided).

Action(s) requested or suggested motion(s): Per Council's discussion.

Exhibits

Are there exhibits for this agenda item? **YES**

List them in the order they should appear in packet: **Staff memo; Lease Agreement Proposal; Lease Agreement FAQs; Existing Lease Agreement**



MEMORANDUM

To: Waverly Coggsdale, Town Manager

From: Dan Witt, Assistant Town Manager

A handwritten signature in blue ink, appearing to read "Dan", is written over the name "Dan Witt" in the "From:" line.

Date: April 18, 2018

Re: Verizon Cell Tower Lease

In December 2014 Town Council directed staff to enter into a 5-year lease agreement with Verizon for the cell site on Melinda Drive. This contract is set to expire in December 2019 and I have been contacted by Jeremy Humm with American Tower Corporation. American Tower has taken over all the Verizon leases and Jeremy has proposed two options to extend the lease agreement.

Both options continue the same monthly rate with the annual 3% per year increase; however, if Council decides to go with a 10-year lease agreement, there would be a one-time signing bonus of \$25,000. The signing bonus for 5-years is \$10,000.

Attached are the current contract along with the proposal from Jeremy and a FAQ fact sheet about lease agreements.



Sent via email: danwitt@altavistava.gov

March 22, 2018

Attn: Mr. Dan Witt
% Town of Altavista
Re: Cell Tower Ground Lease Expiration
Phone: 434 369 5001
510 7th Street,
Altavista, VA 24517

#419472 - Altavista, VA

5 YEAR LEASE EXTENSION:

- **\$10,000** one-time signing bonus, payable **30 days** after full execution of lease documents;
- Monthly rent to remain at current rate (\$1,438.59); increasing by **3% per year**;
- Commencing from December 13, 2019 until December 13, 2024.

10 YEAR LEASE EXTENSION:

- **\$25,000** one-time signing bonus, payable **30 days** after full execution of lease documents;
- Monthly rent to remain at current rate (\$1,438.59); increasing by **3% per year**;
- Two (2) additional periods of five (5) year options; commencing December 13, 2019 until December 13, 2029.

**PLEASE NOTE: All proposals are contingent upon American Tower's confirmation, review and approval, to its sole satisfaction of; 1) a title report and if necessary, a land survey of the property; and 2) final approval and authorization by American Tower's Executive Team. 3) The financial terms provided herein is valid for 30 days as dated on this document.*

Best,

Jeremy Humm

Land Acquisitions

American Tower Corporation

10 Presidential Way, Woburn, MA 01801

P: 781-428-7272 | F: 781-926-6954

www.americantower.com

Lease Amendment

Frequently Asked Questions



Thank you for reviewing the enclosed Lease Amendment. Before executing and returning your Lease Amendment, please review the following frequently asked questions:

What is the purpose of the Lease Amendment?

The Lease Amendment is a binding legal document that extends your cell tower lease agreement and our valued long-term relationship.

What is the purpose of the Memorandum of Lease?

The Memorandum of Lease is the legal document that is recorded in your county to put others on notice of the existence of the cell tower lease.

What is the purpose of the Marital Status Affidavit and Spousal Consent Form?

If the Lease Amendment is being executed by an individual, the Marital Status Affidavit identifies your current marital status. Please acknowledge your name and circle your current marital status. If single, there is no need to complete the additional Spousal Consent Form. If married, we require your spouse to execute the Spousal Consent Form to ensure you are both aware that the lease agreement will be extended beyond the current term.

What is the Resolution and Consent Affidavit?

If the Lease Amendment is being executed by a business entity or nonprofit organization, the Resolution and Consent Affidavit allows the organization to nominate one person to sign the Lease Amendment on behalf of the organization without the need to provide us with copies of your organizational documents. Please note, 100% of the organization's ownership or voting interest is needed to nominate an individual to execute the Lease Amendment, otherwise, please plan on providing evidence of signing authority.

What if the information in the enclosed documents is incorrect or inaccurate?

If you find errors, need to request changes to the document or have any questions related to the Lease Amendment, please contact your Account Manager and we will work to answer your questions and/or correct the error. Their contact information is listed on the cover letter included in this package.

How do I execute the documents?

After confirming the information in the document is accurate, please sign two copies of the Lease Amendment, Memorandum of Lease and Spousal Consent or Resolution and Consent Affidavit. Notarize where required. Please return the partially executed agreement in the prepaid FedEx envelope along with a completed and signed IRS W-9 form (which is required for tax reporting purposes).

FIRST AMENDMENT TO CONTRACT

This First Amendment to Contract (this "First Amendment") is made as of this 9 day of September 2014, by and between **The Town of Altavista**, (hereinafter "Town") and **Alltel Communications of Petersburg, Inc.**, a Virginia corporation, d/b/a **Verizon Wireless**, (hereinafter "Company"). Town and Company are at time collectively referred to hereinafter as the "Parties" or individually as the "Party".

RECITALS

WHEREAS, Town and Company's predecessor in interest, Alltel Communications of Virginia No. 1, Inc., entered into a certain Contract dated February 26, 2008, (hereinafter the "Contract"), whereby Company leased from Town certain space adjacent to Melinda Drive, Altavista, Virginia, as further described in that certain Contract;

WHEREAS, Town and Company desire to amend the Contract to extend the Term.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree to be legally bound to this First Amendment as follows:

1. **Section 11 – Term and Renewals.** Section 11 of the Contract is hereby amended and supplemented to provide that the Contract shall automatically be extended for one (1) additional, five (5) year term ("Additional Term"). Commencing on the first day of the Additional Term and on each annual anniversary thereafter during the Additional Term, the Rent shall increase by an amount equal to three percent (3%) of the annual rent due for the immediately preceding lease year.
2. **Section 15 – Notice.** Section 15 of the Contract is hereby amended to restate Company's notice address as follows:

If to Company:
Alltel Communications of Petersburg, Inc.
d/b/a Verizon Wireless
180 Washington Valley Road
Bedminster, New Jersey 07921
Attention: Network Real Estate
3. All remaining provisions of the Contract shall remain in full force and effect as to all other terms and conditions, and shall remain binding on the Parties hereto. Each of the Parties hereto warrants to the other that the person or persons executing this First Amendment on behalf of such Party has the full right, power and authority to enter into and execute this First Amendment on such Party's behalf and that no consent from any other person or entity is necessary as a

condition precedent to the legal effect of this First Amendment.

4. The Contract and this First Amendment contain all agreements, promises or understandings between Town and Company and no verbal or oral agreements, promises or understandings shall be binding upon either the Town or Company in any dispute, controversy or proceeding at law, and any addition, variation or modification to the Contract and this First Amendment shall be void and ineffective unless made in writing and signed by the Parties. In the event any provision of the Contract and this First Amendment is found to be invalid or unenforceable, such a finding shall not affect the validity and enforceability of the remaining provisions of the Contract and this First Amendment.

(Signatures to Follow)

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the date first written herein above.

Witness:

By: Tobie C. Shulton
Name: Tobie C. Shulton

Town:

The Town of Altavista

By: J. Waverly Craggsdale, III
Name: J. Waverly Craggsdale, III
Title: Town Manager
Date: 7-22-2014

Witness:

By: Kelly A. Case
Name: Kelly A. Case

Company:

**Alltel Communications of
Petersburg, Inc., d/b/a Verizon
Wireless**

By: David R. Heverling
Name: David R. Heverling
Title: Area Vice President Network
Date: 9/9/14

Company Site Name: Alta Vista / 204164

After Recording Return To:

Rogers Lewis Jackson Mann & Quinn, LLC
P.O. Box 11803
Columbia, S.C. 29211
Attn: Jessica Crowson

State of Virginia)
)
County of Campbell)

THE RECORDATION TAX ON THIS INSTRUMENT IS \$75.00 PURSUANT TO SECTION 58.1-807F OF THE CODE OF VIRGINIA, AS AMENDED, AS IT IS A LEASE FOR A COMMUNICATIONS TOWER SITE.

Memorandum of Amendment to Contract

This Memorandum of Amendment to Contract ("Memorandum") is made this 9 day of September, 2014, between **The Town of Altavista**, (hereinafter "Town") and **Alltel Communications of Petersburg, Inc.**, a Virginia corporation, **d/b/a Verizon Wireless**, (hereinafter "Company"). Town and Company are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

WHEREAS, Town and Company's predecessor in interest, Alltel Communications of Virginia No. 1, Inc., entered into a certain Contract dated February 26, 2008, (hereinafter the "Contract"), whereby Company leased from Town certain space adjacent to Melinda Drive, Altavista, Virginia, as further described in that certain Contract (the "Premises");

WHEREAS, the parties entered into a First Amendment to Contract ("First Amendment") to extend the Term of the Contract; and

WHEREAS, this Memorandum is not intended to supersede, replace, or release Company's rights under any prior recorded Memorandum;

1. The Premises leased by Town to Company pursuant to the Contract, as amended, is further described on Exhibit 1 attached hereto. The Contract includes the non-exclusive appurtenant rights for ingress and egress, and utility purposes over, under or along an existing right of way extending from the nearest public right of way. Company shall still retain all lease areas and Premises as set forth in the Contract. Legal description of said property is shown on the attached Appendix A.
2. The Commencement Date of the Contract, of which this is a Memorandum, is December 14, 2009. As set forth in the First Amendment to Contract, the Additional Term of the Contract shall be December 14, 2014 through December 13, 2019.

3. The terms, covenants and provisions of the Contract and First Amendment of which this is a Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of Town and Company.

IN WITNESS WHEREOF, the Parties have set forth their hand and seal as of the date indicated above.

Witness:

By: [Signature]
Name: Daniel P. Witt

Town:

The Town of Altavista

By: [Signature]
Name: J. Waverly Coggsdale, III
Title: Town Manager
Date: JULY 22, 2014

STATE OF VIRGINIA)
)
COUNTY OF ALTAVISTA)

ACKNOWLEDGEMENT

I, Mary A. Hall, a Notary Public for said County and State, do hereby certify that J. Waverly Coggsdale III [NAME] to me personally known, who, being by me duly sworn, did say that s/he is Town Manager [TITLE] of The Town of Altavista, and that s/he, being authorized to do so, executed the foregoing instrument on its behalf.

Sworn to and subscribed before me
this 11th day of August, 2014.
Mary A. Hall
Notary Public



Company:
Alltel Communications of
Petersburg, Inc., d/b/a Verizon
Wireless

Witness:

By: [Signature]

Name: Kathy A. Case

By: [Signature]

Name: David R. Heverling

Title: Area Vice President Network

Date: 9/9/14

STATE OF MASSACHUSETTS

:

ACKNOWLEDGEMENT

:

COUNTY OF WORCESTER

:

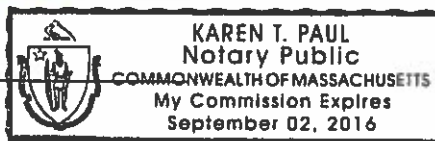
I, Karen T. Paul, a Notary Public for Worcester County and State of
Massachusetts, do hereby certify that David R. Heverling, to me personally known, who, being
by me duly sworn, did say that he is Area Vice President Network of **Alltel Communications of
Petersburg, Inc. d/b/a Verizon Wireless**, and that he, being authorized to do so, executed the
foregoing instrument on its behalf.

Sworn to and subscribed before me
this 9th day of September, 2014.

Karen T. Paul

Notary Public

My Commission Expires: _____



APPENDIX A

MEMORANDUM OF LEASE

**TOWN OF ALTAVISTA
TO
ALLTEL COMMUNICATIONS OF PETERSBURG, INC.
D/B/A VERIZON WIRELESS**

Being a portion of the "Water Tank" lot fronting on Melinda Drive in the Town of Altavista, Campbell County, Virginia as shown on a plat dated April 23, 1963, by W. S. Walker, C.L.S. entitled "Seminole Ridge Section I, Blocks I, II", which plat is recorded in the Clerk's Office of the Circuit Court of Campbell County in Plat Cabinet A, Slide 209, Page 25. See also plat recorded with a deed dated June 26, 1961 from Edward R. English and Ruth W. English to the Town of Altavista, recorded in Deed Book 327, Page 226.



Town of Altavista, Virginia Work Session Agenda Form

Meeting Date: April 24, 2018

Agenda Item #: | 5g |

Attachment #: | 8 |

Agenda Placement: | Items for Discussion |

Subject Title: | ACTS Alcohol & Drug Policy Amendment |

SUBJECT HIGHLIGHTS

Attached is correspondence regarding staff's conversation with the Department of Rail & Public Transportation (DRPT) relative to required updating of the Alcohol & Drug policy that applies to the Altavista Community Transit System (ACTS). As you know, ACTS is funded by the Federal Transit Administration, through DRPT, and these changes are required to remain eligible for said funding.

Council Discussion/Staff recommendation, if applicable: Adoption of the Resolution regarding amendment of the ACTS Alcohol & Drug Policy.

Action(s) requested or suggested motion(s): Per Council's discussion.

Exhibits

Are there exhibits for this agenda item? **YES**

List them in the order they should appear in packet: **Staff memo; Resolution; Drug & Alcohol Policy Update**



MEMORANDUM

To: Waverly Coggsdale, Town Manager

From: Dan Witt, Assistant Town Manager **DW**

Date: April 5, 2018

Re: ACTS Drug Testing Policy

Attached is a copy of the drug testing policy that the Department of Rail and Public Transportation (DRPT) is requiring all recipients to adopt. The Federal Transit Administration oversees the Federal funds that flow through the DRPT to the Town. This policy is not unlike the ones Town Council adopted in 2010 and 2014, however, this updated version has been approved by DRPT and contains the required FTA updates.

I have been advised by Steve Hennessee, with DRPT, that Council needs to approve/adopt the updated version of the policy and then provide a signed copy of the resolution back to DRPT. The new policy, once adopted would go into effect on July 1, 2018.



P.O. Box 420
510 Seventh Street
Altavista, VA 24517
Phone (434) 369-5001
Fax (434) 369-4369

Resolution Adopting the Alcohol & Drug Policy for the Altavista Community Transit System (ACTS)

BE IT RESOLVED by the Town Council of the Town of Altavista that the Council adopts the Alcohol & Drug Policy for ACTS, which is mandated by the Federal Transit Administration (FTA). The policy complies with 49 CFR Part 655, as amended and 49 CFR Part 40, as amended.

BE IT FURTHER RESOLVED that all covered employees required to submit to drug and alcohol tests as a condition of employment will be completed in accordance with 49 CFR Part 655.

BE IT FURTHER RESOLVED that DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

The undersigned duly qualified and acting Mayor of the Town of Altavista certifies that the Alcohol & Drug Policy for ACTS was voted on by Altavista Town Council and will go into effect on July 1, 2018.

Adopted at a legally convened meeting of the Town Council of the Town of Altavista held on this ____ day of _____, 2018.

Michael Mattox, Mayor

Attested:

J. Waverly Coggsdale, III, Town Manager

Town of Altavista [ACTS]

Drug and Alcohol Policy

Effective as of July 1, 2018

Adopted by: _____

Date Adopted: [dd/mm/yyyy]

Last Revised: [dd/mm/yyyy]

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1. Purpose of Policy

This policy complies with 49 CFR Part 655, as amended and 49 CFR Part 40, as amended. Copies of Parts 655 and 40 are available in the drug and alcohol program manager's office and can be found on the internet at the Federal Transit Administration (FTA) Drug and Alcohol Program website <http://transit-safety.fta.dot.gov/DrugAndAlcohol/>.

All covered employees are required to submit to drug and alcohol tests as a condition of employment in accordance with 49 CFR Part 655.

Portions of this policy are not FTA-mandated, but reflect Town of Altavista's policy. These additional provisions are identified by **bold text**.

In addition, DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

All Town of Altavista, ACTS, employees are subject to the provisions of the Drug-Free Workplace Act of 1988.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify the Assistant Town/Transit Manager no later than five days after such conviction.

2. Covered Employees

This policy applies to every person, including an applicant or transferee, who performs or will perform a "safety-sensitive function" as defined in Part 655, section 655.4.

You are a covered employee if you perform any of the following:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver's license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes

A volunteer is a covered employee if:

- (1) the volunteer is required to have a commercial driver's license to operate the vehicle; or
- (2) the volunteer performs a safety-sensitive function and receives remuneration in excess of his or her actual expenses incurred

See Attachment A for a list of covered positions by job title.

3. Prohibited Behavior

Use of illegal drugs is prohibited at all times. All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body at or above the minimum thresholds defined in Part 40. Prohibited drugs include:

- marijuana
- cocaine
- phencyclidine (PCP)
- opioids
- amphetamines

All covered employees are prohibited from performing or continuing to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

All covered employees are 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. If the on-call employee claims the ability to perform his or her safety-sensitive function, he or she must take an alcohol test with a result of less than 0.02 prior to performance.

All covered employees are prohibited from consuming alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

All covered employees are prohibited from consuming alcohol for eight (8) hours following involvement in an accident or until he or she submits to the post-accident drug and alcohol test, whichever occurs first.

4. Consequences for Violations

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duty and referred to a Substance Abuse Professional.

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties for at least eight hours unless a retest results in the employee's alcohol concentration being less than 0.02.

Zero Tolerance

Per Town of Altavista policy, any employee who tests positive for drugs or alcohol (BAC at or above 0.04) or refuses to test will be referred to a Substance Abuse Professional (SAP) and **terminated from employment.**

5. Circumstances for Testing

Pre-Employment Testing

Pre-employment alcohol tests are conducted after making a contingent offer of employment or transfer. All pre-employment alcohol tests will be conducted using the procedures set forth in 49 CFR Part 40.

A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. If a pre-employment test is cancelled, the individual will be required to undergo another test and successfully pass with a verified negative result before performing safety-sensitive functions.

If a covered employee has not performed a safety-sensitive function for 90 or more consecutive calendar days, and has not been in the random testing pool during that time, the employee must take and pass a pre-employment test before he or she can return to a safety-sensitive function.

A covered employee or applicant who has previously failed or refused a DOT pre-employment drug and/or alcohol test must provide proof of having successfully completed a referral, evaluation, and treatment plan meeting DOT requirements.

Reasonable Suspicion Testing

All covered employees shall be subject to a drug and/or alcohol test when Town of Altavista has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor or other trained company official on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.

Covered employees may be subject to reasonable suspicion drug testing any time while on duty. Covered employees may be subject to reasonable suspicion alcohol testing while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

Post-Accident Testing

Covered employees shall be subject to post-accident drug and alcohol testing under the following circumstances:

Fatal Accidents

As soon as practicable following an accident involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee operating the public transportation vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by Town of Altavista using the best information available at the time of the decision, will be tested.

Non-fatal Accidents

As soon as practicable following an accident not involving the loss of a human life, drug and alcohol tests will be conducted on each covered employee operating the public transportation vehicle at the time of the accident if at least one of the following conditions is met:

- (1) 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
- (2) One or more vehicles incurs disabling damage and must be towed away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (3) The vehicle is a rail car, trolley car or bus, or vessel, and is removed from operation, 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 Town of Altavista using the best information available at the time of the decision, will be tested.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered 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.

Random Testing

Random drug and alcohol tests are unannounced and unpredictable, and the dates for administering random tests are spread reasonably throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are performed.

Testing rates will meet or exceed the minimum annual percentage rate set each year by the FTA administrator. The current year testing rates can be viewed online at www.transportation.gov/odapc/random-testing-rates.

The selection of employees for random drug and alcohol testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator. Under the selection process used, each covered employee will have an equal chance of being tested each time selections are made.

A covered employee may only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

Each covered employee who is notified of selection for random drug or random alcohol testing must immediately proceed to the designated testing site.

Random Testing – End of Shift

Random testing may occur anytime an employee is on duty so long as the employee is notified prior to the end of the shift. Employees who provide advance, verifiable notice of scheduled medical or child care commitments will be random drug tested no later than three hours before the end of their shift and random alcohol tested no later than 30 minutes before the end of their shift. Verifiable documentation of a previously scheduled medical or child care commitment, for the period immediately following an employee's shift, must be provided at least 2 hours before the end of the shift.

6. Testing Procedures

All FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended.

Dilute Urine Specimen

If there is a negative dilute test result, Town of Altavista will conduct one additional retest. The result of the second test will be the test of record.

Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

Split Specimen Test

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. Town of Altavista guarantees that the split specimen test will be conducted in a timely fashion. The Town of Altavista will pay to have the split specimen tested, however, if it also tests positive the Town will require the employee to reimburse the cost of the test.

7. Test Refusals

As a covered employee, you have refused to test if you:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by Town of Altavista.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.

- (3) Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second test as directed by the collector or Town of Altavista for drug testing.
- (7) Fail to undergo a medical evaluation as required by the MRO or Town of Altavista's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.

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.

As a covered employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing safety-sensitive functions, and referred to a SAP.

8. Voluntary Self-Referral

Any employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable suspicion, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer her or himself to the Assistant Town/Transit Administrator, who will refer the individual to a substance abuse counselor for evaluation and treatment.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program.

9. Prescription Drug Use

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 the Assistant Town/Transit Manager. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

10. Contact Person

For questions about Town of Altavista's anti-drug and alcohol misuse program, contact, Dan Witt, Assistant Town/Transit Manager.

Attachment A: Covered Positions

Assistant Town Manager/Transit Manager (1)

All Part-time bus drivers (4-5)

Senior Mechanic (1)

Mechanic (1)



Town of Altavista, Virginia Work Session Agenda Form

Meeting Date: April 24, 2018

Agenda Item #: | 5h |

Attachment #: | 9 |

Agenda Placement: | Items for Discussion |
Subject Title: | Employee Holiday Discussion |

SUBJECT HIGHLIGHTS

Councilwoman Brumfield requested that this item be placed on Council's Work Session agenda. She has expressed an interest in looking at the possible addition of an employee holiday at Easter.

Currently, Town employees receive ten (10) paid holidays annually, the list is below:

- New Year's Day (January 1st)
- Martin Luther King, Jr. Day (Third Monday in January)
- Memorial Day (Last Monday in May)
- Independence Day (July 4th)
- Labor Day (1st Monday in September)
- Thanksgiving Day and Day after Thanksgiving (4th Thursday and following day)
- Christmas Eve, Christmas Day, and Day after Christmas (December 24th – 26th)

The recent Classification and Compensation Study indicated that the least reported number of holidays was 8 with the most reported being 13 and the average being 11 paid holidays per year, per the respondents.

Council Discussion/Staff recommendation, if applicable: None.

Action(s) requested or suggested motion(s): Per Council's discussion.

Exhibits

Are there exhibits for this agenda item? **NO**

List them in the order they should appear in packet: