

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston WV 26452
Phone:(304)269-8200
FAX: (304)269-2416
Email:lewiscountycommission@lewiscountywv.org
Website: lewiscountywv.org



COMMISSIONERS:
Bobby Stewart, President
Agnes Queen, Commissioner
Rod Wyman, Commissioner

**LEWIS COUNTY COMMISSION
110 CENTER AVENUE, 2ND FLOOR
WESTON, WV 26452
MEETING AGENDA
Tuesday, August 27, 2024**

SILENT MEDITATION AND PLEDGE OF ALLEGIANCE

- 1. 10:00 AM** **Call Meeting to Order** (*action required*)
- 2. 10:00 AM** **John Breen, Lewis County Assessor**

RE: Exonerations, Consolidations, Apportionments

Draft copies will be available for review two business days prior to the meeting date. (*action required*)

APPOINTMENTS

- 3. 10:05 AM** **Oath of Office:** Agnes Queen will accept an oath of office for the Governor's Appointment to the Property Valuation Training and Procedures Commission for a term ending June 30, 2026. (*action required*)

CORRESPONDENCE

- 4. Upshur County Commission Meeting Agenda:** The August 22, 2024 Upshur County Commission meeting has been canceled. The next meeting is scheduled for August 29, 2024. (*information only*)
- 5. All County Fire Protection Fund:** Governor Jim Justice submits a letter allocating \$27,964.98 as part of the All-County Fire Protection Fund distribution for Lewis County. (*information only*)
- 6. WV State Auditor State Budget Revision #1:** The WV State Auditor's Office has approved the Budget Revision #1 as submitted. (*information only*)
- 7. Board(s) and Committee(s) Reports:** Commissioners will give reports on any board(s) or committee(s) meeting attended including: Yes WV Site Readiness at Doss Enterprises, Courthouse Facilities Improvement Authority, Region VII Annual Conference meeting, Lewis County Park Board, etc.

BUSINESS

- 8. Safe Sites and Structures Committee:** Steve Moneyppenny, Safe Sites Technically Qualified County Employee, will present the following Safe Sites properties, previously heard by

Commission, as it relates to property progress or lack thereof for considerations of extensions or other action (s):

Norma Cooper/Feathers 88 Gaston Rd. Weston, WV 26452

John Reel 96 Broad Run Rd. Jane Lew, WV 26378

Harris Rental/Waggy 2681 Sassafras Rd. Weston, WV 26452

Arlene Skinner 489 Homewood Rd. Weston, WV 26452

Robert Byrd 5543 US Rt. 19 North, Jane Lew, WV 26378

Sunshine Investment 5595 US Rt. 19 North, Jane Lew, WV 263789 *(action required)*

9. **Bid Opening for Furniture for the New E-911 Center:** The Commission will open the bids for the furniture for the new E-911 Center and consider the bid award. *(action required)*
10. **Lewis County Sheriff Request to Advertise:** Lewis County Sheriff, Dave Gosa, submits a letter of request to advertise for a position of Tax Deputy. The advertisement will run for two weeks as required by Commission policy. *(action required)*
11. **Brownfields Grant Authorization for Additional Services:** Civil & Environmental Consultants, Inc. submits an authorization for additional services for Stonewall Jackson Memorial Hospital property Parcel Id: 21-09-008G-0048-0000. The cost for this project is \$16,000.00. *(action required)*
12. **Brownfields Grant Right of Entry Agreement:** The Right of Entry Agreement for the Gricewich property located at US Highway Rt. 33 East, Weston, WV is presented for consideration. *(action required)*
13. **Lewis County Park Request for Proposal:** The Commission will consider the advertisement of a request for proposal for a ropes course for the Lewis County Park. *(action required)*
14. **West Virginia Courthouse Facilities Improvement Application for Funding Assistance:** Lewis County Administrator, Tina Helmick, submits an application for funding to the WV Courthouse Facilities Improvement Authority for consideration. *(action required)*
15. **The Lewis County Updated Employee Drug Policy:** Tina Helmick, Lewis County Administrator, submits the updated employee drug policy for consideration. *(action required)*
16. **Time Sheets, Leave Requests:** David Reed Leave Request *(action required)*

ACTIONS, ESTATE SETTLEMENTS, ORDERS AND PAYMENT OF EXPENDITURES:

17. **Actions of the Clerk:** County Clerk Cynthia S. Rowan presents actions of the clerk in recess of the County Commission for approval. Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*
18. **Approval of Estates:** County Clerk Cynthia S. Rowan presents the estates ready for settlement to the Lewis County Commission for approval. Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*
19. **Presentation by the County Clerk of the Orders of Prior Meeting(s):** The Lewis County Clerk presents the Orders (minutes) of previous Lewis County Commission meeting(s) for approval. Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*
20. **Expenses for the Current Period Presented for Consideration of Payment:** Draft copies will be available for review upon request two business days prior to the meeting date. *(action required)*

ADJOURNMENT:

21. **With no further action being required by the Lewis County Commission the meeting will**

be adjourned. (*action required*)

LEWIS COUNTY COMMISSION MEETING MANAGEMENT

- Regular meeting agendas will be posted and available to the public before closure two (2) business days prior to the meeting date.
- Agenda matters to be reviewed and/or considered during the meeting are at the discretion of the Lewis County Commission.
- Appointments to speak with the county commission must be scheduled before 10 AM three (3) business days prior to the meeting. Appointments will be given a ten (10) minute time allowance.
- Agenda Items may require an executive session.
- Open discussion by Commission unless executive session is motioned per WV Code §6-9A-4.
- Input or recommendation from constitutional officers, staff or public that is not listed by name on the agenda will only be allowed if requested by the commission or required by statute.
- Those not scheduled on the agenda may sign up for public comment at a minimum fifteen (15) minutes prior to the start of the meeting. Public comment is limited to five (5) minutes per speaker.
- Motion required for consideration of vote.
- All votes unanimous unless otherwise stated.
- Roberts Rules of Order is utilized as a guide only. The Commission controls meeting management, discussion and input.
- Commissioners may participate and vote via conference call if two (2) commissioners are in attendance.

Additional Notices

August 27, 2024	Brownfields Meeting	11:00 am
	Grant Updates	
September 3, 2024	Commission Meeting Canceled due to lack of quorum	
September 10, 2024	Commission meeting canceled due to lack of quorum	

OATH OF OFFICE AND CERTIFICATE

STATE OF WEST VIRGINIA

COUNTY OF _____ TO-WIT

I, _____ do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of West Virginia, and that I will faithfully discharge the duties of the office of the PROPERTY VALUATION TRAINING AND PROCEDURES COMMISSION to the best of my skill and judgment, **SO HELP ME GOD.**

Print Name and Address:

(Signature of the affiant) _____

Subscribed and sworn to before me, in said county and state, this _____ day of _____, 20__.

Notary Public



Jim Justice
Governor of West Virginia

August 14, 2024

Lewis County Commission
110 Center Avenue
Weston, WV 26452

Re: All County Fire Protection Funding

Commissioners:

During the most recent Regular Session, we passed HB 5128, which I proudly signed into law. This legislation sets aside \$3,000,000 to the All County Fire Protection Fund and is a huge win for our courageous firefighters.

These funds are to be distributed in relative proportion to each county's population as a percentage of the entire state's population. This percentage is then used to allocate the county's portion of the \$3,000,000 fund.

I am pleased to announce the first allocation of these funds for 2024. Your county should be receiving \$27,964.98 as part of the All County Fire Protection Fund distribution.

The legislation requires my office to distribute these funds directly to County Commissions. County Commissions are further required to distribute these funds to fire departments in those counties for the exclusive benefit of fire protection or emergency services in the county.

A second allocation of funds will be distributed in the near future to counties which have in place a countywide excess levy, or a countywide fee, dedicated to fire or emergency services.

Sincerely,

A handwritten signature in blue ink that reads "Jim Justice".

Jim Justice
Governor



LEWIS COUNTY SHERIFF'S DEPARTMENT
STATE OF WEST VIRGINIA
D. B. GOSA, SHERIFF



Tax Department
Phone: (304) 269-8222
Fax: (304) 269-8698

Law Enforcement
Phone: (304) 269-8251
Fax: (304) 269-2644

August 21, 2024

Lewis County Commission
110 Center Ave
Weston, WV 26452

Dear Honorable Lewis County Commission,

I respectfully request, advise, and consent per WV Code S 7-7-7 to hire and advertise for an additional employee as a Tax Deputy. My tax office has been struggling to keep up for many years now and my staff has been working diligently to keep things running smoothly, but just doesn't have the man power. They have put in countless hours of comp time to try to keep up and still have been unable to do so with only 4 employees. Going back and quickly adding up over the last two and a half years each of my 4 employees have put in an average of 156 hours of comp time. It is because of this that I am requesting an additional employee be added to my tax office. I would request that the new employee begin as soon as possible and the starting salary be \$30,000.00.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "David Gosa".

David Gosa, Sheriff
Dg/ajf

110 Center Avenue
Weston, WV 26452

AUTHORIZATION FOR ADDITIONAL SERVICES

Client Name: County of Lewis, WV **Contact:** County of Lewis, WV
Address: Lewis County Commission 110 Center Avenue **Client Phone:** (304) 269-2416
Weston, WV 26452 **Client Fax:** _____
Date: 8/13/24 **Client Email:** _____
Request No.: _____ **CEC Project Manager:** Eddie Carder
CEC Project: 328-161 **Task:** 3.31
Project Name: Lewis County Commission-Brownfield Gra
Location: Weston, WV

Proposed Scope of Services:

- (1) CEC will search and obtain, from online resources and files located in the Lewis County Office of the County Clerk, for property owners of record in, around, and adjoining the proposed Project limits.
- (2) CEC will obtain copies of tax maps, plats, and subdivision plans on record within and around the proposed Project limits. CEC will develop a "Chain of Title" for each targeted property. The Chain of Title for each property will be historically traced until adequate metes and bounds descriptions are attained to map the target property in relationship to other properties in the proposed Project limits.
- (3) CEC will develop a "field work map" based on recorded property descriptions to ensure field crews search out and locate apparent and recorded ownership lines and existing, apparent property corners. Once field and office work is complete, found monuments will be reconciled with deeds of record and final boundary line location will be determined.
- (4) CEC will provide the services of a West Virginia Professional Surveyor for boundary line determinations, Title Review, if necessary, survey project management, and overall survey quality control.
- (5) CEC will locate physical features currently in place such as existing utilities, roadways, and other features and improvements in the project site area.
- (6) Utilities will be shown according to the American Society of Civil Engineers (ASCE) Standard Guidelines for Subsurface Utilities CI/ASCE 38-02, Quality Level C; surface observations combined with plans and markings provided by calling the West Virginia One Call System (Miss Utility) to coordinate marking and plan requests with Facility Owners. ~~Be aware that (Miss Utility) may not~~



AUTHORIZATION FOR ADDITIONAL SERVICES

respond to a request for markings unless excavation activities are involved, and (Miss Utility) does not coordinate the marking of private utility lines or services. For a more accurate, complete, and reliable location of underground features, CEC can retain the services of a private underground utility location service upon request, as an additional service (Quality Level B).

- (7) To establish an accurately surveyed boundary of the subject property, an adequate number of survey monuments or other survey evidence must exist that reasonably agrees with the property deeds and/or other related documentation. Gaps or overlaps with adjoining property, and other encumbrances on the subject property may also exist. A professional land surveyor cannot identify these conditions until after the initial survey fieldwork and analysis. If CEC discovers these conditions relative to the subject property, we will notify the client and discuss additional efforts and costs that may be required.
- (8) This proposal reflects current seasonal conditions and foliage/ground cover conditions that are not an undue impediment to the completion of the fieldwork.
- (9) It is understood that the Lewis County Commission hereby grants CEC or represents and warrants (if the site is not owned by the Lewis County Commission), that permission has been duly granted for a Right-of-Entry by our firm, agents, staff, consultants, and subcontractors for the purpose of obtaining field information pertinent to the subject project.
- (10) CEC will prepare a Boundary Survey plat to be provided to the client.
- (11) CEC will prepare a legal description of the boundary survey. The legal description will be included with the survey plat and can be provided in Microsoft Word format.

Reason(s) for Additional Services and Impacts to Schedule:

CEC can initiate services within one (1) week from Notice to Proceed. CEC estimates that five (5) days of field work will be required to perform the surveying services. Upon completion of the courthouse and field work, CEC will provide the final deliverable product within two (2) weeks. CEC estimates six (6) weeks total from notice to proceed to complete the survey.

CEC Principal Signature: Estimated Additional Fee: \$16,000

Please provide a signature below authorizing CEC to proceed with the additional services. Upon receipt, CEC will begin the additional services under the Terms and Conditions of our initial Agreement for the additional fee identified above.

Client Authorized Signature: _____ Date: _____

Right of Entry Agreement

This is an AGREEMENT made effective as of August 16, ²⁰²⁴~~2023~~ by and between:

Lewis County Commission
110 Center Avenue, 2nd Floor
Weston, West Virginia 26452

hereinafter referred to as "LCC" and:

Robert & Elizabeth Gricewich

hereinafter called "OWNER" for permission to access OWNER's property located at:

**US HWY 33 E
Weston, West Virginia
Parcel IDs: 21-04-007G-0010-0000 and 21-04-007G-0010-0002**

hereinafter called "SITE" to complete an investigation on behalf of the LCC.

The LCC has engaged the services of Civil and Environmental Consultants to conduct Phase I and Phase II Environmental Site Assessments of properties that have the potential to contribute to the economic revitalization of the county. The OWNER hereby grants the LCC, its agents, assigns, employees, and/or contractors the right and permission to enter upon the hereinbefore described real estate for the purpose of conducting site assessment activities described hereinafter in Paragraph 2.

The OWNER grants the aforesaid rights and permission unto the LCC to the following terms and conditions:

1. Site assessment activities to be performed on the aforesaid real estate may consist of the following:
 - a. Phase I Environmental Site Assessment activities, including, walking the property; touring structures on the property, if safe to do so; taking photographs of the property and structures, records review, if available; and interviewing past and present owners, operators, and occupants of the property.
 - b. Phase II Environmental Site Assessment activities, including, disturbance to the ground surface, vegetation, or other features of the SITE for purposes of collecting surface water, groundwater, surface soil, subsurface soil, air, and other samples. The LCC will take reasonable precautions to limit disturbance to the SITE, but it is understood by the OWNER that repairs to the SITE from disturbance will be limited to those specified. State Utility Notification Services will be utilized to determine the location and schedule of the proposed intrusive investigation activities. However, the OWNER is responsible for accurately identifying all of the SITE's subterranean structures and utility locations in the area of the intrusive investigation activities and approving the proposed locations of borings and other excavations to be completed during the investigation. Use of the SITE shall include the parking of vehicles and equipment; excavation of test pits; installation of groundwater monitoring wells; extraction of samples from surface and subsurface soils, surface water, groundwater, air, and elsewhere; storage of samples; and other activities necessary to complete the site assessment.
2. The consent and permission to enter and perform said site assessment activities upon aforesaid real estate is herein voluntarily granted by the party of the first part.

3. The term of this agreement shall be for the length of time necessary for the LCC to complete the proposed site assessment and monitoring activities.
4. The undersigned represents that he/she is authorized to sign this document on behalf of all owners of the Property and to consent to the entry provided herein.
5. The undersigned agrees that he/she will notify EPA, by contacting the individual identified below, if during the term of consent for entry the Property is sold or otherwise transferred.
6. As a property owner, you may be able to avail yourself of certain liability protections under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Please consult a lawyer if you feel this may be applicable.

IN WITNESS WHEREOF, the parties have executed this agreement on the dates indicated.

OWNER

Eugene L. Linn 8-16-24
 Signature Date

Printed Name

Title

Address

304-269-7502 304-695-1467
 Phone

Email

Lewis County Commission

Signature Date

Printed Name

Title

Address

Phone

Email

2024 – 22nd Grant Cycle



Application for Funding Assistance

Application Postmark Deadline: September 27, 2024

Contact Information:

Shelly L. Murray, Executive Director
2003 Quarrier Street, Charleston, WV 25311
Telephone (304) 558-5435
Cell (304) 380-4032
Email: shelly.murray@wvcfia.com
www.cfia.wv.gov

Courthouse Facilities Improvement Fund

Application for Funding Assistance - Instructions

The application must be completed in its entirety in order to be considered for funding. Focus your application on only ONE category. Incomplete applications will not be considered.

Each application shall consist of 7 tabs:

- I. County Applicant Information and Category Selection
- II. Define the Project
- III. Describe the Proposed Improvements
- IV. Project Budget
- V. Historical Significance / SHPO contact
- VI. Letters of Support
- VII. Supporting Documents, including pictures

Application Review. The Authority staff shall receive all applications and date-stamp them. All grants shall stand as received on the grant deadline date. If an application is incomplete as of the deadline, it will not be considered for funding.

Draft Review: To take advantage of the Draft Review, an applicant may submit a completed application by September 9th to the CFIA. The application must be received in the CFIA office by September 9th to take advantage of this review, not postmarked by that date. Staff will review the submitted application and contact the Grant Manager to let them know if information is missing. Staff will not provide feedback on ways to improve the application, but simply on its completeness. Grants received after the Draft Review deadline must stand as received. Staff will NOT contact grant applicants to notify of missing information within two weeks of the postmark deadline.

Application Postmark Deadline: September 27, 2024

Total number of pages submitted should not exceed fifty (50) pages. Do NOT staple any part of your application. Upon completion, please forward the original application, with blue ink signatures, and two (2) copies (for a total of 3) to:

WV Courthouse Facilities Improvement Authority
2003 Quarrier Street
Charleston, WV 25311

COUNTY COMMISSION OF LEWIS COUNTY

110 Center Avenue
Weston, WV 26452
Phone: (304)269-8200
Fax: (304)269-2416
Email: lewiscountycommission@lewiscountywv.org
Website: lewiscountywv.org



COMMISSIONERS:
BOBBY STEWART
President
ROD WYMAN
Commissioner
AGNES QUEEN
Commissioner

The County Commission of _____ County met on _____ (date) with a quorum present and passed the following resolution.

Be it resolved that the County Commission hereby authorizes _____ (first name) _____ (last name), Commission President of the _____ County Commission, to act on its behalf to enter into a contractual agreement with WV Courthouse Facilities Improvement Authority to receive and administer funds pursuant to provisions of the WV Courthouse Facilities Improvement Fund program.

Signed: _____
County Clerk

DRUG -FREE WORKPLACE POLICY (updated August 27, 2024-replaces all previous policies):

Purpose and Policy

It is the policy of Lewis County to maintain a drug- and alcohol-free workplace that is free from the effects of drug and alcohol abuse. Being under the influence of drugs or alcohol on the job poses serious safety and health risks to the employee, co-workers, and the public. Accordingly, Lewis County has implemented this policy in accordance with the Drug Free Workplace Act of 1988 to provide guidance to supervisors and employees concerning their responsibilities related to this policy. Violations of this policy may result in discipline up to, and including, termination of employment and/or notification of appropriate law enforcement agencies.

Employees are prohibited from engaging in the use, sale, dispensing, distribution, possession, or manufacture of illegal drugs, controlled substances, narcotics, medical marijuana or alcoholic beverages on County premises or work sites. In addition, Lewis County prohibits off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the safety of others. Employees, their possessions, and County-issued equipment and containers under their control are subject to search and surveillance if the County has reasonable suspicion that its employees are using alcohol or drugs while on Lewis County premises or work sites or while conducting County business.

Supervisors should report immediately to the County Administrator any action by an employee that demonstrates an unusual pattern of behavior that causes reasonable suspicion that the employee is under the influence of drugs or alcohol. The County Administrator will then determine whether the employee should be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be under the influence of drugs, narcotics, or alcohol will be required to leave the premises, and may be required to submit to a drug and/or alcohol test. The employee's Supervisor should be notified to arrange safe transit to the testing site and/or the employee's residence. Under no circumstances will an employee who is suspected of being under the influence of drugs or alcohol be permitted to drive.

In accordance with the Drug Free Workplace Act and as a condition of employment, County employees must comply with this policy and notify Lewis County officials within five (5) days of a conviction for any criminal drug violation occurring in the workplace or involving county property or county vehicles. Failure to do so will result in discipline, up to and including termination of employment. Lewis County, as required by the Act, will report such incidents within ten (10) days of learning of the conviction to the appropriate state and federal agencies.

Prescription and Over-the-Counter Medications

Employees must report their use of prescribed or over-the-counter medications to their immediate supervisor if the use might impair their ability to perform their job safely and effectively. It is the responsibility of the employee to ask his or her physician if and how any such medication may impair his/her ability to safely perform job duties. A determination then will be made as to whether the employee should be able to perform the essential functions of the job safely and properly and, if necessary, a reasonable accommodation exists which would allow the employee to perform the essential functions of the job while taking any such medication.

Employees who are qualified patients with valid medical marijuana identification cards under the West Virginia Medical Cannabis Act ("WVMCA") **are prohibited from ingesting marijuana on Lewis County premises or work sites or during working hours. Employees are also prohibited from being under the influence, or impaired by, marijuana while performing their employment duties or operating a County-owned vehicle.**

Drug and Alcohol Testing Procedures

Prior to beginning employment, following a work-place accident, or where the County has reasonable suspicion of impairment, applicants and employees may be asked to take a test to determine the presence of drugs, narcotics, or alcohol, unless the tests are prohibited by law. Employees operating County vehicles and/or otherwise deemed by the County to be in a "safety sensitive position" may also be subject to random or nonrandom testing.

- i. All testing pursuant to this policy will be conducted as follows:
 - a. The County may exercise its option to require urine, hair, saliva, blood, blood serum or plasma, and/or Breathalyzer samples at the County's own cost. If the results of a test are inconclusive or if a test cannot be completed, the County may require another test using the same or a different type of sample at the cost of the employee;
 - b. The collection of samples will be performed under reasonable, private, and sanitary conditions;
 - c. Samples will be collected using a "split sample" method, meaning that a part of the sample that is sent to the first laboratory will be retained unopened for transport to a second laboratory in the event that the employee or prospective employee requests that it be tested following a verified positive test result of the primary specimen; and
 - d. Urine tests will be conducted in a private room outside the vision and hearing of the test administrator, but the County reserves the right to observe a urine test if it suspects tampering with the sample. In the event an observer is necessary, they will be of the same sex as the employee or prospective employee being tested.
- ii. Sample collections will be documented, and the documentation procedures will include:
 - a. Labeling of samples so as to reasonably preclude the possibility of misidentification of the person tested in relation to the test result provided and handling of samples in accordance with reasonable chain-of-custody and confidentiality procedures;
 - b. Sample collection, storage, and transportation to the place of testing will be performed so as to reasonably preclude the possibility of sample contamination, adulteration, or misidentification;
- iii. Confirmatory drug testing will be conducted at a laboratory that is:
 - a. Certified by the U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration;
 - b. Approved by the U.S. Department of Health and Human Services under the Clinical Laboratory Improvements Act; or
 - c. Approved by the College of American Pathologists.
- iv. Drug testing shall include confirmation of any positive test results. For drug testing, confirmation will be by use of a different chemical process than was used in the initial drug screen. The second confirmatory drug test shall be a chromatographic technique such as gas chromatography/mass spectrometry, or another comparably reliable analytical method.

Employees reasonably suspected of working while under the influence of drugs or alcohol will be suspended with pay until the County receives the results of a drug and alcohol test from the testing facility and any other information that the County may require to make an appropriate determination.

Consequences of a Positive Test

No employee will be subject to an adverse employment action unless (a) the County receives a confirmed positive drug or alcohol test as described above or (b) the employee refuses to take the test. However, **if reasonable suspicion exists, or if a screening test is positive**, the employee may be placed on paid leave until the County receives confirmed results from the laboratory.

Upon receipt of positive results by the County, the employee will then have the opportunity to meet with the County Commission to review the result and to explain how the positive result may be related to factors other than drug or alcohol use. The employee may provide notification of any information that may be considered relevant to the test, for example, identification of currently or recently used prescription or nonprescription drugs or other relevant medical information. Employees who are qualified patients under the WVMCA are required to provide the County with proof of their qualified patient status, including presenting their valid medical marijuana identification cards.

Employees who test positive will be subject to discipline, up to and including termination of employment. Job applicants who test positive will have their conditional job offers withdrawn. Other violations of this policy that will result in discipline include, but are not limited to, possessing substances or narcotics that are illegal or controlled under federal, state, or local laws, or dispensing, distributing, or illegally manufacturing or selling drugs or alcohol on County premises and work sites.

Consequences of Refusal to Test

Employees who refuse to submit to testing as required by the County or who attempt to tamper with the test will be subject to discipline, up to and including termination of employment. Job applicants who refuse to submit to drug and alcohol testing will be deemed to have withdrawn themselves from the application process and will no longer be considered for employment.

Confidentiality

All drug and alcohol testing records will be maintained in a separate file from the employee's personnel file in a locked storage container. The County will provide the employee with copies of his/her testing records upon receipt of a written request to the County Administrator. Records will otherwise be distributed only to those individuals authorized to receive such information. Supervisors will be informed on a need-to-know basis. The County may disclose certain information during the course of a lawsuit, grievance or other proceeding initiated by or on behalf of the individual and arising from the results of an alcohol and/or drug test or from the County's determination that the employee engaged in prohibited conduct (including, but not limited to worker's compensation, unemployment compensation or other proceeding relating to a benefit sought by the employee).

Administration of this Policy

Lewis County expressly reserves the right to change, modify, or delete the provisions of this policy. If you have any questions regarding this policy or if you have questions about drug testing in the workplace that are not addressed in this policy, please contact the County Administrator.