

GoTriangle  
Board of Trustees  
Wed, January 24, 2018 12:00 pm-2:30 pm

I. Call to Order and Adoption of Agenda

**ACTION REQUESTED:** Adopt agenda with any changes requested.

*(1 minute Jennifer Robinson)*

II. Recognition

A. Introduction of New Hires

*(1 minute Jeff Mann)*

B. Announcement of Promotions

*(1 minute Jeff Mann)*

III. Public Comment

The public comment period is held to give citizens an opportunity to speak on any item. The session is no more than thirty minutes long and speakers are limited to no more than three minutes each. Speakers are required to sign up in advance with the Clerk to the Board.

*(5 minutes Jennifer Robinson)*

IV. Consent Agenda

Items listed on the consent agenda are considered as a single motion. At the request of any Board member, or member of the public, items may be removed from the consent agenda and acted on by a separate motion. Items pulled from the consent agenda will be placed at the beginning of the general business agenda for discussion and action. Any Board member wishing to remove an item from the consent agenda should advise staff in advance.

**ACTION REQUESTED:** Approve consent agenda.

*(1 minute Jennifer Robinson)*

A. Approval of Minutes: December 13, 2017 - Regular Session

B. Approval of Minutes: January 03, 2018 - Work Session

V. Presentation

A. Audit Presentation

*(15 minutes Scott Duda, CPA, Partner; Cherry Bekaert LLP)*

VI. General Business Agenda

Items listed on the general business agenda are for discussion and possible

action. Such designation means that the Board intends to discuss the general subject area of that agenda item before making any motion concerning that item.

A. Items Removed from the Consent Agenda

ACTION REQUESTED: Discuss and take action on any items removed from the consent agenda.

*(1 minute Jennifer Robinson)*

B. Operations & Finance Committee Report

*(10 minutes Michael Parker)*

1. Revised Travel Policy

ACTION REQUESTED: Approve revised Travel Policy.

Travel and Business Related Expense Policy - Revised

Reference A

C. Personnel Committee Report

*(10 minutes Ellen Reckhow)*

1. Amendment to Employee Evaluation Process for General Manager, General Counsel and Clerk to the Board

ACTION REQUESTED: Approve revised Employee Evaluation Process for General Manager, General Counsel and Clerk to the Board as recommended by Personnel Committee.

Redlined Employee Evaluation Process

Recommended Employee Evaluation Process

VII. Other Business

A. Election of Treasurer

ACTION REQUESTED: Elect Michael Parker to fulfill the vacant Treasurer position through September 30, 2018.

*(3 minutes Jennifer Robinson)*

B. Drug and Alcohol Policy Revisions

ACTION REQUESTED: Adopt resolution approving the revised Drug and Alcohol Policies and Procedures manual.

*(5 minutes Christy Winstead)*

Drug & Alcohol Policies and Procedures

Resolution 2018 0002

C. Real Property Acquisition for Rail Operations & Maintenance Facility (ROMF)

ACTION REQUESTED: Adopt resolution approving the acquisition of property for the ROMF by eminent domain.

*(10 minutes Gary Tober)*

Resolution 2018 0001

1. Closed Session - Real Property Acquisition (Potential)

ACTION REQUESTED: Move into Closed Session pursuant to NCGS 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

*(10 minutes)*

D. General Manager's Report

*(5 minutes Jeff Mann)*

Contracts

1. Bus Operations Report

*(5 minutes Vinson Hines)*

2. D-O LRT Update

*(15 minutes Danny Rogers)*

3. Wake Transit Update

*(10 minutes John Tallmadge)*

4. Communications Update

*(10 minutes Mike Charbonneau)*

E. General Counsel's Report

*(5 minutes Shelley Blake)*

F. Chair's Report

*(5 minutes Jennifer Robinson)*

G. Board Member Reports

1. CAMPO Executive Board Representative

*(5 minutes Will Allen III)*

2. DCHC MPO Board Representative

*(5 minutes Ellen Reckhow)*

3. Regional Transportation Alliance (RTA) Representative  
*(5 minutes Will Allen III)*

## VIII. Adjournment *(Jennifer Robinson)*

## GoTriangle Board of Trustees

### Meeting Minutes

December 13, 2017

Board Room, The Plaza, 4600 Emperor Blvd., Suite 100  
Durham, NC

#### Board Members Present:

Will Allen III  
Mary-Ann Baldwin  
Sig Hutchinson  
Barry Jacobs

Vivian Jones  
Michael Parker (left 2:35 pm)  
Ellen Reckhow  
Jennifer Robinson, Chair

#### Board Members Absent:

Wendy Jacobs (excused)  
Valerie Jordan (excused)  
Andy Perkins (excused)

Steve Schewel (excused)  
Nina Szlosberg-Landis (excused)

Chair Jennifer Robinson officially called the meeting to order at 12:45 p.m.

#### I. Adoption of Agenda

**Action:** On motion by Allen and second by Jones the agenda was adopted. The motion was carried unanimously.

#### II. Recognition

##### A. Oath of Office

Wake Forest Mayor and Board member Vivian Jones administered the oath of office to Michael Parker, representative of the Town of Chapel Hill.

##### B. Board Member Retirements

Chair Jennifer Robinson presented former Orange County representative Ed Harrison with a framed historical photograph of Hillsborough Station.

Chair Robinson also recognized Charter Member William V. "Bill" Bell, former City of Durham representative and presented him with a framed rendering of the downtown Durham light rail transit station with the inscription, "thank you for your tireless commitment to transit in the triangle, and your visionary leadership for this organization."

##### C. Introduction of New Hires

General Manager Mann announced the hiring of Martin Bess, Jr. and Niguse Dawit, Bus Operators; William Bryant, Procurement Administrator; Denise Cox,

Dispatcher/Operator; Matthew Frazier, Data Specialist; and Sherry Moore and Laverne Taylor, Paratransit Operators I.

**D. Announcement of Promotions**

None.

**III. Public Comment**

None.

**IV. Consent Agenda**

**Action:** On motion by Baldwin and second by Reckhow the consent agenda was approved. The motion was carried unanimously.

The following consent agenda items were approved:

- November 15, 2017 – Regular Session Minutes;
- Addition of a D-O LRT station between Blackwell and Mangum Streets along Pettigrew Street in downtown Durham; and
- Modification of the Gateway D-O LRT Station location.

**V. Presentation**

Chair Robinson recognized Dennis Markatos-Soriano, Executive Director of East Coast Greenway, and Kathryn Zeringue, Virginia & North Carolina Coordinator. Their presentation is attached and hereby made a part of these minutes.

**VI. General Business Agenda**

**A. Items Removed from Consent Agenda**

None.

**B. Operations & Finance Committee Report**

Ellen Reckhow reported that there was no quorum, so the Committee took no action. Staff presented the Comprehensive Annual Financial Report and the auditor is scheduled to present to the Board in January. She added that there will be a change to the travel policy coming in January as well.

**1. Process for Amending the Annual Wake Transit Work Plan and Capital and Operating Fund Ordinances of the Triangle Tax District**

Reckhow stated that the two Committee members present did discuss this item and felt comfortable with it.

**Action:** A motion was made by Jones and seconded by Allen to approve the Wake Transit Plan Work Plan Amendment Process.

Adam Howell, Wake Transit TPAC Administrator, stated that the Town of Cary recommends approving this process for FY18 only and sending it back to the TPAC and subcommittees to revise for FY19 and beyond for improvements.

**Action:** Upon vote, the motion was carried unanimously. A copy of the amendment process and amendment request form are attached and hereby made a part of these minutes.

## VII. Other Business

### A. Amendment to 2018 Meetings Calendar

Saundra Freeman requested that the Operations & Finance Committee meetings for April and May be moved from the day of the Board meeting. She also requested that the budget workshop be held on the day of the April Board meeting.

Chair Robinson stated that the Board meeting date conflicts with the Raleigh Chamber InterCity Visit and will need to be rescheduled.

Baldwin stated that moving the Committee meeting would be problematic for her.

Robinson asked that staff offer options for moving the budget work session and the April Board meeting.

### B. General Manager's Report

General Manager Jeff Mann highlighted the following items from his written report:

- Staff continues to track Federal funding for the Capital Investment Grant (CIG) program.
- We met with RDUAA and its major airlines and vendors about sustainable travel services and TDM. He stated that the airport is eager to move employees from single occupancy vehicles.
- We are working with NCDOT to move the D-O LRT project through the SPOT process.
- Meetings have kicked off with the railroads concerning Durham-Wake Commuter Rail.
- HR&A continues to work with the RUSBus project and the D-O LRT project conducting a market analysis.

#### 1. Bus Operations Report

No report.

#### 2. Durham-Orange Light Rail Transit Program Update

Danny Rogers stated that the project is moving heavily into 50% design with a lot of activities going on, including the start-up of some major committees like

the operations committee with partners from Durham and Orange and the safety committee working on updating the safety plan.

Rogers added that refinements continue to be considered regarding Erwin Road, with the team working with Duke and the VA to come to a solution that addresses safety, access, an efficient transit system and easy access for emergency vehicles. Pettigrew Street and the UNC hospital station are other areas of particular focus. He said the team continues to look at potential cost savings opportunities and work on the financial plan, incorporating the benefits of receiving an FFGA in FY19. Finally, we continue to hold meetings on the Rail Operations and Maintenance Facility (ROMF) regarding rezoning and annexation. He asked Gary Tober to talk about real estate acquisition related to the ROMF.

Gary Tober's presentation is attached and hereby made a part of these minutes.

### **3. Wake Transit Update**

John Tallmadge gave an update on the progress of Wake Transit. He thanked the Board for approving the budget amendment process today and stated that CAMPO also would be considering it today. He said the first cycle of amendments is underway, which should come in January for consideration. Tallmadge stated that work has begun on the draft FY19 work plan, which will be released for public comment in late January, go through revisions and be brought as part of the budget package. Concurrently, the Bus Plan and prioritization methodology are being developed. Tallmadge noted that there has been a push toward making youth fare free in the Raleigh system and across Wake County. A working group has been established and staff anticipates bringing recommendations to the Operations & Finance Committee next month for changes to GoTriangle's fare structure.

### **3. Communications Update**

Mike Charbonneau's presentation is attached and hereby made a part of these minutes. He also shared a video created to promote using transit for holiday shopping and recognized his team for awards received at the North Carolina Association of Government Information Officers Annual Seminar.

## **C. General Counsel's Report**

General Counsel Shelley Blake noted the following items:

- A discrimination training class for managers and supervisors was held.
- GoTransit Partners held their second meeting. She said the consultants is doing a feasibility study for fundraising.



Parker left.

- The cost share study for commuter rail has been approved by all of the parties.
- Applications are being received for the Transit Citizen Advisory Committee.
- Working continues finalizing the operating and capital agreements for Wake Transit and the process has begun for Durham and Orange counties.

**D. Chair's Report**

Chair Robinson stated that Ellen Reckhow has agreed to represent GoTriangle on the DCHC MPO Board, effective December 1 and Michael Parker will serve on the Chatham/Orange Joint Planning Task Force.

**E. Board Member Reports**

**1. CAMPO Executive Board Representative**

Will Allen III reported on the joint DCHC MPO and the CAMPO meeting on November 30<sup>th</sup>. The 2045 MTP was discussed, with an estimated 2.9-3 million population in the region. Additionally STI was discussed along with the freight plan, the toll study and commuter rail.

**2. DCHC MPO Board Representative**

Ellen Reckhow stated that the MPO approved the addition of the Blackwell/Mangum Station to the D-O LRT project and the 2045 MTIP was put out for final public comment. It is scheduled to be approved in February.

**3. Regional Transportation Alliance (RTA) Representative**

Will Allen III stated that he participated in the RTA trip to Richmond and added that the State of Mobility meeting is tomorrow.

**4. Conference Reports**

**i. 2017 ULI Fall Meeting**

Mary-Ann Baldwin's presentation is attached and hereby made a part of these minutes.

**ii. RTA 2017 Tour**

Vivian Jones' report is attached and hereby made a part of these minutes.

**VIII. Adjournment**

**Action:** Chair Robinson the meeting was adjourned the meeting at 3:08 p.m.

\_\_\_\_\_  
Jennifer Robinson, Chair

Attest:

\_\_\_\_\_  
Michelle C. Dawson, CMC  
Clerk to the Board

Draft

**GoTriangle Board of Trustees  
Meeting Minutes**

**January 3, 2018 - Work Session**

Board Room, The Plaza, 4600 Emperor Blvd., Suite 100  
Durham, NC

**Board Members Present:**

Will Allen III

Mary-Ann Baldwin

Sig Hutchinson

Barry Jacobs

Wendy Jacobs

Vivian Jones

Michael Parker

Ellen Reckhow

Jennifer Robinson

Steve Schewel

**Board Members Absent:**

Valerie Jordan (excused)

Andy Perkins (excused)

Nina Szlosberg-Landis (excused)

Board Chair Jennifer Robinson called the meeting to order at 12:03 p.m.

**I. Adoption of Agenda**

**Action:** On motion by Allen and second by Baldwin the agenda was adopted. The motion was carried unanimously.

**II. Oath of Office**

**Action:** Wake Forest Mayor and Board Member Vivian Jones administered the oath of office to Steve Schewel, representative from the City of Durham.

**III. FY18-23 Strategic Plan Current Status & Next Steps**

John Tallmadge’s presentation is attached and hereby made a part of these minutes.

Tallmadge reviewed the Vision, “To make exceptional public transportation the foundation of the region’s community, prosperity, and mobility” and Mission, “GoTriangle improves our region’s quality of life by connecting people and places with safe, reliable and easy-to-use travel choices.”

General Manager Mann stated that there has previously been discussion about adding sustainability to GoTriangle’s vision.

**Action:** On motion by Baldwin and second by B. Jacobs the Board approved the addition of “sustainability” to the vision following the word, “community.” The motion was carried unanimously.

Tallmadge also shared the status of initiatives and the Key Performance Indicators (KPIs) used to measure performance against targets. These documents are attached and hereby made a part of these minutes. He noted the addition of a stoplight scorecard to indicate completion or partial completion, work underway or planning phase only.

Robinson requested information about target dates and completion dates in the notes. Hutchinson suggested including industry standards for comparison.

Tallmadge concluded by pointing out that this year would include continued follow-through on the re-organization recommendations, bringing on a Human Resources (HR) Director and initiatives related to HR. Additionally, during the year there will be the hiring of a Chief Operating Officer (COO) and the re-organizing of functions that will report to the COO. Tallmadge added that there also will be work to strengthen regional partnerships related to funding and aligning processes for the D-O LRT project and Wake Transit.

Reckhow suggested greater emphasis on expanding the GoPass program in order to help drive ridership. Hutchinson requested greater focus on health and wellness for citizens and employees.

**IV. Adjournment**

**Action:** Chair Robinson adjourned the meeting at 2:43 p.m.

\_\_\_\_\_  
Jennifer Robinson, Chair

Attest:

\_\_\_\_\_  
Michelle C. Dawson, CMC  
Clerk to the Board

# Triangle Transit Authority

Presentation by

Scott Duda, CPA  
Partner

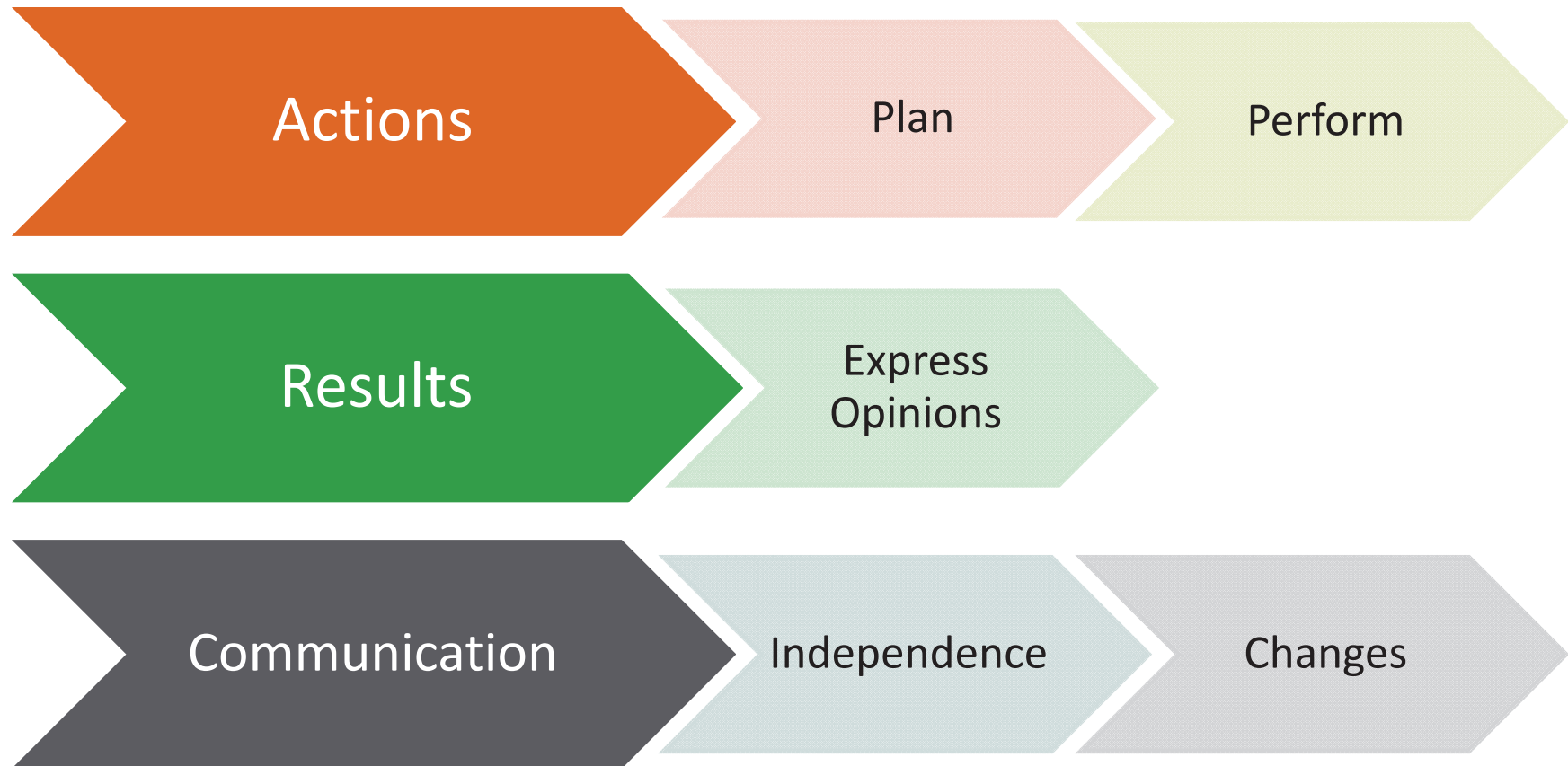
**Cherry Bekaert LLP**



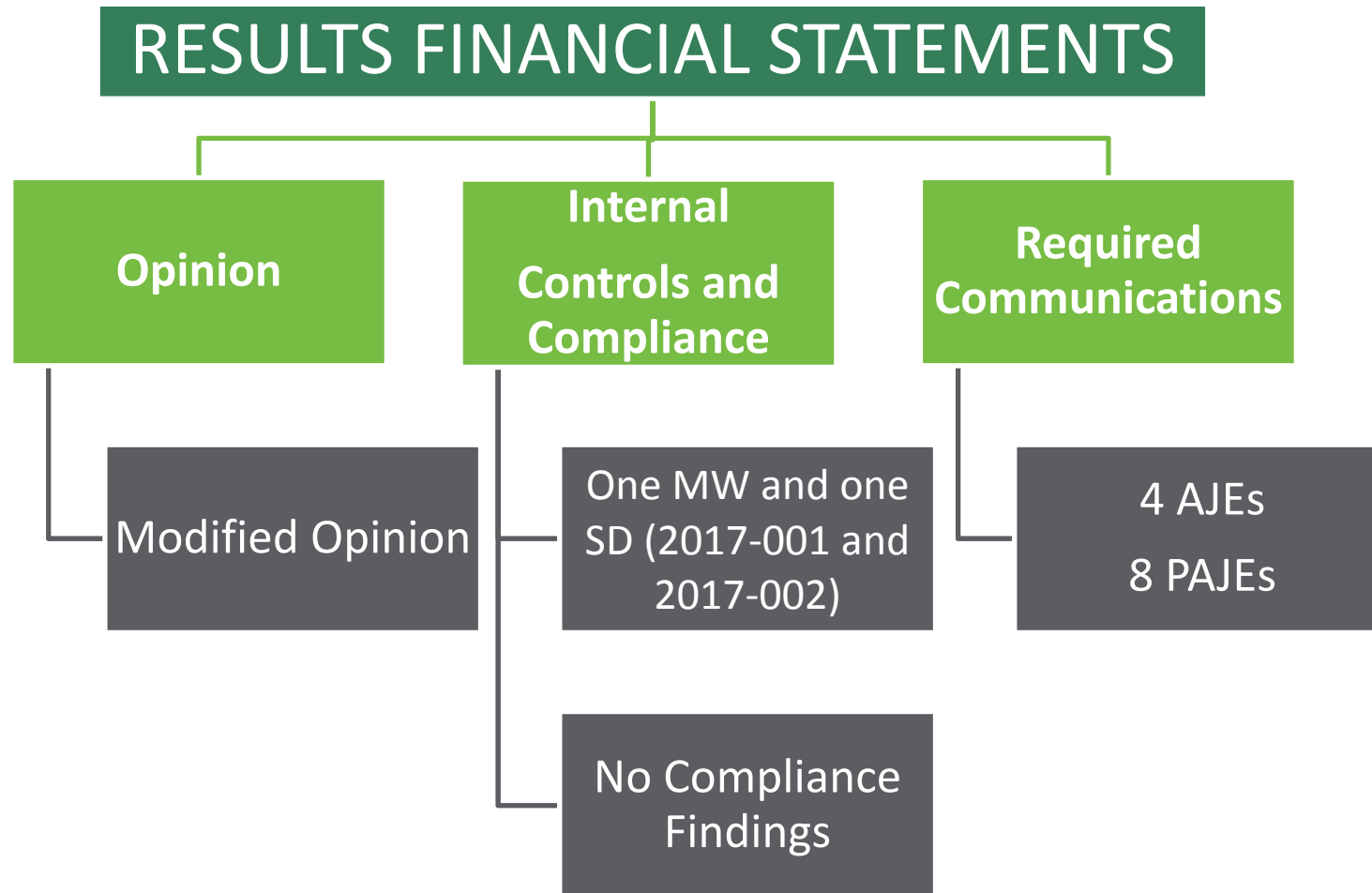
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# *Role of the External Auditor*



# Key Highlights





# Key Highlights

## Internal Controls and Compliance – Single Audit

### Federal Major Programs

- Highway Planning and Construction

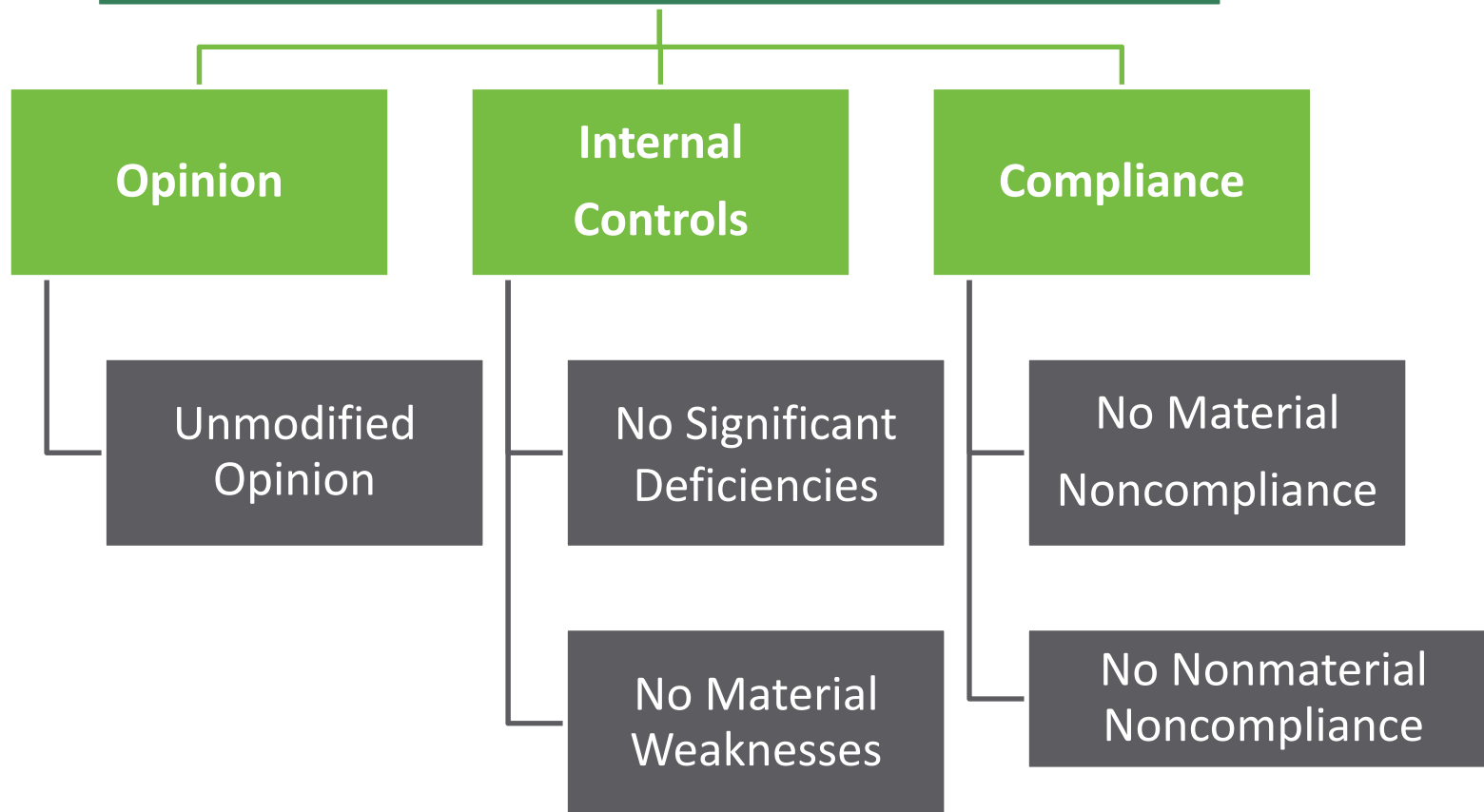
### State Major Programs

- State Maintenance Assistance Program

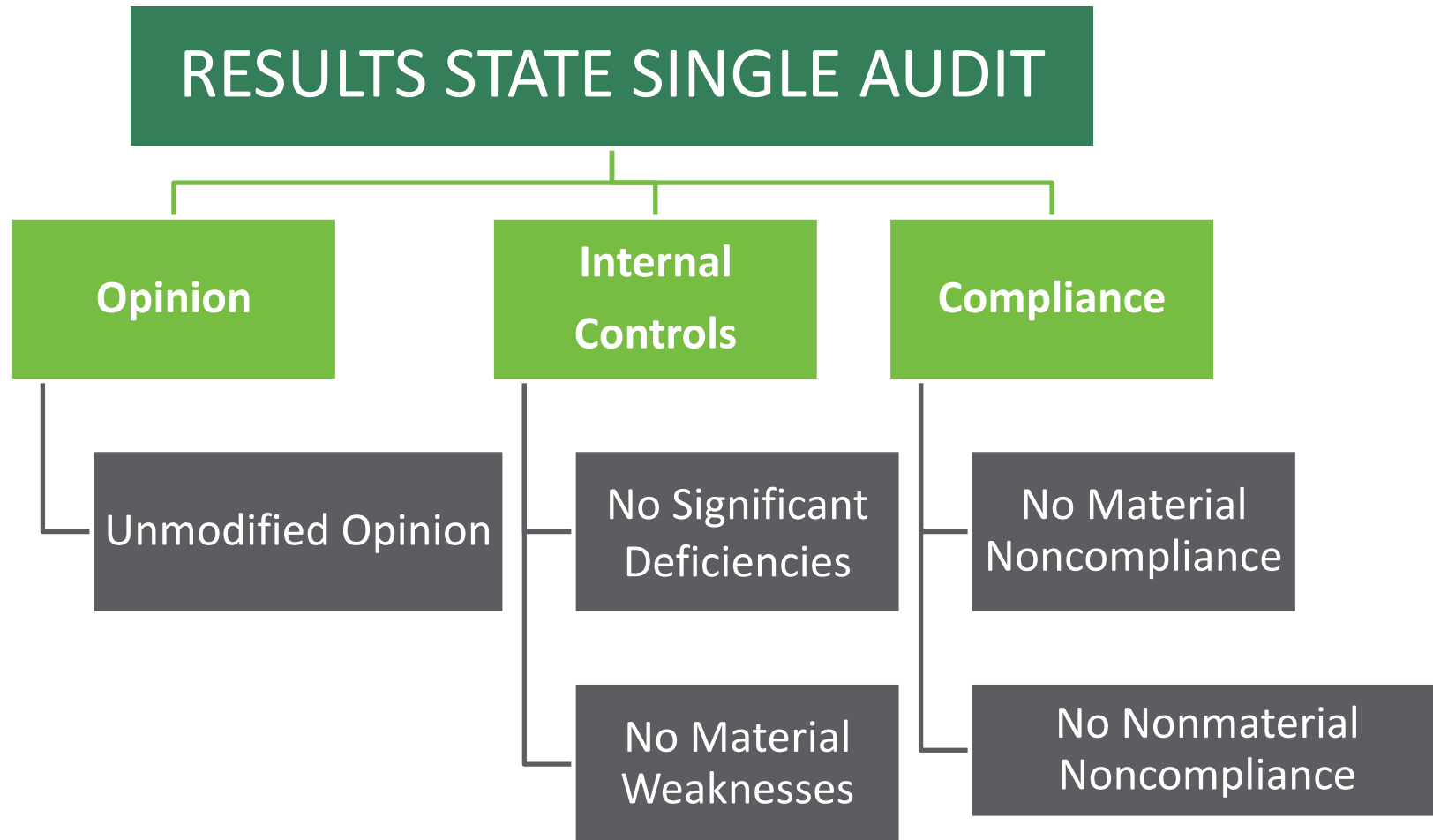


# Key Highlights

## RESULTS UNIFORM GRANT AUDIT



# Key Highlights



# Key Highlights

## Significant Audit Areas

### Assets

- Cash/Investments
- Accounts Receivable and Revenue
- Capital Assets

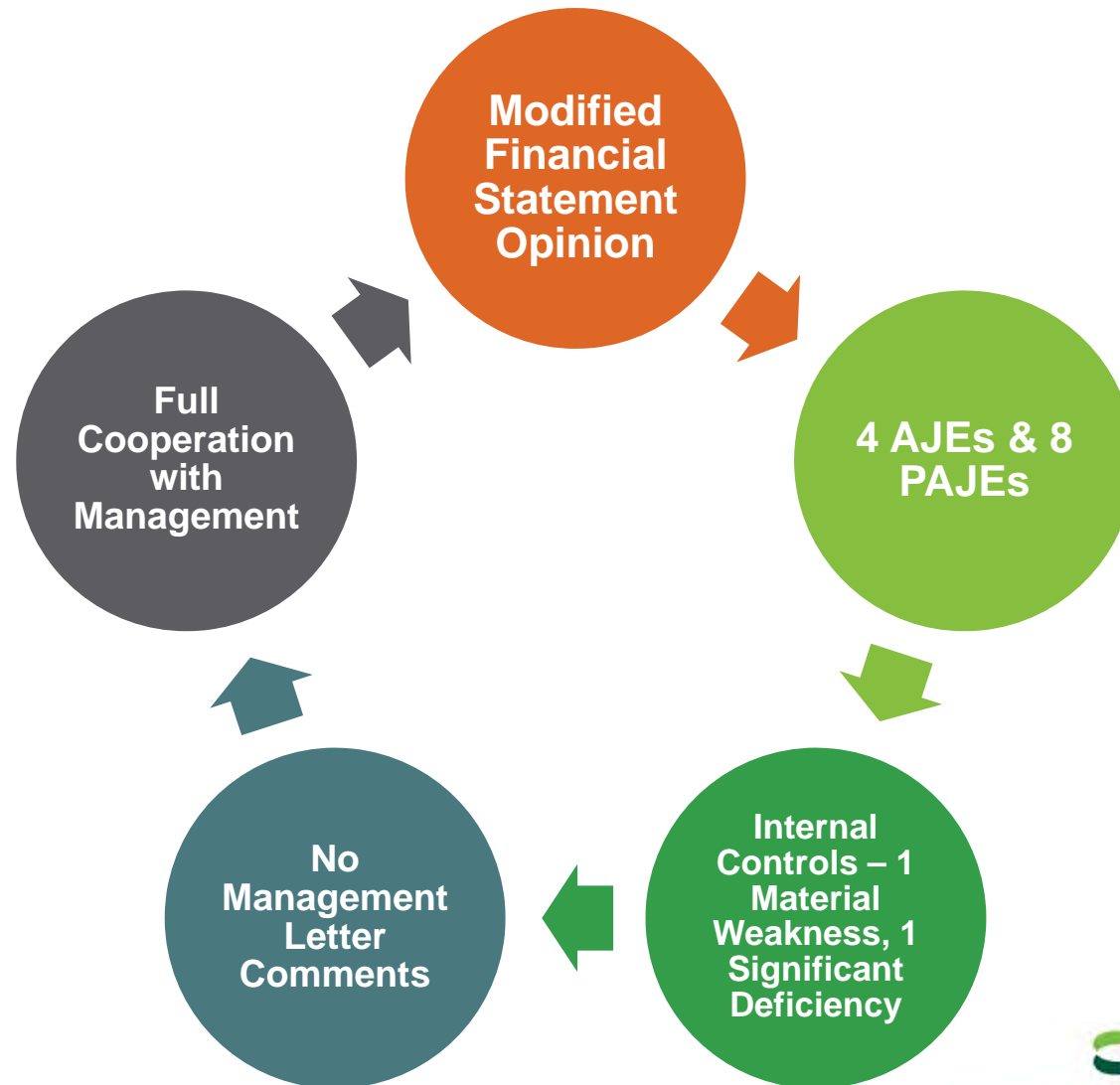
### Liabilities

- Payroll, Compensated Absences & OPEB

### Other Areas

- Single Audit
- Net Position
- Legal
- Related Parties
- Estimates
- Compliance

# Summary



# *Findings and Adjustment Details*

- Financial Statement Findings:
  - 2017-001 – Significant deficiency – Accounts Receivables subledgers did not agree to the general ledger and accruals were not recorded correctly.
  - 2017-002 – Material weakness – A disposal of 3 buses occurring during fiscal year 2016 was incorrectly recorded in fiscal year 2017.

# *Findings and Adjustment Details*

- Adjustments:
  - Entry to correct local grant revenue amount that was misrecorded. This adjustment is related to Finding 2007-001.
  - Entry to record prior period adjustment for disposal of buses occurring in fiscal year 2016. This adjustment is related to Finding 2007-002.
  - Entry to transfer computer software from Advanced Technology Fund to Bus Fund.
  - Entry to adjust receivables for invoice that was subsequently voided after year-end.

# *Findings and Adjustment Details*

- Adjustments Not Posted:
  - Overstatement of construction in process and accounts payable due to over-accruing for a June 2017 invoice.
  - 2 passed adjustments to accrue for pension expense in accordance with GASB 68/71.
  - Prior period passed adjustment to correct understatement of revenue and overstatement payables for GoDurham.
  - Correct overstatement of revenue and understatement of payables related to recording GoDurham.
  - Understatement of payroll accrual due to adjustment for holiday pay.
  - 2 differences between accounts receivable subledger and accounts receivable per the trial balance.



*Thank You*

**Scott Duda** | Partner

sduda@cbh.com | 919.782.1040 | cbh.com

*Cherry Bekaert LLP*

## MEMORANDUM

**TO:** GoTriangle Operations & Finance Committee  
**FROM:** Finance and Administrative Services  
**DATE:** December 8, 2017  
**SUBJECT:** Revised GoTriangle Travel Policy ver3.8.1 Adopted 2004

### Strategic Objective or Initiative Supported

#### Action Requested

Staff requests that the Committee recommend Board approval of the revised GoTriangle Travel Policy ver3.8.1 initially adopted by the Board on June 23, 2004.

#### Background and Purpose

Staff decided to revisit the 2004 Board approved Travel Policy, which identifies the allowable rates for reimbursement by a Board member, staff and consultants. Historically, the General Services Administration (GSA) rate has been used to determine appropriate mileage reimbursement rates for GoTriangle. After a review of our partners' processes, we believe it is appropriate at this time to transition to the IRS mileage reimbursement rates. Staff recommends that GoTriangle begin using IRS rates for mileage reimbursement on the following schedule:

- Consultants – effective January 1, 2018
- Board Members and Staff – effective July 1, 2018

The standard mileage rate to determine deductible costs of operating a vehicle for business purposes will be available January 2018 by the IRS.

Staff also recommends that consideration be given on a case by case basis for a per diem allowance with no itemized receipt requirements for consultants.

Additional recommendations for changes to GoTriangle's Travel Policy will be forthcoming during the fiscal year.

#### Financial Impact

None.



### Attachments

- GoTriangle Travel policy ver3.8.1 Adopted 2004 (mark-up and clean versions)
- Reference A

### Staff Contact(s)

- Sandra Freeman, (919) 485-7415, [sfreeman@gotriangle.org](mailto:sfreeman@gotriangle.org)
- Mitchell Lodge, (919) 485-7550, [mlodge@gotriangle.org](mailto:mlodge@gotriangle.org)



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## **TRAVEL AND BUSINESS RELATED EXPENSE POLICY NUMBER 3.8.1**

### **3.8.1.1 POLICY PURPOSE**

The purpose of **TRAVEL AND BUSINESS RELATED EXPENSE POLICY NUMBER 3.8.1** (Policy) is to establish the overview, scope, responsibilities, and guidelines for Travel and Business Related Expenses for the Research Triangle Regional Public Transportation Authority d/b/a GoTriangle (GoTriangle).

### **3.8.1.2 POLICY OVERVIEWS**

- A. This Policy applies to all divisions of GoTriangle, GoTriangle's consultants and contractors, GoTriangle's employees (employees) and the GoTriangle Board of Trustees (Board).
- B. Board members and employees may have their Travel and Business Related Expenses reimbursed by GoTriangle subject to the limitations contained in this Policy. Under no circumstances shall duplicate reimbursement be made for that portion of a Board member's or employee's expenses paid or reimbursed from a non-GoTriangle source.
- C. All travel is contingent upon the availability of funds in the proper budget categories.
- D. A Board member, employee, or GoTriangle consultant traveling on GoTriangle business shall exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Excess costs, circuitous routes, delays, or luxury accommodations and services unnecessary or unjustified in the performance of official business are not acceptable under this Policy. Board members, employees, and GoTriangle consultants shall be responsible for unauthorized costs and any additional expenses incurred due to personal preference or convenience.

### **3.8.1.2 POLICY PRINCIPLES**

- A. All reimbursable Travel and Business Related Expenses must be generated for a business purpose. The purchase of personal items unrelated to related travel expenses will not be reimbursed by GoTriangle (e.g., room service, alcoholic beverages consumed while on company business). The application of this Policy shall be consistent throughout GoTriangle and any exceptions must be reported and reviewed by the Chief Financial Officer.
- B. The timely reporting of Travel and Business Related Expenses is important for GoTriangle to maintain accurate financial records and ensure the items purchased are recorded as expenses in the correct fiscal period. Expenses incurred during the period but not recorded in the financial records may result in the misstatement of GoTriangle's reported financial results or its failure to follow Generally Accepted Accounting Principles (GAAP). The GAAP rules require expenses to be recorded in the period that they were incurred.

### 3.8.1.4 POLICY SCOPE

- A. With prior approval of Travel and Advance Authorization Form, GoTriangle will pay and/or reimburse for the following expenses:
- A.1 All registration costs, including charges for any meals that are included as part of a registration fee, for a meeting, training, conference, workshop, or seminar.
  - A.2 Round trip train, bus, or coach air fare to destination and cab or transit fare between airports, hotels, and activity sites. The use of economy priced rental cars may be allowed upon prior approval by the Department Manager/Approving Authority when cost effective.
  - A.3.0 Employees on the basis of mileage for the use of a privately owned automobile (POA), providing this cost does not exceed the cost of air travel. Local travel by GoTriangle vehicles is encouraged whenever available.
    - A.3.1 For transportation by a POA, employees and Board members are eligible for reimbursement at the current U.S. General Services Administration rate per mile of travel (as updated or implemented annually by GoTriangle as the "GoTriangle Reimbursable Mileage Rate"; see **Reference A**, which is attached hereto and specifically incorporated by reference) and the actual costs of road, bridge, and ferry tolls paid.
    - A.3.2 [For transportation by a POA, GoTriangle Consultants are eligible for reimbursement at the current U.S. Internal Revenue Service standard business rate per mile of travel \(as updated annually by the IRS; see Reference A\) and the actual costs of road, bridge and ferry tolls paid.](#)
    - A.3.3 *Employees, Consultants, and Board members are cautioned that use of a POA is at their own risk. In the event of an accident, the owner or operator of the vehicle is responsible for losses or damages of any kind. GoTriangle will not be responsible for any further payment other than the reimbursement detailed above.*
    - A.3.4 For transportation by airline, bus, railroad, or other conveyance, the actual coach fare will be reimbursed. Ticket stubs or boarding passes must be included with expense reports.
  - A.4 The actual cost of lodging, including reasonable gratuities as shown in **Reference A**. If an activity is being held at a hotel, the employee may select that hotel for lodging. Itemized receipts are required.
  - A.5 Per Diem for meals including reasonable gratuities as shown in **Reference A**. Itemized receipts are required. ~~However, a per diem allowance for GoTriangle consultants may be considered on a case-by-case basis; any exception(s) to the requirement for itemized receipts shall be expressly approved in writing by the Chief Financial Officer, in consultation with the Office of General Counsel. Exceptions for itemized receipts replaced with a per diem allowance for consultants will be considered on a case by case basis.~~
  - A.6 Meals or banquets that are included in an activity's program or meals where the employee has no practical control over the site or food selection.

- A.7 Lunch expenses only, for day activities. Exceptions due to early arrival or late departure must be approved in advance by the Department Manager/Approving Authority.
  - A.8 Any necessary and reasonable out-of-town laundry costs only if the travel exceeds four (4) business days.
  - A.9 Expenses for extended overnight stay when significant savings may be realized. Such extended stay must be approved in advance by the Department Manager/Approving Authority.
- B. GoTriangle shall not pay for personal expenses that are unrelated to the purpose of the travel activity. Expenses such as, but not limited to, alcoholic beverages, personal telephone calls (exception, reasonable calls, 15-minute maximum), newspapers, magazines, room service (exception, Refer to Travel and Business related Expense Standard Procedure for detail), movies, premium TV channels, and other entertainment shall not be reimbursed.

### **3.8.1.5 POLICY RESPONSIBILITIES**

- A. **A member of the Board** shall approve in advance, all requests to travel on GoTriangle business by the Board Chair, **General Counsel and ~~and~~ General Manager**. Reimbursement for expenses incurred relative to this travel also requires Board member approval. GoTriangle will pay the actual costs of meals for official GoTriangle guests (including GoTriangle and non- GoTriangle employees) when accompanying the GoTriangle Board Chair, **General Counsel or ~~or~~ General Manager** in the course of conducting official GoTriangle business.
- B. **The Board Chair** shall approve in advance, all requests to travel on GoTriangle business by the GoTriangle Board officers, including the Vice-Chair, Secretary, and Treasurer, and other members of the Board. Reimbursement for expenses incurred relative to this travel also requires Board Chair approval. GoTriangle will pay the actual costs of meals for official GoTriangle guests (including GoTriangle and non- GoTriangle employees) when accompanying Board members in the course of conducting official GoTriangle business.
- C. **The Department Manager/Approving Authority** (or equivalent employee performing this function) shall approve, in advance, all requests to travel on GoTriangle business made by those in his or her department. Reimbursement for expenses incurred relative to this travel also requires approval of the Department Manager/Approving Authority. Because of his or her familiarity with the purpose of the travel and the personnel involved, the Department Manager/ Approving Authority shall closely monitor expenses and question any unreasonable charges incurred.
- D. **The Finance Department** shall review all travel related transactions and advise the Department Manager/Approving Authority of any apparent deviations from these procedures.
- E. **The General Manager** shall rule on any differences of opinion in the interpretation of the terms of this Policy that cannot be resolved to the mutual satisfaction of the Department Manager/Approving Authority and the Finance Department.

### **3.8.1.6 POLICY PRACTICE STATEMENT**

- A. Travel and Advance Authorization and Travel and Business related Expense Reports must be

completed in order for an employee to be reimbursed for expenses. Refer to Travel and Business Related Expense Standard Procedure for detail.

- B. Receipts – GoTriangle requires all receipts to be attached to the expense report for reimbursement.
- C. Per Diem Plan – GoTriangle currently provides a per diem plan for travel and entertainment expenses. **See Reference A** and refer to Travel and Business Related Expense Standard Procedure for detail.
- D. Travel and Entertainment Advances – Refer to Travel and Business Related Expense Standard Procedure for detail.
- E. Reimbursement – Refer to Travel and Business Related Expense Standard Procedure for detail.



**TRAVEL AND BUSINESS RELATED EXPENSE  
POLICY NUMBER 3.8.1**

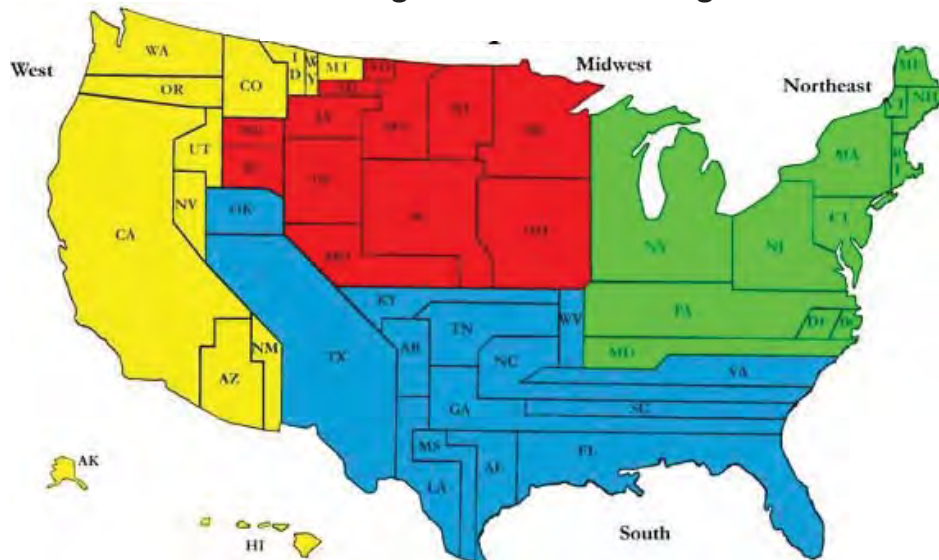
**REFERENCE A**

**3.8.1.7 POLICY SCOPE**

- A. The GoTriangle Reimbursable Mileage Rate and the U.S. Internal Revenue Service (IRS) standard business rate per mile of travel are updated annually.
  - A.1 The GoTriangle Reimbursable Mileage Rate for Employees, Consultants, and Board members for use of a Personally Operated Automobile (POA) when used for GoTriangle business travel is updated annually.
- B. Gratuities – a reasonable dollar amount per day will be considered for reimbursement. A receipt is optional, unless included with receipt for a meal.
- C. GoTriangle Reimbursable Rates –

Region	MEALS	LODGING	MAX REIMBURSABLE RATE
ZONE 1 - Midwest	\$60	\$175	\$235
ZONE 2 - Northeast	\$70	\$200	\$270
ZONE 3 – South	\$50	\$150	\$200
ZONE 5 –West	\$70	\$200	\$270

**GoTriangle Reimbursable Region**





**GoTriangle Board of Trustees  
Personnel Committee Meeting Minutes  
December 13, 2017**

Board Room, The Plaza, 4600 Emperor Blvd., Suite 100  
Durham, NC

**Committee Members Present:**

Will A. Allen III

Jennifer Robinson

Ellen Reckhow, Committee Chair

Committee Chair Ellen Reckhow called the meeting to order at 3:14 p.m.

**I. Adoption of Agenda**

**Action:** On motion by Allen and second by Robinson the agenda was adopted. The motion was carried unanimously.

**II. Approval of Minutes**

**Action:** On motion by Robinson and second by Allen the Committee approved the minutes of the September 27, 2017, regular and closed session meetings. The motion was carried unanimously.

**III. Update on Organizational Structural Assessment and Implementation Plan**

General Manager Jeff Mann's presentation is attached and hereby made a part of these minutes.

Mann shared the implementation plan developed by senior staff for phases I – III of the reorganization. He said the new Human Resources Director position – which will report to the General Manager - will be posted and filled within the next few months. This position will achieve one of the key recommendations of the organizational structural assessment. Additionally, the following steps have been completed in phase I of the reorganization:

- Bus operations is now transit operations.
- Public outreach staff for the D-O LRT project now report to Communications & Public Affairs.
- An internal Communications Improvement Plan is being developed.
- Real estate now reports to Legal.

Phase II items, which will be completed by June 30, include:

- Hiring a Chief Operating Officer (COO), reporting to the General Manager.
- Moving the Transportation Demand Management staff from the Regional Services Development department to Communications & Public Affairs.
- Developing of an Information Technology (IT) Strategic Plan.
- Formalizing the reporting structure within Finance & Administrative Services.

Phase III, is targeted for FY20/FY21 after the D-O LRT project is under construction, will include the addition of a Chief Development Officer (CDO), a Chief Safety Officer (CSO) and a Quality Assurance/Quality Control (QA/QC) Manager. Budget impacts are yet to be determined. All three positions would report to the General Manager.

Phase IV, the final phase of realignment, would add a Director of Rail Operations in preparation for light rail and commuter rail operations and complete the realignment of positions into functional areas rather than project teams.

Mann then shared copies of current and proposed organizational charts based on the implementation plan. These are attached and hereby made a part of these minutes.

#### **IV. Review and Update of Evaluation Process**

Pursuant to NCGS §143-318.11 (i) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee.

**Action:** On motion by Robinson and second by Allen the Committee adjourned into closed session pursuant to the statute and purpose listed above at 3:25 pm. The motion was carried unanimously.

**Action:** On motion by Robinson and second by Allen the Committee returned to open session at 3:30 pm. The motion was carried unanimously.

#### **V. Adjournment**

**Action:** Chair Reckhow adjourned the meeting at 3:31 p.m.

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Ellen Reckhow, Committee Chair

Attest:

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Michelle C. Dawson, CMC  
Clerk to the Board of Trustees

## MEMORANDUM

**TO:** GoTriangle Board of Trustees  
**FROM:** Michelle Dawson, Clerk to the Board  
**DATE:** January 18, 2018  
**SUBJECT:** **Amendment to Employee Evaluation Process for General Manager, General Counsel and Clerk to the Board**

### Action Requested

Approve revised *Employee Evaluation Process for General Manager, General Counsel and Clerk to the Board* as recommended by Personnel Committee.

### Background and Purpose

The Board of Trustees is responsible for the annual performance evaluations for the General Manager, General Counsel and Clerk to the Board. With evaluations for all three employees due within a two month period, and previous low numbers of evaluations received, a Board meeting was scheduled in 2017 for the purpose of conducting the annual performance evaluations for the Board's direct reports. This change resulted in 100% participation by Board members in the evaluation process.

Based on its success, the Personnel Committee recommends that the employee evaluation process be revised to incorporate this change. The Committee also recommends removing the 360 evaluation for the General Counsel and removing the *written* summary of conversations with community stakeholders for the General Manager's and the General Counsel's evaluations. Summaries of these conversations between the Board Chair (for the General Manager's evaluation) and the Board Vice Chair (for the General Counsel's evaluation) will be given *orally* to the Board in Closed session. The first two pages of the attachment are redlined to show the removal of the two items in the current process. The revised process proposed for approval begins on the third page of the attachment.

### Financial Impact

None.

### Attachments

- Revised Employee Evaluation Process

### Staff Contact

- Michelle Dawson, 919-485-7438, [mdawson@gotriangle.org](mailto:mdawson@gotriangle.org)

PO Box 13787

Research Triangle Park, NC 27709

P: 919.485.7510 | F: 919.485.7547

**GoTriangle Board of Trustees  
Employee Evaluation Process  
for General Manager, General Counsel and Clerk to the Board**

**Evaluation Schedule**

- A. In September, the Clerk to the Board will provide the in-coming Personnel Committee Chair a list of tentative dates for evaluation activities for the Board's direct reports.
- B. The Chair of the Personnel Committee will determine the meeting schedule for the Committee considering these key dates.

**Personnel Committee Meeting**

- A. Approximately six weeks prior to each employee's evaluation due date, the Clerk to the Board will mail out evaluation packages to the Board of Trustees. This packet shall include the Board adopted evaluation form for the position with instructions, an employee self-evaluation, and a proposed work plan for the coming year. The self-evaluation shall be submitted on current Human Resources (HR) form.
- B. Approximately three weeks prior to the scheduled Personnel Committee meeting at which the GM's and GC's evaluations will be discussed, the Clerk to the Board will contact the Board Chair (for the GM) or the Board Vice Chair (for the GC) for a list of community stakeholders to be contacted regarding the evaluations and available dates and times for telephone conversations. (The dates should be about one week prior to the scheduled Personnel Committee meeting.) The Clerk to the Board will send a letter to those persons by mail and follow up in a few days with a telephone call to schedule telephone conversations. The Board Chair/Vice Chair will then have conversations with those for whom appointments have been confirmed and summarize the conversation and comments (anonymously) ~~in writing~~ for the Personnel Committee.
- ~~C. Approximately three weeks prior to the scheduled Personnel Committee meeting at which the GC's evaluation will be discussed, Human Resources will distribute the GC's 360 evaluation to senior staff. Prior to the scheduled Personnel Committee meeting, HR should collect the responses and provide the Vice Chair with a summary of the responses and comments (anonymously), which the Vice Chair will report to the Personnel Committee. (This step is for the GC's evaluation only.)~~
- ~~D.C.~~ Board responses (for the GM and GC evaluations) are due to the Clerk to the Board, and to the Chair of the Personnel Committee (for the Clerk), the following week for inclusion in the Personnel Committee agenda packet.
- ~~E.D.~~ A summary of Board member ratings and responses will be mailed in the next Personnel Committee agenda packet. In addition, the packet will include the summary of the process to be followed, the action to be taken, information on the employee's current salary and status, and the proposed work plan/goals for the next review period. Rating categories and merit amounts are listed below and subject to change.
  - 5 - Exceptional.** Performance consistently and significantly exceeds expectations. (4%)
  - 4 - Above Expected.** Performance is above average and highly effective. (3%)
  - 3 - Expected.** Performance meets position requirements. (2%)
  - 2 - Needs Improvement.** Employee meets some, but not all, job requirements and expectations. Improvement is necessary. (0%)
  - 1 - Below Expected.** Employee does not meet position requirements and expectations. Substantial improvement is needed to retain position. (0%)
- F. The employee will be given an opportunity at the beginning of the Personnel Committee's closed session to speak with Committee members regarding his/her performance.

- G. The Personnel Committee will consider all performance-related information during closed session and determine its recommendation to the Board of Trustees for the performance rating of the employee, using the scale in D. above, and based on the average of all Board responses received.
- H. The Personnel Committee also will make a recommendation to the Board of Trustees regarding the proposed work plan/goals for the next review period.
- I. The Personnel Committee may choose to discuss the general nature of the comments and recommended rating with the employee at this time, or not.

### **Board of Trustees Meeting**

- A. The summary of Board member ratings and responses will be included in the Board of Trustees' agenda packet, along with the closed session minutes from the Personnel Committee that includes the Committee recommendation. The packet will include the summary of the process to be followed, the action to be taken, information concerning the employee's salary and status and proposed salary, and the recommended work plan/goals for the next review period.
- B. The Board of Trustees will consider the recommendation of the Personnel Committee at its next meeting in closed session. The employee may be given an opportunity to speak with the full Board regarding his/her performance. Once the Board has agreed upon the performance rating for the employee in closed session, the Board shall return to open session and vote on a motion regarding a change in salary. The Board is encouraged not to make any comments regarding the employee's evaluation or performance in open session. After the Board meeting, the employee shall be given a copy of the summary of Board member ratings and responses.
- C. As soon as possible after the Board meeting, the Board Chair and Vice-Chair (Personnel Committee Chair) will meet with the employee to discuss the evaluation and work plan/goals for the next review period.

### **Employee's Work Plan and Goals**

- A. The employee shall prepare a proposed work plan/goals for the next review period and submit it prior to the mailing of the Personnel Committee agenda package for the meeting at which his/her evaluation will be discussed.
- B. The Committee will review the proposed work plan/goals and make a recommendation to the Board of Trustees for approval based on comments received on the current evaluation and suggested future goals from the evaluation.
- C. The Board of Trustees will adopt a work plan/goals by which the employee will be evaluated for the next review period.

Note: The information on the employee's current salary and status, as outlined in II. D. above, shall include the following:

Employee Name: \_\_\_\_\_

Employee Title: \_\_\_\_\_

Hire Date: \_\_\_\_\_

Current Salary: \_\_\_\_\_ Hourly Rate: \_\_\_\_\_

**GoTriangle Board of Trustees  
Employee Evaluation Process  
for General Manager, General Counsel and Clerk to the Board**

**Evaluation Schedule**

- A. In early June of each year the Board of Trustees will meet for the purpose of conducting the annual performance evaluation for each of the Board's direct reports.
- B. Several weeks prior to the scheduled meeting at which the employee performance evaluations will be conducted, the Clerk to the Board will contact the Board Chair (for the GM) and the Board Vice Chair (for the GC) for a list of community stakeholders to be contacted regarding the evaluations along with available dates and times for telephone conversations. (The dates should be at least one week prior to the scheduled Board meeting.) The Clerk to the Board will send a letter to those persons and follow up in a few days with a telephone call to schedule telephone conversations. The Board Chair and Vice Chair will then have conversations with those for whom appointments have been confirmed and summarize the conversation and comments (anonymously) for the Board.
- C. Prior to the Board meeting, the Clerk to the Board will prepare an evaluation package for each of the Board's direct reports to be included in the agenda for the meeting. The evaluation package will include the process to be followed, the employee's current salary, the Board adopted evaluation form for the position with instructions, an employee self-evaluation, and a proposed work plan/goals for the coming year. The self-evaluation shall be submitted on the current Human Resources (HR) form.

**Employee's Work Plan and Goals**

- A. The employee shall prepare a proposed work plan/goals for the next review period and submit it prior to the mailing of the agenda package for the meeting at which his/her evaluation will be discussed.
- B. The Board will review the proposed work plan/goals and adopt a work plan/goals by which the employee will be evaluated for the next review period, amending the proposed work plan/goals based on comments received on the current evaluation and suggested future goals from the evaluation.

**Board of Trustees Meeting**

- A. The performance evaluations will be conducted in Closed session pursuant to NCGS §143-318.11 (i) (6), to consider the performance of an individual public officer or employee. Each direct report (GM, GC and Clerk) will be considered individually during the closed session and each direct report will be given an opportunity in Closed session to speak directly with the Board regarding his/her performance.
- B. Board members will receive reports from the Board Chair and Vice Chair about the conversations held with community stakeholders regarding the General Manager and General Counsel, respectively.
- C. Board members will complete and submit evaluations on each of the Board's direct reports during the meeting. Evaluation responses by Board members will be summarized during the meeting and shared with the Board for review and discussion. The Clerk to the Board will prepare evaluation summaries for the GM and the GC, and the Chair of the Personnel Committee for the Clerk.
- D. Rating categories and merit amounts for all agency employees are listed below and subject to change.
  - 5 - Exceptional.** Performance consistently and significantly exceeds expectations. (4%)
  - 4 - Above Expected.** Performance is above average and highly effective. (3%)
  - 3 - Expected.** Performance meets position requirements. (2%)

**2 - Needs Improvement.** Employee meets some, but not all, job requirements and expectations. Improvement is necessary. (0%)

**1 - Below Expected.** Employee does not meet position requirements and expectations. Substantial improvement is needed to retain position. (0%)

- E. The Board will consider all performance-related information during closed session and determine its rating of each employee, using the scale above, and based on the average of all Board responses received. The Board also will amend and/or adopt the proposed work plan/goals for the next review period.
- F. Once the Board has agreed upon the performance rating for the employee in closed session, the Board shall return to open session and vote on a motion regarding a change in salary. The Board is encouraged not to make any comments regarding the employee's evaluation or performance in open session. After the Board meeting, the employee shall be given a copy of the summary of Board member ratings and responses.
- G. As soon as possible after the Board meeting, the Board Chair and Vice-Chair (Personnel Committee Chair) will meet with the employee to discuss the evaluation and work plan/goals for the next review period.

Note: The information on the employee's current salary and status, as outlined in I. C. above, shall include the following:

Employee Name: \_\_\_\_\_

Employee Title: \_\_\_\_\_

Hire Date: \_\_\_\_\_

Current Salary: \_\_\_\_\_ Hourly Rate: \_\_\_\_\_

## MEMORANDUM

**TO:** GoTriangle Board of Trustees  
**FROM:** Michelle Dawson, Clerk to the Board  
**DATE:** January 18, 2018  
**SUBJECT:** Election of Treasurer

### Action Requested

Elect new treasurer as recommended.

### Background and Purpose

In September, the GoTriangle Board of Trustees elected officers for the term October 1, 2017, through September 30, 2018. Ed Harrison was elected for a second term as treasurer; however, his term on the Board expired November 30 and he was replaced by Michael Parker. The Chair is recommending Michael Parker to fulfill the vacant treasurer position. Mr. Parker has indicated his willingness to serve if elected.

### Financial Impact

None.

### Attachments

- None

### Staff Contact

- Michelle Dawson, 919-485-7438, [mdawson@gotriangle.org](mailto:mdawson@gotriangle.org)





## MEMORANDUM

**TO:** GoTriangle Board of Trustees  
**FROM:** Human Resources  
**DATE:** January 10, 2018  
**SUBJECT:** Drug and Alcohol Policy Revisions

### Strategic Objective or Initiative Supported

This item supports strategic objective 2.1, "Promote a culture of safety."

### Action Requested

Staff requests that the Board approve the revised Drug and Alcohol Policy Manual.

### Background and Purpose

As a result of recent changes to the Federal testing requirements that became effective January 1, 2018, staff has reviewed and updated the *GoTriangle Drug and Alcohol Policies and Procedure Manual*. The revised policy is attached for Board approval. The revisions being made are primarily a result of a change in regulation to add hydrocodone, hydromorphone, oxycodone, and oxycodone to its drug-testing panel; add methylenedioxyamphetamine as an initial test analyte; and remove methylenedioxyethylamphetamine as a confirmatory test analyte.

Staff will be available to discuss the updated policy with the Board at the Board meeting.

### Financial Impact

None

### Attachments

- Drug and Alcohol Policy Manual
- Resolution

### Staff Contact(s)

- Christy Winstead, 919-485-7473, [cwinstead@gotriangle.org](mailto:cwinstead@gotriangle.org)





## **DRUG & ALCOHOL POLICY AND PROCEDURES**

**Adopted January 1995**  
**Amended March 2004**  
**Amended May 2007**  
**Amended December 2008**  
**Amended August 2009**  
**Amended March 2010**  
**Amended September 2010**  
**Amended April 2013**  
**Amended August 2013**  
**Amended July 2017**  
**Amended January 2018**

## 11.4 DRUG AND ALCOHOL POLICIES AND PROCEDURES MANUAL

### 11.4.1 Overview

The GoTriangle performs a vital transit service for the people of Durham, Wake and Orange counties. To that end, each employee has the responsibility to perform his/her duties in such a manner as to ensure that this service is delivered safely, efficiently and effectively. GoTriangle acknowledges the impact that illegal drug use and alcohol abuse may have upon the health of our employees and the safe and effective performance of their duties. Triangle Transit also recognizes that the abuse of drugs and alcohol results in increased accidents and medical claims and can lead to the destruction of an employee's health and adversely affect his or her family life. Employees who abuse drugs and alcohol are not only a danger to themselves, but to their fellow employees and the community as well. Pursuant to the of FTA Drug and Alcohol regulations 49 CFR Part 655, Drug and Alcohol testing will be conducted in accordance with 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs. Some provisions of this policy exceed the requirements of Part 40 and are *italicized* below.

As an employee, when you refuse to take a non-Federal test or sign a non-Federal form, you have not refused to take a Federal (DOT) test. There are no consequences under DOT agency regulations for refusing to take a non-DOT test. Individuals refusing to take non-Federal tests will be denied employment or terminated according to GoTriangle policy.

The primary purpose of GoTriangle's substance Abuse Policy is to identify employees who currently abuse drugs and alcohol and remove them from the workplace. GoTriangle provides an Employee Assistance Program (EAP), but does not provide counseling for any employee who is discharged for testing positive for drugs or alcohol. GoTriangle will provide resources for a Substance Abuse Professional (SAP) to those who test positive for drug and/or alcohol use.

GoTriangle's policy outlines three principles as a means to achieve the goal of providing a workplace free from the effects of drug and alcohol use and/or abuse for its employees. The first principle emphasizes deterrence from the use of drugs and alcohol in or affecting the workplace. GoTriangle will make education and training available for all employees regarding the effects of substance abuse on individuals and on the workplace. Supervisors and managers will receive specialized training in detection and enforcement.

The second principle is detection. Toward this end, GoTriangle employs four types of testing for drug and/or alcohol in the following circumstances: pre-employment, reasonable suspicion, post-accident, and random. The above drug and/or alcohol tests

will apply to all employees of GoTriangle who are assigned to safety-sensitive functions. Employees may not be hired or assigned to the safety-sensitive functions unless they pass the tests. *Employees who are not assigned to safety sensitive positions will be tested in the following circumstances: pre-employment and reasonable suspicion. GoTriangle has a “Zero Tolerance” policy; any employee that tests positive for alcohol or drugs will be subject to immediate dismissal.*

The third principle is enforcement. All employees must be “Fit for Duty” (free from unauthorized drugs and/or alcohol). Accordingly, the failure to properly report the use of medically authorized drugs, the use, sale or possession of illegal drugs, any use of intoxicants resulting in unfitness for duty, as well as the use or possession of intoxicants on GoTriangle property is prohibited. This policy applies to all full-time, part-time, temporary, and contractual employees of GoTriangle and any employee refusing to participate in, cooperate with or abide by this policy will be discharged.

Employees who have questions about this policy should refer to the Designated Employer Representative or the Drug/Alcohol Monitor. See Appendix 1 for a list of names and contact information.

#### **11.4.2 Employee Categories Subject To Testing**

##### **A. Safety Sensitive Employees**

All employees who perform safety-sensitive functions are subject to the testing provisions set forth by GoTriangle. A list of safety-sensitive positions is located in Appendix 2. Bus Operations/Maintenance employees who perform the following functions are considered safety-sensitive:

1. Operators of revenue service vehicles; regardless of if the vehicle is driven in or out of service.
2. A holder of a Commercial Driver’s License (CDL) that is required to operate non-revenue service vehicle.
3. A Controller of dispatch or movement of a revenue service vehicle or equipment used in revenue service.
4. A maintainer of a revenue service (including repairs, overhauls and rebuilding that are conducted through outside contractors) vehicle or equipment used in revenue service.
5. An employee who is required to carry a firearm for security purposes.
6. A Supervisor of any of the above functions.

##### **B. Non-Safety Sensitive Employees**

Employees who perform non-safety sensitive functions are also subject to the testing provisions set forth by GoTriangle. Those employees classified as non-safety sensitive employees are as follows:

1. Administrative and professional employees.
2. All other full and part-time employees.

#### **11.4.3 Requirement to Submit**

Covered employees shall be required to submit to a post-accident drug and alcohol test required under 49CFR Part 655, Section 655.44, a random drug and alcohol test required under Section 655.45, a reasonable suspicion drug and alcohol test required under Section 655.43, or a follow-up drug and alcohol test required under Section 655-47. GoTriangle *will dismiss immediately an employee who refuses to submit to such a test.*

#### **11.4.4 Applicants for Employment**

GoTriangle has established the goal of a 100 percent drug and alcohol free workplace. All applicants whether full or part time who apply for safety sensitive positions are required to undergo drug testing prior to employment and will be subject to further drug and alcohol testing throughout their period of employment. Personnel already employed by GoTriangle who move into safety-sensitive positions must undergo drug testing prior to assuming their new duties. All applicants hired in non-safety sensitive positions are required to undergo drug testing prior to employment.

#### **11.4.5 Required Hours of Compliance**

Employees are prohibited from using and ingesting illegal drugs at all times. An employee must not consume alcohol while performing a safety-sensitive function, *eight hours prior* to performing safety-sensitive functions, and up to eight hours following an accident or until the employee undergoes a post-accident test, whichever occurs first. For further clarification an employee is "on duty" or "subject to duty" within the meaning of this provision:

- A. On his /her regularly scheduled days.
- B. From the time he/she arrives on GoTriangle property until the time he/she completes his/her work assignments and leaves the property.
- C. Upon reporting for a physical at the specified Medical Service.
- D. When the employee has volunteered or has been assigned extra work on a day off, vacation, etc.
- E. Prior to the start of duty, when told in advance that he or she is expected to be on duty at some point in the future.

#### **11.4.6 Prohibited Behavior**

The goal of GoTriangle is to establish a drug and alcohol- free work environment in order to guarantee the health and safety of its employees and the riding public. To meet that goal all employees are responsible for ensuring adherence to this policy. They also are required to refrain from using drugs and alcohol, which would not enable them to be fit for duty.

GoTriangle has determined that an employee is fit for duty when he/she is unequivocally able to perform his/her duties, including when he/she is ready for work or working without the presence of any alcohol or the presence of any specified drugs or their metabolites as prescribed by this policy. Employees must understand that they are responsible for assuring that their job conduct is safe and appropriate.

Any employee behavior that is adversely affected by alcohol or other drugs, or the combination in any detectable manner is considered under the "influence." Influence is not limited to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance, but may also be established by a professional opinion; a legally valid test or, especially in cases involving alcohol, by a lay person's observations.

Any employee reporting for duty or working while under the influence of alcohol or other drugs, whether legal or illegal, that may adversely affect the ability of the employee to safely or effectively perform the duties of his/her position is not permitted and will be discharged. It is the employee's responsibility to notify his/her supervisor immediately upon arrival to work of any drug or alcohol use, whether legal or illegal, which may adversely affect his/her ability to perform job duties.

#### **11.4.7 Use Or Possession Of Controlled Substances**

GoTriangle prohibits any employee from engaging in unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances in the workplace consistent with the Drug Free Workplace Act of 1988. Drugs considered "illegal" include, but are not limited to:

- A. Marijuana.
- B. Cocaine.
- C. Opioids (e.g., heroin, morphine, codeine, oxycodone, oxymorphone, hydrocodone, hydromorphone).
- D. Phencyclidine (PCP).
- E. Amphetamines (e.g., mdma, mda, racemic amphetamine, dextroamphetamine, and methamphetamine.)

The possession, use, transfer or sale of alcohol, illegal drugs or prescription drugs without a valid prescription on GoTriangle property by any employee is prohibited and will be grounds for termination from employment on the first offense.

*Possession of illegal drugs off GoTriangle property, confirmed by a valid police report, will be considered the same as a positive drug test result.*

*Any circumstances that indicate the violation of state, federal or local laws will be reported to the appropriate law enforcement*

officials. A criminal drug conviction will result in termination of employment.

*Safety-sensitive employees are required to report their use of prescription or "over-the-counter" medication to their supervisor. The supervisor, in-turn, will provide the information to the medical service physician who will make the determination as to whether there is a possibility that the employee's performance may be affected or compromised by the use of such medication or that the safety of the employee, his/her co-workers or the public is, or could be, in jeopardy. Use of a controlled substance in accordance with the instructions of a physician will only be considered when the employee's physician has supplied a written statement to GoTriangle advising that the substance does not reasonably, affect the employees ability to safely operate a service vehicle. If it is concluded that there is a possibility that the employees performance may be affected or compromised by the use of the prescribed medication, the employee will be considered unfit for duty and the Medical Authority will advise the employee and the employee's supervisor that he/she is temporarily medically disqualified. The employee will remain temporarily disqualified until cleared to return to work by Medical Authority.*

*Safety-sensitive employees who fail to report their use of prescription drugs and "over-the-counter" medication and subsequently have a positive drug or alcohol screen are subject to discipline, up to and including discharge. It is imperative that employees inform their physicians and/or pharmacists of their employment requirements regarding fitness for duty prior to obtaining medication.*

#### **11.4.8 Use Or Possession Of Alcohol**

Alcohol use, for the purpose of this policy means the consumption of any beverage, mixture or preparation, including any medication that contains alcohol.

No employee shall report for duty, remain on duty or be permitted to operate a vehicle:

- A. While having an alcohol concentration of 0.02 or higher;
- B. *Within eight (8) hours after using alcohol;*
- C. While using alcohol;
- D. While in possession of an alcoholic beverage or;
- E. If he /she refuses to be tested under this policy's provisions. Alcohol testing must be performed prior to, during or after the performance of a safety-sensitive duty. An employee may not be called in during their scheduled off time to report for an alcohol test.

Any employee who is found to have an alcohol concentration of 0.02 or higher, or who refuses to be tested shall be deemed to be

unqualified to operate a vehicle *and will automatically be subject to termination.*

#### **11.4.9 Circumstances Under Which An Employee Will Be Tested**

GoTriangle, in order to promote and maintain a drug and alcohol free environment, will utilize a program of drug and/or alcohol screening which is mandatory under the following conditions:

##### **A. Pre-Employment Testing**

All applicants for employment will be required to submit to a drug test as a condition of employment. All employee applicants will be screened after receiving a copy of the Notice of Pre-Employment Screening Test (Exhibit A). The test will be given as part of the pre-employment physical for safety-sensitive positions. Applicants for non-safety sensitive positions will be given the pre-employment screening test only. A urine test will screen for the presence of marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines. If the test is canceled, the applicant must retake and pass the test before the applicant can be hired for a safety sensitive position.

Evidence of successful completion of a rehabilitation program will be required from an applicant who has previously failed a DOT drug test.

Employees who are transferring into a safety-sensitive position will be given a drug test as part of a qualifying physical. The same tests as outlined above will be given.

*GoTriangle tests safety sensitive employees who have been out on authorized leave for periods of thirty (30) days or more. Tests will be recorded as "other/policy" on chain of custody forms (CCF) and annual reports.*

Any employee applicant refusing to take the test or testing positive for controlled substances shall be denied employment.

##### **B. Post-Accident Testing**

Testing for prohibited drugs and alcohol is required in the case of certain mass transit accidents. An accident is defined as an occurrence or incident associated with the operation of a revenue service vehicle, if as a result:

##### **1. An individual dies (fatality);**

As soon as practicable following an accident involving the loss of human life, drug and alcohol tests will be conducted on each surviving covered employee operating the mass transit vehicle at the time of the accident.



2. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of an accident;
3. With respect to an occurrence in which the mass transit vehicle involved is a bus, electric bus, van, or automobile, one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle;
4. With respect to an occurrence in which the mass transit vehicle involved is a rail car, trolley car, trolley bus, or vessel, the mass transit vehicle involved is removed from revenue service;

In the case of a non-fatal accident, the employee(s) operating the vehicle at the time of the accident must be tested according to the above criteria unless at the time of the accident/incident the employee's performance can be completely discounted as a contributing factor to the accident/incident.

Any employee whose performance could have contributed to the accident (as determined by GoTriangle using the best information available at the time of the decision) may be subject to testing according to the above guidelines.

Post-accident drug tests shall be administered as soon as possible after the accident, but in no case later than 32 hours after the accident for drug tests.

Post-accident alcohol tests should be performed within 2 hours following the accident or as soon as practicable thereafter, but in no event later than 8 hours after the accident. If an alcohol test required by this section is not performed within 2 hours following the accident, the appropriate manager or supervisor shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly performed and continue attempts to obtain a specimen. If an alcohol test is not performed within eight hours following the accident, attempts to perform the test should cease and the 2-hour written report should be updated accordingly.

No driver required to take a post accident alcohol test shall use alcohol for eight hours following the accident or until the alcohol test has been performed whichever occurs first. The driver must remain readily available for such testing or will be deemed to have refused to submit to testing. Nothing in this policy shall be construed to require the delay of necessary medical attention for injured people following an accident; or to prohibit a driver 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.

## C. Reasonable Suspicion Testing

### 1. Drug Testing

- a. If the behavior, appearance, speech, or body odor of an employee indicates possible use of a controlled substance, he will be required to take a drug test.
- b. The employee's conduct should be witnessed and documented by a supervisor who has received at least 60 minutes of training in the indicators of drug use.
- c. Under no circumstance should an employee with direct or immediate supervisory responsibility or over another employee serve as the urine or direct observation collector.
- d. Documentation of the employee's conduct shall be prepared and signed by the supervisor(s) within 24 hours of the observed behavior.

### 2. Alcohol Testing

- a. If the behavior, appearance, speech, or body odors of the employee indicate possible use of alcohol, he will be required to take a breath alcohol test.
- b. Under no circumstance should an employee with direct or immediate supervisory responsibility or over another employee conduct the breath alcohol test.
- c. The breath alcohol test should be given as soon as practicable after the determination that reasonable suspicion exists. If the alcohol test is not administered within two hours, GoTriangle will prepare and maintain on file a record stating the reason the alcohol test was not promptly administered. In no event will an employee be tested beyond 8 hours following a reasonable suspicion determination.
- d. Any employee who is required to take a reasonable suspicion alcohol test is prohibited from driving for a period of 24 hours thereafter or until his alcohol concentration is less than 0.02.

Any employee who refuses to take a reasonable suspicion alcohol or drug test, tests positive for drugs, or has an alcohol concentration of 0.04 or higher will be disqualified from driving and may be subject to discipline up to and including termination.

Such tests shall be administered as soon as possible after the accident, but in no case later than 32 hours after the

accident for drug tests, and no later than 2 hours for alcohol tests. (**Note:** All alcohol tests should be performed within 2 hours following the accident or as soon as practicable thereafter, but in no event later than 8 hours after the accident).

#### D. Random Testing

Employees in safety-sensitive positions will be randomly selected for unannounced drug and alcohol testing using a scientifically, statistically valid random-number generation process. Employee information is updated before the generation of each random list, thereby insuring that all employees have an equal chance of being tested again. There is no discretion on the part of management, bus operations or maintenance in the selection and notification of individuals for testing. An employee could be selected for testing more than once a year.

The Supervisor of the selected employees will notify the employees on the day they are to be tested just prior to being tested.

At least 25% of the total number of safety-sensitive employees subject to drug testing and 10% of the total number of safety-sensitive employees subject to alcohol testing must be tested each year. Testing rates are subject to change based on the reported positive drug and alcohol violation rates for the entire industry.

Test dates will be spread reasonably throughout the year and not establish a predictable pattern. The process must be unannounced as well as random. Once the employee has been notified of selection for testing the employee must report immediately to the collection site.

#### E. Return to Duty Testing

The GoTriangle policy is to release from employment any employee that tests positive for alcohol or drugs and therefore does not employ "Return To Duty Testing." In some organizations however, an individual that tests positive for alcohol or drugs is allowed to complete a substance abuse program. Before those individuals are allowed to return to duty to perform a safety-sensitive function they must first be evaluated by a substance abuse professional and pass a "Return to Duty" test. The employee must have a verified negative drug test result or an alcohol test result of less than 0.02 to return to a safety-sensitive function.

#### F. Follow-Up Testing

GoTriangle does not employ "Follow-Up Testing"; however, it is defined here for the purposes of this manual. Once allowed

to return to duty, and employee shall be subject to unannounced follow-up testing for at least 12 but not more than 60 months. The frequency and duration of the follow-up testing will be recommended by the substance abuse professional as long as a minimum of six tests are performed during the first 12 months after the employee has returned to duty.

Follow-up testing is separate from and in addition to the regular random testing program. Employees subject to follow-up testing must also remain in the standard random pool and must be tested whenever their names come up for random testing even if this means being tested twice in the same day, week, or month.

#### **11.4.10 Dilute Negative Policy**

If GoTriangle is informed through Third Party Administrator (TPA) that the MRO has reported that a negative drug test was dilute. *The employee or applicant will be directed to take another test immediately.* The employee or applicant will be given the minimum possible advance notice that he or she must go to the collection site. Such recollections will not be collected under direct observation unless otherwise instructed by the MRO or there is another basis for use of direct observation. The result of the second test becomes the test result of record.

#### **11.4.11 Shy Bladder Policy**

In the event that a donor is unable to provide an adequate urine specimen, the following will apply.

- a. The donor should attempt to drink no more than 40 ounces of fluid. Leaving the collection site before the process is complete will be considered a refusal to submit to a test.
- b. If the donor has not provided a sufficient specimen within three hours of the first unsuccessful attempt, the test will be discontinued and the GoTriangle Designated Employer Representative (DER) will be immediately notified. In coordination with the Medical Review Officer (MRO), the donor will be required to submit to a medical evaluation within five (5) days. The evaluation will be performed by a licensed physician, acceptable to the MRO, with expertise in the medical issue that contributed to the employee's failure to provide a sufficient specimen. If a donor does not cooperate with the requirements of the medical examination, it will be considered a refusal to submit to a test.
- c. If an employee is required to have a medical examination for shy bladder, *this will be at the employee's expense.* The employee will assume responsibility for paying the licensed medical practitioner directly if it is not otherwise covered by the employee's medical insurance. The employee will be removed from active duty and will be subject to GoTriangle's eligibility for leave policies pending the result of the medical examination.

- d. Based upon the findings of the medical examination, the MRO will make one of the following determinations:
1. A medical condition has or probably could have, precluded the donor from providing a sufficient amount of urine and the test will be cancelled. A re-test will be scheduled based upon the recommendations of the MRO.
  2. There is not an adequate basis for determining that a medical condition has or probably could have precluded the employee from providing a sufficient amount of urine. The test will be documented as a refusal to submit to a test.

#### **11.4.12 Behavior That Constitutes Refusal To Submit To A Test**

Any employee who refuses to submit to any drug and/or alcohol test, either by word or action, when requested to do so under the terms of this policy and FTA guidelines, will be considered the same as a confirmed positive test result.

#### **What is a refusal to take a DOT drug and/or alcohol test, and what are the consequences?**

- a. As an employee, you have refused to take a test if you:
1. Consume alcohol within eight (8) hours following involvement in an accident without first having submitted to post-accident drug/alcohol tests.
  2. Leave the scene of an accident without a legitimate explanation prior to submission to drug/alcohol tests.
  3. Provide false information in connection with a drug test.
  4. Provide an insufficient volume of urine specimen or breath sample without a valid medical explanation. The medical evaluation shall take place within 5 days of the initial test attempt.
  5. Give a verbal or written declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test within the specified time frame.
  6. Provide a urine sample that has been verified by the Medical Review Officer (MRO) as substitute or adulterated.
  7. Fail to appear for any test, other than a pre-employment test, within a reasonable time, as determined by GoTriangle, after being directed to do so by a supervisor.
  8. Fail to remain at the testing site until the testing process is complete.
  9. Fail to provide a urine specimen for any drug test required by Part 40 or DOT agency regulations.
  10. Fail to permit the observation or monitoring of a specimen collection.
  11. Fail or decline to take a second test that GoTriangle or the collector has directed you to take.
  12. Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process,

- or as directed by the DER as part of the “shy bladder” procedures.
13. Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of the Breath Alcohol Test “shy lung” procedures. Shy Lung, the inability to provide an adequate amount of breath.
  14. Fail to sign Step 2 of the Alcohol Testing Form.
  15. Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by the collector).
  16. For an observed collection, fail to follow the observer’s instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
  17. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
  18. Admit to the collector or MRO that you adulterated or substituted the specimen.
- b. As an employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.
- c. As an employee, if you refuse to take a drug test, you incur the consequences specified under DOT agency regulations for a violation of those DOT agency regulations.
- d. As a collector or an MRO, when an employee refuses to participate in the part of the testing process in which you are involved, you must terminate the portion of the testing process in which you are involved, document the refusal on the CCF (including, in the case of the collector, printing the employee's name on Copy 2 of the CCF), immediately notify the DER by any means (e.g., telephone or secure fax machine) that ensures that the refusal notification is immediately received. As a referral physician (e.g., physician evaluating a “shy bladder” condition or a claim of a legitimate medical explanation in a validity testing situation), you must notify the MRO, who in turn will notify the DER.
1. As the collector, you must note the refusal in the “Remarks” line (Step 2), and sign and date the CCF.
  2. As the MRO, you must note the refusal by checking the “refused to test because” box (Step 6) on Copy 2 of the CCF, and add the reason on the “Remarks” line. You must then sign and date the CCF.
- e. As an employee, when you refuse to take a non-DOT test or to sign a non-DOT form, you have not refused to take a DOT test. There are no consequences under DOT agency regulations for refusing to take a non-DOT test.
- f. *Employees who refuse to submit to a drug or alcohol test will be subject to immediate dismissal.*

#### **11.4.12 Testing Procedures**

GoTriangle will ensure that laboratory testing of urine specimens for five types of drugs and breath alcohol testing for all employees is accomplished as required by regulation.

##### **A. Procedures for Drugs**

All urine specimens must be collected at an appropriate collection site defined as a place designated by GoTriangle where individuals present themselves for the purpose of providing a specimen of their urine to be analyzed. The site will provide for privacy for urination, a toilet, a suitable clean writing surface, and a water source for hand washing. The collection site must either be secured when not in use, or must be visually inspected prior to specimen collection to ensure that unauthorized persons are not present and that there are no unobserved entrance points. A bluing agent must be added to the toilet water, and other sources of water should be turned off or taped to prevent use.

Upon entering the private facility provided, the testee will be allotted a maximum of 2 minutes to provide a specimen.

Specimen validity and adulterant testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

The DER will ensure that all collection site personnel and the collection process meet all applicable regulatory requirements established by FTA and DOT. Additionally collection site personnel will be provided a copy of 49 CFR part 40 and a Collection Site Checklist.

Employees subject to testing will be provided written instructions setting forth their responsibilities.

All drug testing under the FTA regulations must be completed in a laboratory certified by the Department of Health and Human Services (DHHS) and the results must be reviewed by a qualified Medical Review Officer (MRO).

If an employee has a "positive drug screening test, the test will be confirmed by the laboratory. The employee will be notified of the test results by the MRO. The employee has the right (through the MRO) to request that the split bottle of urine be tested at a second laboratory. The second laboratory must be certified by DHHS and may be selected by the employee. The

employee has 72 hours in which to make the decision. The employee is required to pay for the second test. The expense will be reimbursed to the employee, if the retest is negative. Each verified test result will be reported in a confidential manner to the GoTriangle Drug and Alcohol Monitor.

#### B. Procedures for Alcohol

Breath alcohol testing must be collected through the use of an evidential breath testing device (EBT) that is approved by the National Highway Traffic Safety Administration (NHTSA). A Breath Alcohol Technician (BAT) must perform the test. In addition, the BAT must complete training on the fundamentals of breath analysis for alcohol content, the procedures required for obtaining a breath specimen, and interpreting and recording EBT results.

Alcohol tests should be conducted at a site that provides privacy to the individual being tested. When possible, the alcohol test will be performed at the same location used for urine collection for drug tests. When needed, however, the BAT may be performed on site.

Regardless of location, when reporting at the collection site positive identification must be provided to the BAT. The identification can be in the form of a company identification card, driver's license, or identification by an employer representative.

If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test must be performed with a minimum waiting period of 15 minutes and not more than 30 minutes after the completion of the initial test.

The BAT will transmit all results to the GoTriangle DER in a confidential manner. If an individual must be removed from a safety-sensitive position, the BAT will notify the DER immediately.

#### C. Confidentiality

The information involving drug and alcohol test results and medical treatment or rehabilitation of an individual employee or applicant shall be treated as confidential information and maintained in a separate file. No data concerning testing will be made part of the employee's personnel file.

Information concerning an individual employee will be disclosed only to the GoTriangle DER, DAM, or those Management personnel involved with the discipline of the employee. This confidential information will not be provided to any other party without the written consent of the employee, except pursuant to an administrative or legal procedure or process. Unauthorized release of information covered under this section is



impermissible conduct that may result in immediate disciplinary action depending upon the nature and severity of the violation.

In certain circumstances, the following may have access to an employee's test records without the employee's consent: the Secretary of Transportation or a DOT agency with regulatory over the employer; a state agency authorized to oversee fixed guideway systems; the National Transportation Safety Board as part of an accident investigation; or the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual.

#### **11.4.13 Consequences Of Use Of Drugs And Misuse Of Alcohol**

The Federal regulations require that any individual who refuses to submit to a test, has a verified positive drug test result, has a breath alcohol concentration of 0.04 or greater or has an alcohol concentration of 0.02 or greater but less than 0.04 must be immediately removed from his/her safety-sensitive position.

*It is GoTriangle policy to terminate the employment of any employee occupying a safety-sensitive position that tests positive for drugs or has an alcohol concentration of 0.02 or greater or who refuses to submit to a test.*

In addition, all employees who tests positive and have their employment terminated will still be advised of the resources available to evaluate and resolve problems associated with drug and alcohol abuse. The names, addresses, and telephone numbers of substance abuse professionals (SAP) and counseling and treatment programs. The employee must also be afforded the opportunity to be evaluated by a Substance Abuse Professional who shall determine what assistance, if any, the employee needs in resolving problems associated with prohibited drug or alcohol abuse.

Operating a CDL required vehicle with a blood concentration of 0.04 or higher is considered "Driving While Impaired" in the State of North Carolina. Driving while impaired could result in incarceration and immediate revocation of driving privileges for a minimum of 30 days under North Carolina state law.

Under House Bill 740 enacted by the North Carolina General Assembly, GoTriangle is required to submit notice of all positive drug and alcohol tests to the North Carolina Division of Motor Vehicles in writing within five (5) business days following receipt of confirmation of a positive test. The DMV shall disqualify a driver from operating a commercial motor vehicle until proof of successful completion of assessment and treatment by a substance abuse professional is provided.

#### **11.4.14 Identity of Contact Person**

The GoTriangle DER will be the primary contact person to answer questions about the drug and alcohol program. Names and contact information for primary and secondary contact personnel are listed in Appendix 1.

#### **11.4.15 Effects Of Alcohol**

Alcohol is a socially acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

When alcohol is abused changes in behavior occur. Common signs and symptoms of abuse are:

- A. Dulled mental processes;
- B. Lack of coordination;
- C. Odor of alcohol on breath;
- D. Possible constricted pupils;
- E. Sleepy or stuporous condition;
- F. Slowed reaction rate; and
- G. Slurred speech.

It is noted that except for the odor, these are general signs and symptoms of any depressant substance and proper determination must be made.

Alcohol when abused can cause certain health hazards. The chronic consumption of alcohol (average of three servings per day of beer (12 ounces), whiskey (1 ounce), or wine (6 ounce glass) over time may result in the following health hazards:

- A. Decreased sexual functioning;
- B. Dependency (up to 10 percent of all people who drink alcohol become physically and/or mentally dependent on alcohol and can be termed "alcoholic");
- C. Fatal liver diseases;
- D. Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma;
- E. Kidney disease;
- F. Pancreatitis;
- G. Spontaneous abortion and neonatal mortality;
- H. Ulcers; and

- I. Birth defects (up to 54 percent of all birth defects are alcohol related).

Improper use of alcohol not only causes individual health problems but it is a primary contributor to many of the social issues that impact our individual and corporate way of life. Specific social issues contributed to by alcohol abuse indicate that:

- A. Two-thirds of all homicides are committed by people who drink prior to the crime.
- B. Two to three percent of the driving population is legally drunk at any one time. This rate is doubled at night and on weekends.
- C. Two-thirds of all Americans will be involved in an alcohol-related vehicle accident during their lifetimes.
- D. The rate of separation and divorce in families with alcohol dependency problems is 7 times the average.
- E. Forty percent of family court cases are alcohol problem related.
- F. Alcoholics are 15 times more likely to commit suicide than are other segments of the population.
- G. More than 60 percent of burns, 40 percent of falls, 69 percent of boating accidents, and 76 percent of private aircraft accidents are alcohol related.

The cost of alcohol misuse is staggering. The annual toll, which impacts each one of us, is the death of our loved ones. Because of "one drink" too many:

- A. 24,000 people will die on the highway due to the legally impaired driver;
- B. 12,000 more will die on the highway due to the effect of on the driver;
- C. 15,800 will die in non-highway accidents;
- D. 30,000 will die due to alcohol-caused liver disease;
- E. 10,000 will die due to alcohol-induced brain disease or suicide.
- F. Up to another 125,000 will die due to alcohol-related conditions or accidents.

The bottom line is that the misuse of alcohol affects us all. It takes one hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body. Impairment in coordination and judgment can be objectively measured with as little as two drinks in the body. Before you drink too much, remember the person who is legally intoxicated is 6 times more likely to have an accident than a sober person.

When you observe your co-worker abuse alcohol or display the symptoms of alcohol abuse, speak up. Take action and refer him/her to the proper person so information and help can be obtained. Within GOTRIANGLE, that individual is the DER.

#### **11.4.16 Training**

Training of employees and supervisors is a major component of the GOTRIANGLE drug and alcohol program. Only well-trained employees will help us achieve our safety goals and maintain program integrity.

Specific requirements are:

- A. All safety-sensitive employees must receive a minimum of 60 minutes of drug training. Additionally, all employees will be provided information concerning the effects of alcohol misuse on the individual's health, work, and personal life and the signs and symptoms of an alcohol problem.
- B. Supervisors must receive an additional 60 minutes of drug training and 60 minutes of alcohol training. A total of 120 minutes is required.
- C. Supervisors who make reasonable suspicion determinations must have training on the physical, behavioral, and performance indicators of probable drug use and alcohol misuse.
- D. Scheduled safety meetings will include discussion and information on drug and alcohol abuse.
- E. Once initial training is accomplished biennial refresher training as required will be given.

#### **11.4.17 Approval By The Governing Board**

The Drug and Alcohol Testing and training program was approved by the General Manager, adopted by Board of Trustees on 15 December, 1994 and effective as of January 1, 1995.

#### **11.4.18 Employee Drug/Alcohol Screening Procedures**

##### **A. General Information**

The purpose of this directive is to outline the internal procedures for drug and alcohol screening for all safety sensitive and non-safety sensitive employees.

##### **B. Responsibilities**

1. Pre-employment testing will be completed for all applicants prior to employment.
2. For post-accident, reasonable suspicion, return-to-duty and follow-up testing the DER will determine who needs to be screened and when screening will occur.
3. For random testing, the Human Resources Administrator will be notified by a representative of the Triangle J Council of Government for those employees selected to be screen during the current month.
4. The HR Administrator will, in turn, notify the DER of those individuals selected for screening.
5. The DER will oversee the process of administering random tests, including notifying the supervisor of individuals selected for screening.

### C. Procedures

1. Safety sensitive employees will be notified of testing requirements by their supervisor. Non-safety sensitive employees will be notified of pre-employment requirements by the Human Resources Administrator.
2. The notification will consist of verifying that the selected individual has a current and valid picture ID, providing directions to the collection site, and issuing a Custody and Control Form.
3. For “after hours” testing, the selected individual will be given a Drug Testing Custody and Control Form and will be instructed to go to the after hours provider listed in Item D of this section.
4. The DER or a designee will ensure that the purpose of screening is indicated in item 3 of the Drug Testing Custody and Control Form.
5. The employee’s supervisor will advise the selected individual that he/she must report directly to the collection site and that they will be paid for no more than one hour to complete the collection process.

### D. Other

The locations for drug/alcohol screening are:

1. Judy Nyberg, UCP, BAT (primary) (On-site Drug and Alcohol Screening) GoTriangle  
5201 Nelson Road  
Morrisville, NC 27560  
919-485-7450  
After hours 919-724-7225
2. Affordable On-Sites On Site 24 hours a day  
3215 Guess Road, Suite 201  
Durham, NC  
Office 919-620-0822/ Fax 919-471-5451  
After hours (before 7am/after 6PM) 919-215-1763 or  
919-217-1666
3. Renee Boyette  
(On-site Drug and Alcohol Screening Only)  
919-558-9403  
919-506-2947 (Pager)
4. Concentra Medical Center  
5400 S. Miami Blvd. , Suite 112  
Durham, NC 27703  
(919) 941-1911

## **DRUG AND ALCOHOL POLICIES AND PROCEDURES MANUAL**

### **Appendix 1**

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#### **Staff Contact Information**

Employees who have questions regarding GoTriangle's drug testing or ongoing drug-free workplace program should refer to the following:

##### Designated Employer Representative (DER)

Vinson Hines Jr., Interim Dir. of Bus Operations Phone (919) 485-7460

Physical Address: 5201 Nelson Road, Morrisville, North Carolina

E-mail Address: [vinsonhines@gotriangle.org](mailto:vinsonhines@gotriangle.org).

##### Secondary

Jimmy Price, Manager of Safety and Training Phone (919) 485-7492

Physical Address: 5201 Nelson Road, Morrisville, North Carolina

E-mail Address: [jprice@gotriangle.org](mailto:jprice@gotriangle.org).

##### Other

Christy Winstead, HR Administrator, D&A Monitor Phone (919) 485-7473

Physical Address: 4600 Emperor Blvd., Durham, North Carolina

E-mail Address: [cwinstead@gotriangle.org](mailto:cwinstead@gotriangle.org).

## **DRUG AND ALCOHOL POLICIES AND PROCEDURES MANUAL**

### **Appendix 2**

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#### **Safety-Sensitive Positions**

The following is a list of job classifications that have been determined to perform safety-sensitive duties and are subject to such testing:

Bus/Paratransit Dispatcher/Supervisor (I, II, and III)

Bus/Paratransit Dispatcher/Operator

Bus/Paratransit Operator (I, II, and III)

Maintenance Supervisor

Gas/Diesel Mechanic (I, II, and III)

Operations Supervisor

Parts and Inventory Assistant

Road Supervisor

Service Attendant

Training Coordinator

Behind-the-Wheel Trainer

## **DEFINITIONS**

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

*Alcohol:* The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation of medication.

*Alcohol Concentration:* Expressed in terms of grams of alcohol per 210 liters of breath measured by an evidential breath testing device.

*Aliquot:* A fractional part of a specimen used for testing. It is taken as a sample representing the whole specimen.

*Breath Alcohol Technician (BAT):* A person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device.

*Canceled Test:* A drug test that has been declared invalid by a Medical Review Officer. A canceled test is neither positive or negative.

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

*Confirmatory Validity Test:* A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

*Covered Employee:* An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function and other employees, applicants, or transferee that will not perform safety-sensitive functions, but fall under GoTriangle's policy.

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

*Department of Transportation (DOT):* Department of the federal government which includes the, Federal Transit Administration, Federal Railroad Administration, Federal Highway Administration, Federal Motor Carriers' Safety Administration, Research and Special Programs, and the Office of the Secretary of Transportation.

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

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

*Evidentiary Breath Testing Device (EBT):* A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations.

*Initial Drug Test (Screening drug test):* The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

*Initial Specimen Validity Test:* The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid.

*Invalid Drug Test:* The result reported by an HHS-Certified Laboratory in accordance with the criteria established by HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for specific drug or specimen validity test.

*Invalid Result:* The result reported by a laboratory for a urine specimen that contains an unidentified adulterant, contains an unidentified interfering substance, has an abnormal physical characteristic, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing testing or obtaining a valid drug test result.

*Laboratory:* Any U.S. Laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs.

*Limit of Detection (LOD):* The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

*Limit of Quantitation:* For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

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

*Negative Dilute:* A drug test result which is negative for the five drug/drug metabolites but has a specific gravity value lower than expected for human urine.



*Negative Result:* The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration of the drug or drug class and the specimen is a valid specimen.

*Negative Test Result:* The verified presence of the identified drug or its metabolite below the minimum levels specified in 49 CFR Part 40, as amended. An alcohol concentration of less than 0.02 BAC is a negative test result.

*Non-Negative Test Result:* A urine specimen that is reported as adulterated, substitute, invalid, or positive for drug/drug metabolites.

*Positive Result:* The result reported by an HHS-certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

*Oxidizing Adulterant:* A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or drug metabolites, or affects the reagents in either the initial or confirmatory drug test.

*Performing A Safety Sensitive Function:* A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

*Positive Test Result:* A verified presence of the identified drug or its metabolite at or above the minimum levels specified in 49 CFR Part 40, as amended. A positive alcohol test result means a confirmed alcohol concentration of 0.04 BAC or greater.

*Reconfirmed:* The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

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

*Revenue Service Vehicles:* All transit vehicles that are used for passenger transportation service or that require a CDL to operate. Include all ancillary vehicles used in support of the transit system.

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

*Substance Abuse Professional (SAP):* A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification

Commission or by the International Certification Reciprocity Consortium/Alcohol and other Drug Abuse) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

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

**2018 0002**

**RESOLUTION OF THE GOTRIANGLE BOARD OF TRUSTEES APPROVING THE  
REVISED DRUG & ALCOHOL POLICY AND PROCEDURES**

**WHEREAS**, GoTriangle performs a vital transit service for the people of Durham, Orange, and Wake counties; and

**WHEREAS**, each GoTriangle employee has the responsibility to perform his/her duties in such a manner as to ensure that this service is delivered safely, efficiently, and effectively; and

**WHEREAS**, GoTriangle acknowledges the impact that illegal drug use and alcohol abuse may have upon the health of our employees and the safe and effective performance of their duties and that the abuse of drugs and alcohol results in increased accidents and medical claims and can lead to the destruction of an employee's health and adversely affect his or her family life; and

**WHEREAS**, employees who abuse drugs and alcohol are not only a danger to themselves, but to their fellow employees and the community as well; and

**WHEREAS**, GoTriangle's goal is to provide a workplace free from the effects of drug and alcohol use and/or abuse for its employees; and

**WHEREAS**, GoTriangle implemented a substance abuse policy on January 1, 1995, and subsequently amended the policy to identify employees who currently abuse drugs and alcohol and remove them from the workplace; and

**WHEREAS**, additional amendments are necessary to comply with our current Federal Transit Administration requirements.

**NOW, THEREFORE, BE IT RESOLVED**, by the GoTriangle Board of Trustees that the revised GoTriangle Drug and Alcohol Policies and Procedures Manual as presented to the Board of Trustees on January 24, 2018, is approved.

**ADOPTED THIS 24<sup>TH</sup> DAY OF JANUARY 2018.**

\_\_\_\_\_  
Jennifer Robinson, Board of Trustees Chair

**ATTEST:**

\_\_\_\_\_  
Michelle C. Dawson, Clerk to the Board

## MEMORANDUM

**TO:** GoTriangle Board of Trustees  
**FROM:** Real Estate Manager  
**DATE:** January 15, 2018  
**SUBJECT:** Acquisition of Real Property Required for the D-O LRT Rail Operations Maintenance Facility (ROMF) by Eminent Domain

### Strategic Objective or Initiative Supported

### Action Requested

Staff requests that the Board adopt a resolution authorizing the General Manager, acting on the advice of counsel, to acquire the properties identified below by eminent domain:

### ROMF PROPERTIES

	OWNER	PIN	ADDRESS	CITY
150	Pattersons Mill, LLC	0709-03-31-4825	5109 Farrington Rd	Durham
151	Pattersons Mill, LLC	0709-03-31-8912	5151 Farrington Rd	Durham
152	Pattersons Mill, LLC	0709-03-32-5392	5103 Farrington Rd	Durham
153	Paola C. Belgado-Smith	0709-03-32-2252	5017 Farrington Rd	Durham
154	Juan Carlos Nolasco-Illescas	0709-03-32-2452	5015 Farrington Rd	Durham
155	Wesley A. Massey	0709-03-32-2643	5003 Farrington Rd	Durham
156	Wesley A. Massey	0709-03-32-4637	5009 Farrington Rd	Durham
157	Wesley A. Massey	0709-03-32-6639	5013 Farrington Rd	Durham
158	Wilbur A. Massey, Jr.	0709-03-33-3170	4919 Farrington Rd	Durham
158A	Wesley A. Massey, Jr.	0709-03-32-3709	4925 Farrington Rd	Durham
159	Markham Memorial Gardens, Inc	0709-03-33-3346	4901 Farrington Rd	Durham
160	Paula L. Sanders	0709-03-33-3507	4825 Farrington Rd	Durham
160A	Mary R. Hart	PIN NOT FOUND	4817 Farrington Rd	Durham
161	Ella L. Daye Turrentine	0709-03-33-2826	4815 Farrington Rd	Durham
162	Markham Memorial Gardens, Inc	0709-03-34-1162	4809 Farrington Rd	Durham

## Background and Purpose

In October 2017, the Board authorized acquisition of real property needed for the Rail Operations Maintenance Facility (ROMF) (Exhibit A and B) as part of the D-O LRT. GoTriangle received pre-award authority from the Federal Transit Administration (FTA) to acquire real property as the National Environmental Policy Act review process had been completed. Due to time constraints associated with the City of Durham's process for rezoning and annexing property and GoTriangle's need to have title to the properties prior to commencing the process, acquisition activities were initiated with all impacted owners.

Per North Carolina General Statute (NCGS) 160A-619(a), "The Authority shall have continuing power to acquire, by gift, grant, devise, exchange, purchase, lease with or without option to purchase, or any other lawful method, including but not limited to the power of eminent domain, the fee or any lesser interest in real or personal property for use by the Authority." NCGS 160-619(b) provides that "[e]xercise of the power of eminent domain by the Authority shall be in accordance with Chapter 40A of the General Statutes." Condemnation for property interests will be used as a last-resort option and will not be used to coerce settlement from a property owner.

GoTriangle and its consultants have been actively negotiating with all affected owners to secure the property interests needed for the ROMF. Negotiations have been productive in some cases, and the goal is to achieve a voluntary settlement with each affected owner. In order to maintain the project schedule, however, condemnation may be necessary to ensure that title to all property is vested in GoTriangle before submittal of the annexation and rezoning applications. GoTriangle will continue negotiations to reach mutually-agreeable settlements with the affected property owners even as the condemnation process proceeds.

## Financial Impact

The Board approved Budget Ordinance Amendment 2017 0012 on October 30, 2017, reallocating funds from FY19 to FY18 for right-of-way and land acquisition. The estimated acquisition cost for the properties is \$5,400,000. In the event that condemnation actions are initiated, there are costs associated with the litigation (for example, outside counsel fees, filing fees, expert witness fees and payment for just compensation as determined by the jury).

## Attachments

- Resolution 2018 0001

## Staff Contact(s)

- Danny Rogers, 919.485.7579, [drogers@gotriangle.org](mailto:drogers@gotriangle.org)
- Gary Tober, 919.485.7577, [gtober@gotriangle.org](mailto:gtober@gotriangle.org)



PO Box 13787  
Research Triangle Park, NC 27709  
P: 919.485.7510 | F: 919.485.7547

[www.gotriangle.org](http://www.gotriangle.org)

2018 0001

**RESOLUTION OF THE RESEARCH TRIANGLE REGIONAL PUBLIC TRANSPORTATION  
AUTHORITY (“GOTRIANGLE”) BOARD OF TRUSTEES AUTHORIZING THE  
ACQUISITION OF REAL PROPERTY REQUIRED FOR THE RAIL OPERATIONS AND  
MAINTENANCE FACILITY (“ROMF”) BY CONDEMNATION TO SUPPORT THE  
DURHAM-ORANGE LIGHT RAIL TRANSIT (“D-O LRT”) PROJECT**

**WHEREAS**, travel in Durham and Orange counties is becoming increasingly difficult as the region continues to grow; and

**WHEREAS**, the D-O LRT is a project that will benefit the community by providing accessible transit service and a competitive and reliable alternative to congested roadways; and

**WHEREAS**, the D-O LRT is a project that will serve many destinations in Durham and Chapel Hill; provide residents with better access to jobs, education and healthcare; and foster growth, compact development, and economic development along a high-capacity transportation network; and

**WHEREAS**, Resolution 2017 0006 authorized the acquisition of real property required for the Rail Operations and Maintenance Facility (“ROMF”) to support the D-O LRT; and

**WHEREAS**, GoTriangle is requesting Board authorization to exercise the power of eminent domain and acquire real property needed for the Rail Operations and Maintenance Facility (“ROMF”) (Exhibit A and B) by condemnation; and

**WHEREAS**, GoTriangle has certified that the following parcels (“the Property”) must be acquired for the ROMF; and

	<b>PIN#</b>	<b>ADDRESS</b>	<b>COUNTY</b>
150	0709-03-31-4825	5109 Farrington Rd	Durham
151	0709-03-31-8912	5151 Farrington Rd	Durham
152	0709-03-32-5392	5103 Farrington Rd	Durham
153	0709-03-32-2252	5017 Farrington Rd	Durham
154	0709-03-32-2452	5015 Farrington Rd	Durham
155	0709-03-32-2643	5003 Farrington Rd	Durham
156	0709-03-32-4637	5009 Farrington Rd	Durham
157	0709-03-32-6639	5013 Farrington Rd	Durham
158	0709-03-33-3170	4919 Farrington Rd	Durham
158a	0709-03-32-3709	4925 Farrington Rd	Durham
159	0709-03-33-3346	4901 Farrington Rd	Durham
160	0709-03-33-3507	4825 Farrington Rd	Durham
160a	PIN# Not Found	4825 Farrington Rd	Durham
161	0709-03-33-2826	4815 Farrington Rd	Durham
162	0709-03-34-1162	4809 Farrington Rd	Durham

**WHEREAS**, GoTriangle has pre-award authority from the Federal Transit Administration (“FTA”) to acquire real property for the D-O LRT as the National Environmental Policy Act review process has been completed; and

**WHEREAS**, the General Statutes of North Carolina empower GoTriangle to acquire real property by, inter alia, purchase, gift and eminent domain (N.C. Gen. Stat. § 160A-619); and

**WHEREAS**, the City of Durham’s process for rezoning and annexation may take more than one year, and these approvals are necessary prior to applying for a Federal Full Funding Grant Agreement; and

**WHEREAS**, it is necessary and proper for GoTriangle to acquire the parcels comprising the ROMF site prior to petitioning the City for annexation; and

**WHEREAS**, GoTriangle, through its consultant, appraised all real property necessary for the ROMF and has been actively negotiating with each owner to acquire the necessary property interests through voluntary settlement; and

**WHEREAS**, GoTriangle’s real property acquisition program for D-O LRT will comply with applicable Federal and state requirements, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as well as applicable FTA guidelines and policies; and

**WHEREAS**, GoTriangle is further guided by its Real Estate Acquisition Management Plan that was determined by FTA to be acceptable for entry into FTA’s New Starts Engineering phase; and

**WHEREAS**, following approval of this resolution, GoTriangle will provide notice to each owner of its intent to institute an action to condemn property at least thirty (30) days prior to filing such action and will continue to negotiate in good faith to reach a settlement with each owner; and

**WHEREAS**, GoTriangle has estimated that the total right of way acquisition for the Property will not exceed \$5,400,000.

**NOW, THEREFORE, BE IT RESOLVED**, upon the conditions of these recitals incorporated herein, by the Board of Trustees of the Research Triangle Regional Public Transportation Authority (“Board”) as follows:

1. The Board hereby approves the exercise of eminent domain and acquisition of the Property through continued negotiation and settlement, as well as through condemnation.
2. The Board hereby authorizes its General Manager, acting on the advice of counsel, to take any actions necessary to effect the provisions of this resolution.
3. This resolution shall take effect upon its adoption.

**ADOPTED THIS 24<sup>TH</sup> DAY OF JANUARY 2018.**

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Jennifer Robinson, Board of Trustees Chair

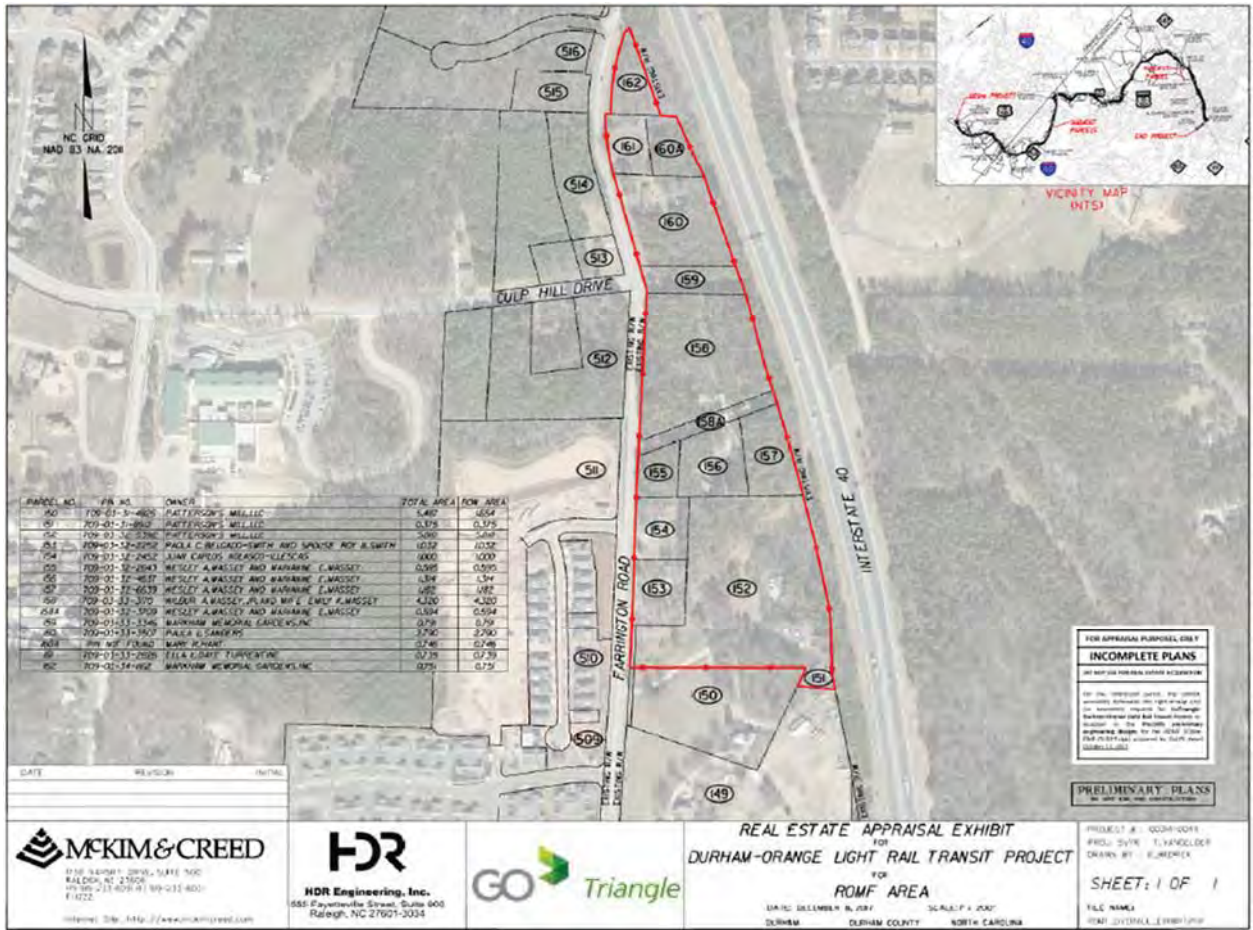
**ATTEST:**

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Michelle C. Dawson, Clerk to the Board



EXHIBIT A



**MCKIM & CREED**  
 4108 ALBERTA DRIVE, SUITE 500  
 RALEIGH, NC 27608  
 919-876-2121 FAX 919-876-2122  
 Website: 336-446-2277 www.mckimcreed.com

**HDR**  
**HDR Engineering, Inc.**  
 555 Fayetteville Street, Suite 600  
 Raleigh, NC 27601-3034

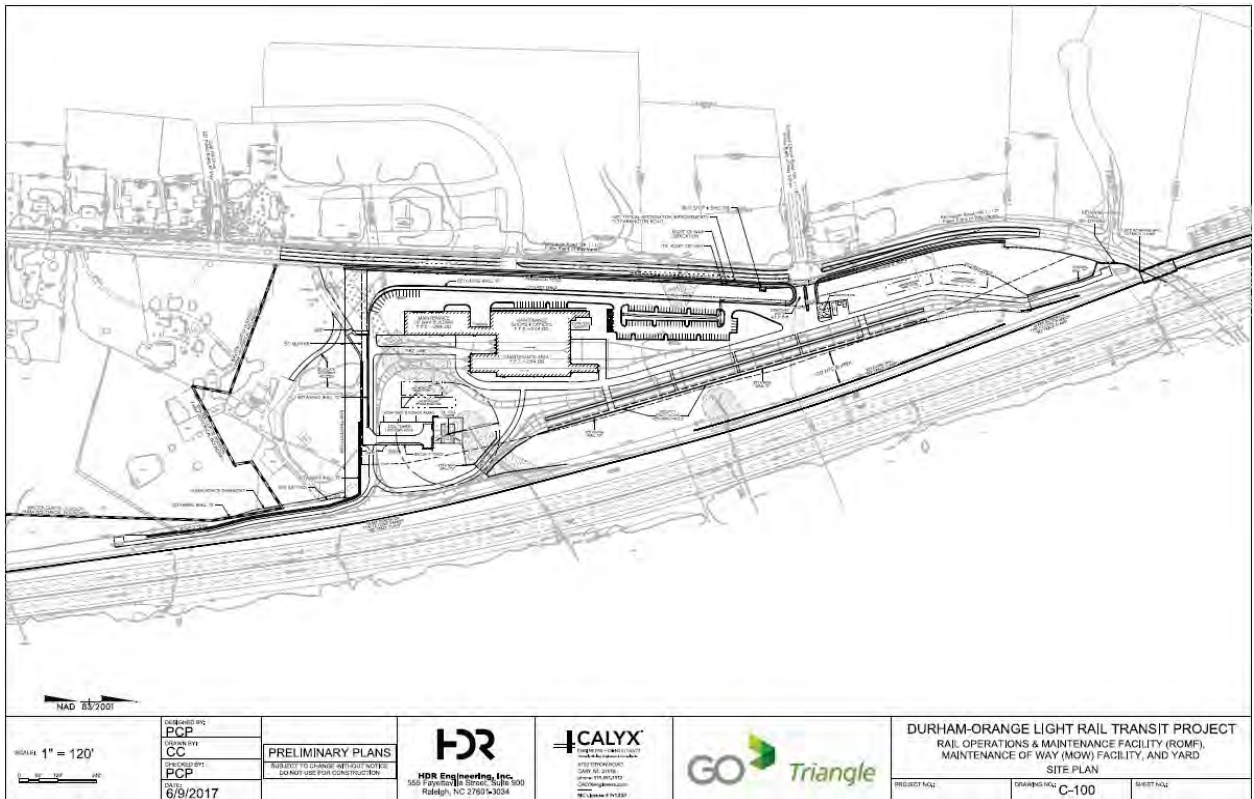
**GO Triangle**

REAL ESTATE APPRAISAL EXHIBIT  
 FOR  
 DURHAM-ORANGE LIGHT RAIL TRANSIT PROJECT  
 FOR  
 ROMF AREA  
 DATE: DECEMBER 8, 2007 SCALE: 1" = 200'  
 DURHAM DURHAM COUNTY NORTH CAROLINA

PROJECT # : 0024-0011  
 PROJ. SVR. : L. VANDOLFER  
 DRAWN BY : E. JENSEN  
 SHEET: 1 OF 1  
 FILE NAME:  
 0024-0011-01-0001.dwg

FOR APPRAISAL PURPOSES ONLY  
**INCOMPLETE PLANS**  
 DO NOT USE FOR OTHER APPRAISAL PURPOSES  
 ON THE VICINITY MAP, THE OWNER'S PROPERTY AND RIGHT-OF-WAY ARE SHOWN IN RED. THE VICINITY MAP IS NOT TO BE USED AS A BASIS FOR THE APPRAISAL. THE VICINITY MAP IS NOT TO BE USED AS A BASIS FOR THE APPRAISAL.  
**PRELIMINARY PLANS**  
 DO NOT USE FOR OTHER APPRAISAL PURPOSES

EXHIBIT B



SCALE 1" = 120' 	DESIGNED BY <b>PCP</b>	<b>PRELIMINARY PLANS</b> <small>SUBJECT TO CHANGE WITHOUT NOTICE          AND NOT USE FOR CONSTRUCTION</small>	 <b>HDR Engineering, Inc.</b> <small>555 FIFTH ST. SUITE 500          RALEIGH, NC 27601-3034</small>	 <small>1000 W. GARDNER ST.          SUITE 100          RALEIGH, NC 27601-1000          WWW.CALYXINC.COM</small>		<b>DURHAM-ORANGE LIGHT RAIL TRANSIT PROJECT</b> <b>RAIL OPERATIONS &amp; MAINTENANCE FACILITY (ROMF),</b> <b>MAINTENANCE OF WAY (MOW) FACILITY, AND YARD</b> <b>SITE PLAN</b>		
	CHECKED BY <b>CC</b> DATE <b>6/9/2017</b>					PROJECT NO. 	DRAWING NO. <b>C-100</b>	SHEET NO. 

## EXECUTED CONTRACTS LOG - November & December 2017

Contract #	Contractor (or subject if no contractor listed)	Contract Amount	Subject	Comments	JM Signed	General Counsel Signed
16-040	Amendment One: On-Call Appraisal Services	-		Provides for an extension for two one year periods, therefore extending the expiration date to December 31, 2019.		11.16.2017
16-045	Task Order No. 5 Appraisal Services	\$3,100.00		For Appraisal Services for properties: 406 W. Lane Street, Raleigh; 301 N Harrington St; and 324 W. Lane Street.	11.6.2017	11.6.2017
17-069	GoPass Services Agreement between GoTriangle and Wake County	-		GoPass contract with Wake County for FY2018	12/11/17	12/11/17
17-076	NCSECU's GoPass Program Agreement	-		Provides for GoTriangle and North Carolina State Employees' Credit Union (NCSECU) and the City of Raleigh to agree on a GoPass program. Term of agreement: 7/1/2017 through 6/30/2020.	12/11/17	12/8/17

**GoTriangle Board of Trustees  
November 2017  
Attachment - Operations Report**

<b>November 2017 Performance Dashboard</b>			
<b>Usage</b>	<b>Nov-17</b>	<b>Nov-16</b>	<b>Change</b>
Passenger Trips	156,314	143,843	9%
Revenue Hours	11,942	11,536	4%
Deadhead Hours	1,411	2,263	-38%
Passengers per Revenue Hour	13.1	12.5	5%
Avg. Ridership (Weekday)	7,166	6,675	7%
Avg. Ridership (Saturday)	1,719	1,437	20%
Avg. Ridership (Sunday)	1,100	788	40%
<b>Customer Satisfaction</b>			
Verified Complaints per 100K Passengers	0.6	3.5	-83%
Commendations	6	N/A	N/A
On-Time Performance	82%	80%	3%
<b>Safety</b>			
Accidents per 100K Miles	0.51	1.58	-42%
<b>Maintenance</b>			
Major Mechanical Failures	7	10	-30%
Fleet Availability	80%	N/A	N/A
PM's Completed On Time	100%	100%	0%
Miles per Major Mechanical Failure	36,451	24,118	51%

**GoTriangle Board of Trustees  
December 2017  
Attachment - Operations Report**

<b>December 2017 Performance Dashboard</b>			
<b>Usage</b>	<b>Dec-17</b>	<b>Dec-16</b>	<b>Change</b>
Passenger Trips	104,578	115,583	-10%
Revenue Hours	11,670	11,290	3%
Deadhead Hours	1,402	2,253	-38%
Passengers per Revenue Hour	9.0	10.2	-12%
Avg. Ridership (Weekday)	4,778	5,294	-10%
Avg. Ridership (Saturday)	1,127	1,369	-18%
Avg. Ridership (Sunday)	675	715	-6%
<b>Customer Satisfaction</b>			
Verified Complaints per 100K Passengers	1.9	1.7	12%
Commendations	2	N/A	N/A
On-Time Performance	86%	83%	4%
<b>Safety</b>			
Accidents per 100K Miles	2.02	0.00	100%
<b>Maintenance</b>			
Major Mechanical Failures	15	7	114%
Fleet Availability	80%	N/A	N/A
PM's Completed On Time	100%	100%	0%
Miles per Major Mechanical Failure	17,354	20,808	-17%