

**VALLEY PARK FIRE PROTECTION DISTRICT**  
**Board of Directors Meeting**  
**Agenda – December 14, 2020, 6:30 PM**  
**Fire Station 2, 55 Crescent Avenue**

Meeting to Order

Pledge of Allegiance

Approval of Agenda

Approval of the November 23, 2020 Open and Closed Board Meeting Minutes

Approval of November 23, 2020 Pension meeting minutes.

Approval of the November 24, 2020 telephone motion minutes.

Approval of December 03, 2020 telephone motion minutes.

Approval of Accounts Payable Checks

Approval of Bond Accounts Payable Checks

**Old business:**

Station 2 Construction: Epoxy  
Station 2: ADA, Hood, Exhaust  
Station 1 Stove:  
Drug Policy: Quarterly

**New business:**

Swearing In: 12/28, Station 1?  
Police and Fire Insurance  
Snow Plowing

Attorney's Report:

Shop Steward's Report:

Chief's Report: Station 2 pad repair

Misc. New Business:

**Closed Session: (3), (9)**

(Pursuant to :RS MO 610.021 (1) Legal Action, causes of action or litigation involving a public government body and any confidential or privilege communication between a public governmental body or its representatives and its attorneys; and RS MO Section 610.021 (3) Hiring, Firing, Disciplining or Promoting of particular Employees by Public Government Body when personal information about the employee is discussed or recorded; and RS MO Section 610.021 (9) Preparation, including any discussions or work product, on behalf of Public Government Body, or its representatives for negotiations with employee groups.)

Set Board Meeting date for Monday, (December 28, 2020) at 6:30 p.m.

Adjourn Meeting

# VALLEY PARK FIRE PROTECTION DISTRICT

## Board of Directors Meeting Minutes

November 23, 2020, 6:30 PM

Fire Station 2, 55 Crescent Avenue

Meeting to Order: 6:30 PM

Attendance: Director Schmitt, Director Wilburn, Director Webster, Chief Polk, Assistant Chief VanGaasbeek, Deputy Chief Poleski, Steward Trower, Attorney McLaughlin, Rick Rognan, Various staff members.

Pledge of Allegiance: Led by Director Webster

Approval of Agenda: **A motion was made to approve the agenda. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Wilburn. Motion passed 3-0.**

Approval of the October 26, 2020 Open and Closed Board Meeting Minutes: **A motion was made to approve the October 26, 2020 open and closed meeting minutes. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Approval of Accounts Payable Checks: **A motion was made to approve the account payable checks. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Approval of Bond Accounts Payable Checks: **A motion was made to approve the Bond payable checks. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Approval of November 2, 2020 Construction RFP opening Minutes: **A motion was made to approve the November 2, 2020 construction RFP opening minutes. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Approval of November 2, 2020 Pension meeting minutes: **A motion was made to approve the November 2, 2020 pension meeting minutes. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Approval of November 4, 2020 Closed special meeting minutes: **A motion was made to approve the November 4, 2020 closed special meeting minutes. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Approval of the November 9, 2020 Accounts Payable and Bond payable checks telephone motion: A discussion was had about the telephone motion and cancelled meeting. In the future, Chief Polk will use multiple formats to contact the director and post cancelled meetings. **A motion was made to approve the November 9, 2020 telephone motion. 1<sup>st</sup> Director Wilburn, 2<sup>nd</sup> Director Webster. Motion passed 3-0.**

Approval of the November 17, 2020 Closed session meeting minutes: **A motion was made to approve the November 17, 2020 closes session minutes. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

**Old business:**

Ambulance Billing: Deputy Chief Poleski reviewed the ambulance billing RFPs. The EMS committee recommends Ambulance Medical Billing. It was decided to start with this company on 1/1/21. **A motion was made to award the ambulance billing RFP to Ambulance Medical Billing. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Wilburn. Motion passed 3-0.**

Station 2 Construction: Chief spoke regarding the alternates on the station 2 bids. Chief was directed to talk with CRESA regarding the epoxy and report back at the next board meeting. Chief Polk was also advised to accept Alternate #4 and remove the water softener from the construction project. A discussion was had regarding the bids that CRESA received for material testing. Cresa recommend Intertek-PSI due to their lowest rate per hour. After review **A motion was made to utilize Intertec-PSI as the materials testing company for the station 2 project. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

MSD Connection Fee: Chief advise that the MSD connection fee had to be pre-paid in order to receive the building permit.

Drug Test Change: Chief Polk spoke regarding changing drug testing companies. A discussion ensued on how often the district should do drug testing due to our small size. It was agreed that random testing should be conducted on a quarterly basis. Chief Polk will make this change.

Station 1 Stove: Chief advised that he will be getting prices to add a gas shutoff to the stove at station 1.

**New business:**

Finance Report: Rick Rognan reviewed the October finances.

Preliminary Budget 2021: Rick Rognan reviewed the 2021 preliminary budget. The budget will need to be adopted at the last meeting in December.

Station Masks: A discussion was had regarding the need to wear a mask in the station at all times and purchasing more comfortable masks for the employees. Three options were presented by Assistant Chief VanGaasbeek. **A motion was made to purchase the Halo brand masks. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Wilburn. Motion passed 3-0.**

Audit/Fick Eggemeyer 9100: Chief spoke regarding the engagement letter from the auditor. **A motion was made to utilize Fick/Eggemeyer for the annual audit. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Residential door damage: Deputy Chief Poleski spoke regarding a damaged door and a resident wish to have the district pay for it. The door was damaged during an emergency call and was necessary to get in the residence. Due to the circumstances it was decided to not pay for the door.

Ballwin Ambulance Bill: Deputy Chief Poleski spoke regarding an out of district person wanting to have his ambulance bill waived. After discussion it was decided that this would not be appropriate.

Work Comp Renewal: The workers compensation renewal was discussed. **A motion was made to approve and renew the workers compensation policy with Missouri Fire and Ambulance District Trust. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Medical Insurance Renewal: The medical insurance renewal was discussed. **A motion was made to renew the medical insurance with Cigna. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Dental/Vision Renewal: The dental and vision renewal was discussed. **A motion was made to renew the dental and vision insurance with Delta Dental and Eyemed. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Election dates/notice: The election dates were discussed.

Resolution 2020-06 Director Election: The election resolution was discussed. It was decided to allow the first person that shows up to the first person on the ballot. **A motion was made to approve Resolution 2020-06, Director Election. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

Commercial Vacuum: Chief Polk advised that a new vacuum was needed for station 2.

Attorney's Report: None

Shop Steward's Report: Steward Trower advised of a gift they had sent to Barb.

Chief's Report: Thanks was given to Firefighter Hidritch for his work on the gear dryer. Chief also read a thank you letter for the Brignole family.

Misc. New Business: None

**Closed Session: (1), (3), (9) A motion was made to enter closed session. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Schmitt. Motion passed 3-0.**

(Pursuant to :RS MO 610.021 (1) Legal Action, causes of action or litigation involving a public government body and any confidential or privilege communication between a public governmental body or its representatives and its attorneys; and RS MO Section 610.021 (3) Hiring, Firing, Disciplining or Promoting of particular Employees by Public Government Body when personal information about the employee is discussed or recorded; and RS MO Section 610.021 (9) Preparation, including any discussions or work product, on behalf of Public Government Body, or its representatives for negotiations with employee groups.)

The open meeting resumed at 8:45 PM.

**A motion was made to set the next board meeting for Monday, (December 14, 2020) at 6:30 p.m. 1<sup>st</sup> Director Wilburn, 2<sup>nd</sup> Director Webster. Motion passed 3-0.**

**Motion to adjourn. 1<sup>st</sup> Director Wilburn. 2<sup>nd</sup> Director Webster. Motion passed 3-0.**

---

Secretary

**Valley Park Fire Protection District  
Defined Benefit Plan and Trust**

***Meeting of the Board of Trustees***

**November 23, 2020**

Page 1 of 2

---

A meeting of the Board of Trustees of Valley Park Fire Protection District Defined Benefit Plan and Trust (hereinafter called the "Fund") was held on Monday, November 23, 2020, at the Valley Park Fire Protection District, 55 Crescent Avenue, Valley Park, MO 63088.

Chairman Chris Webster called the meeting to order at 6:04 p.m.

**ROLL CALL:**

The following Trustees answered Roll Call:

Chris Webster  
Sheri Schmitt  
Dan Wilburn  
Kyle Wilken  
Joe Tucker

Also present were:

Chief James Polk	District Chief
Assistant Chief VanGaasbeek	District Assistant Chief
Daniel McLaughlin	Fund Counsel

Chairman Webster ruled that a quorum was present and called the meeting to order.

The minutes of the November 1, 2020 meeting were presented for review. After review, it was

***Moved by Trustee Webster, and seconded by Trustee Schmitt*** to approved the minutes from the November 1, 2020. Motion passed and unanimously carried 5-0.

The Board addressed the pension crediting and buy back for Administrative Staff and Shop members. Fund Counsel advised there are really only two (2) questions to address as this is a cost-neutral proposal to the Fund meaning that aside from minimal interest that cannot be actuarially concluded all the cost lies with the participant. The questions to be addressed are (1) how to define eligibility and what prior years of service can be bought, and (2) how will those year be paid for.

**Valley Park Fire Protection District**

**Defined Benefit Plan and Trust**

***Meeting of the Board of Trustees***

**November 23, 2020**

Page 2 of 2

---

The Trustees indicated the Shop has not expressed much of a concern or desire either way and they were okay implementing the program. Fund Counsel indicated that due to the implementation process and need to provide a summary of material modification sixty (60) days prior to the implementation of the program a March 1, 2021 effective date was appropriate. After discussion, it was

*Moved by Trustee Webster, and seconded by Trustee Wilburn* to amend the plan document to allow for the implementation of the pension crediting program for all participants effective March 1, 2021. Motion passed and carried 4-0. Trustee Webster – yea, Trustee Wilburn – yea, Trustee Schmitt – abstain, Trustee Wilken – yea, Trustee Tucker – yea.

Chief Polk further addressed the need to get the Pension Plan restated during the first quarter of 2021.

**NEXT MEETING DATE**

Unknown

**ADJOURNMENT**

There being no further business before the Board of Trustees, at 6:18 p.m., it was

*Moved by Trustee Webster, and seconded by Trustee Schmitt* to adjourn the meeting. Motion passed and unanimously carried 5-0.

Respectfully submitted and attested to by,

\_\_\_\_\_  
Chris Webster, Chairman

\_\_\_\_\_  
Sheri Schmitt, Trustee

\_\_\_\_\_  
Joseph Tucker, Trustee

\_\_\_\_\_  
Dan Wilburn, Trustee

\_\_\_\_\_  
Kyle Wilken, Trustee

**Telephone Motion**

**11/24/2020**

A telephone conversation was had regarding the Standard Insurance renewal. This is our life and disability insurance. There is no increase from last year.

Also discussed was Paylocity. This is our COBRA and reimbursement company. There is no increase from last year.

This was included in the preliminary budget numbers that were presented at the 11/21/20 meeting.

**A motion was made to approve the Standard and Paylocity renewal. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Wilburn. Motion passed 3-0.**

---

Secretary



**Telephone Motion**

**12/03/2020**

A telephone conversation was had regarding the Christmas party and gift cards.

Chief Polk spoke with Rick Rognan regarding \$100 cards given to each employee. This would be acceptable. There would be no issue – or W-2 reporting. The IRS allows for de minimis awards to employees in said amount.

**A motion was made to approve the \$100 gift card. 1<sup>st</sup> Director Webster, 2<sup>nd</sup> Director Wilburn. Motion passed 3-0.**

---

Secretary

Chief Polk,

I will call L Kelley about adjusting the contract for the water softener.

As for the epoxy, it certainly is a fussy product to install properly (limited bubbles/peeling). That being said, we have been involved in many epoxy installations and think we can help achieve a good installation.

I recommend epoxy over sealed concrete if the following is important to you:

- Ease of cleanup. Spilling oil (and other vehicle fluids) will wipe up better than on sealed concrete
- Reduction in staining. Epoxy can still stain, but it is significantly less than sealed concrete. We may want to select a darker color.
- Traction. Sealed concrete can get slick. Grit can be added to epoxy for better traction. NOTE: the more grit that is added, the harder it is to clean. We will want to work with JEMA and L Keeley to review some samples to see if we can strike a good balance.

The downside of epoxy:

- It is prone to installer error. If the prep work isn't adequate or mixing the 2 parts isn't precise, the installation will fail. Fixing these problems is very time consuming.
- Damage to epoxy can be patched, but it isn't pretty. You will always see the patch.

Let me know if you need anything else.

Tim

## **Title: Drug and Alcohol**

**Policy Number: 2018-9      Effective Date: August 1, 2018**  
**Updated: September 14, 2020**

### **Drug and Alcohol Policy**

Valley Park Fire Protection District strives to maintain a workplace free of drugs and alcohol and discourages drug and alcohol abuse by its employees. Misuse of alcohol or drugs by employees can impair the ability of the employee to perform their duties safely and effectively, as well as adversely affect our customers' confidence in our District.

#### **Alcohol**

You are prohibited from using or being under the influence of drugs or alcohol while on duty.

#### **Disciplinary Action Related to Drugs and Alcohol**

Currently, the District conducts a comprehensive drug screen when an offer of employment is extended and when an accident occurs under certain circumstances.

#### **Drug Testing Related to Accidents**

Valley Park Fire District may require a breath, blood, urine, hair follicle, and/or other drug or alcohol screening when an employee is injured at work in such a way that medical review or treatment is required. Immediately upon being directed to participate in a drug screen, the employee will be accompanied directly to the specified clinic. The refusal to consent to testing may result in disciplinary action.

#### **DEFINITIONS**

"Designated Employer Representative" or "DER" means an employee of Valley Park Fire Protection District appointed by the Board of Directors, who has the responsibility for receiving and conveying communications related to this Policy. The DER is responsible for maintaining all records generated through the Policy in confidence and shall comply with the confidentiality rules of the HIPAA Act and the DOT standards, whichever most stringently protects the confidentiality of Employee health records. All test result records shall be regarded to be protected health information of the tested Employees or applicants for employment. The Board of Directors shall also appoint from time to time another employee to serve in this capacity in the absence of the DER, but this employee shall be responsible only for preserving the confidentiality of communications during the period of time the DER is unavailable to receive such communications. Such other employee shall not have responsibility for maintaining confidential files relating to this program and shall not access such files.

"Drug Test" and "Drug Screening" means any method of testing an employee for illegal drugs or alcohol. Methods of testing may include breath, urine, blood, hair follicle, or any other means as selected by the District.

"Progressive Discipline Policy" means Valley Park Fire Protection District's published discipline policy for employees.

"Safety-Sensitive Position" means any of the following positions to which Employees of the

District are assigned, whether or not they are temporarily occupying or performing other positions or job duties: Firefighter-EMT, Firefighter-Paramedic, Captain, Deputy Chief, Assistant Chief, Chief.

“*Medical Review Officer*” (MRO) is a licensed physician that is properly trained and registered according to standards approved by DHHS.

“*HHS-certified Laboratory*” means a testing facility duly certified by the U. S. Department of Health and Human Services (or SAMHSA) consistent with federal regulations for Federal Workplace Drug Testing Programs.

“*Illegal Drugs*” means any substance that an Employee may not sell, possess, use, distribute, or purchase under either federal or Missouri law. Illegal drugs also include, but are not limited to, all controlled drugs as defined by state or federal law, all prescription drugs obtained without authorization, and all prescription and over-the-counter drugs being used for an abusive purpose.

“*Supervisor*” means the Fire Chief, any Assistant Chief, any Deputy Chief, and any captain, but for purposes of this Policy shall not include personnel occupying such positions in temporary capacities.

#### TEST STANDARDS

*Drug Screening and Confirmation.* When drug screen testing is required under any of the provisions of this Policy, a urinalysis test will be given to detect the presence of illegal substances. The following are the types of drugs to be tested and the types of tests performed. The first test (screening) will detect the presence of any of the drugs listed below. If a specimen screen is presumptively positive, a more precise second test, “GC/MS,” is performed for confirmation. GC/MS is the abbreviation for a gas chromatography/mass spectrometry test. To perform the GC/MS test a second aliquot (sample) is removed from the specimen container. This test looks for the specific combination of metabolites that makes up the particular drug found in the screen and confirms the presence of such drug.

DRUG OF ABUSE	SCREENING LIMIT	CONFIRMATION LIMIT
Cannabinoids (Marijuana or THC)	50 ng/ml	15 ng/ml
Cocaine	300 ng/ml	150 ng/ml
Opiates	300 ng/ml	300 ng/ml
Amphetamines	1000 ng/ml	500 ng/ml
Phencyclidine (PCP)	25 ng/ml	25 ng/ml
Barbiturates	300 ng/ml	300 ng/ml
Benzodiazepines	300 ng/ml	300 ng/ml
Methadone	300 ng/ml	300 ng/ml
Propoxyphene	300 ng/ml	300 ng/ml

*Alcohol Testing.* Breath alcohol testing will be done using a National Highway Traffic Safety Administration approved testing device operated by a certified breath alcohol technician, except as otherwise provided herein. A breath alcohol test displaying any amount of alcohol will be considered a positive. An employee will be considered under the influence of alcohol if the blood/alcohol reading by

any approved method is .04 or higher.

*Obligations of MRO.* The Medical Review Officer appointed by the District has these responsibilities: To report confirmed negative findings of urine testing, and report same consistent with the DOT standards; To report that a laboratory finding that is negative and dilute, and provide direction to the DER regarding retesting requirements consistent with the DOT standards; To make determinations to report tests as cancelled or invalid; To determine if the test sample was adulterated or substituted; To verify all test results consistent with the DOT standards; To conduct a verification interview with the tested Employee, either in person or by phone, before reporting any verified positive test result, or an adulterated or substituted sample, unless excused because Employee does not contact the MRO within 72 hours of notice; To provide through the interview process an opinion as to whether there is a legitimate medical reason and/or contribution of prescription medications in the test results; At Employee's request made within 72 hours after receiving notice of a verified positive test result, or an adulterated or substituted sample, initiate and process a split-sample test by another licensed testing facility consistent with the DOT standards; Report verified positive test results to the DER when required under DOT standards if such standards legally applied to the District; Report findings of adulterated or substituted samples when verified in accordance with the DOT standards.

The District has not adopted a stand-down policy. Non-verified positive results will not be reported to the District.

District cannot accept responsibility for errors committed by collecting laboratories, testing laboratories or MROs; on the contrary this Policy requires the District to implement the decisions of the MRO acting in compliance with applicable medical and legal standards.

*Obligations of District.* In addition to all other obligations of the District herein set out, express or necessarily implied, District undertakes to comply with the standards set forth in the documents attached hereto.

#### **PRE-EMPLOYMENT TESTING**

*Testing Requirement.* When a prospective employee is otherwise judged to be qualified to fill a position of employment, District shall make a conditional offer of employment to such prospective employee. In addition to other authorized conditions for completion of such offer, such as a medical exam, any offer of employment shall be conditioned upon a negative alcohol and drug screening, as herein above described, and also a hair follicle test may be utilized for the presence of illegal drugs.

*Test characteristics.* As soon as possible following the presentation of a conditional offer of employment, the conditional employee/offeree shall present himself/herself to the District's HHS-certified Laboratory, and shall complete a drug screening and confirmation test as described in this Policy, and shall submit the necessary hair follicle sample for testing.

*Failure to Cooperate.* Any unreasonable delay in completing the drug screening required hereunder, if caused by prospective employee's acts or inaction including missed appointments, and any refusal to consent to a procedure, or a finding of diluted or adulterated test specimen, shall result in the immediate withdrawal of the conditional offer of employment.

*Notice to Applicants.* A notice of District's Policy to test all job applicants shall be posted in a prominent location at the District's administrative headquarters. In addition, such policy will be

described in an attachment page that will be affixed to the front of each application form distributed to potential applicants.

*Confirmed Positive Test Result.* Any applicant receiving a positive drug test result that has been verified by the MRO, or receiving a positive result for illegal substances by hair follicle test, or testing positive for blood/alcohol, will forfeit the conditional offer. Such applicant shall not be hired by the District. No administrative appeal from such determination will be allowed.

#### **RANDOM TESTING OF EMPLOYEES**

*The Selection Process.* The District will perform unannounced random testing for both alcohol and controlled substances. Testing frequency is ~~quarterly~~. The Service Agency maintains a list of active Employees in Safety-Sensitive Positions, from which names will be randomly selected periodically for testing. Because the selection process is random, some employees may be selected more than once per year, and others not at all. The Service Agency will advise the DER which employees have been selected each month. Employees must not be informed of the scheduled testing until they are sent for testing and sent directly to the sample collection facility when notified of their selection. Every employee must be in the pool of names each time a selection process is initiated. This action ensures that there is an equal chance of being selected. Because of the random nature of the selection process, a person may be selected more than once during a calendar year. Conversely, it is statistically possible that a person may never be randomly selected. In each selection process a primary and alternate name will be selected.

Deleted: monthly

*Procedures.* Employees should be tested during their regularly scheduled work time. Random drug and alcohol testing may be performed at any time during the shift. Employees selected, but not available for testing due to vacation or other leave, may be tested upon return to duty or the alternate employee will be tested.

*Excess Testing.* If any employee is selected for random testing more than one time per calendar year, the DER may select the alternate employee for testing.

#### **REASONABLE SUSPICION TESTING**

*Cause for Testing.* If a Supervisor reasonably concludes through direct observation that objective facts may indicate drug use or alcohol misuse, this is sufficient justification of testing. The request to undergo a reasonable suspicion test must be based on specific, contemporaneous, particularly observations concerning the appearance, behavior, speech, or body odor of the safety-sensitive employee using short-term indicators. Reasonable suspicion requires some indication of probable linkage between behavior or events and substance abuse. A reasonable suspicion check sheet (Attached hereto), shall be completed in any instance a reasonable suspicion exists.

*Two Observations Preferred.* When a Supervisor believes that justification exists to test an Employee under this standard, the Supervisor is required to use all reasonable means to obtain the concurrence of another Supervisor, who has the opportunity to observe the suspected behavior first-hand. If it is impossible, despite reasonable efforts to obtain a second observer, the Supervisor may pursue testing but must describe in detail the efforts made to obtain a second observer. The second supervisor must complete a reasonable suspicion check sheet.

*Documentation.* The employee's actions that caused the supervisor to require the test must be documented and signed by the supervisor(s) within 2 hours after the behavior is noticed (prior to the results of the test being released). Supervisors shall complete a district incident report and complete a reasonable suspicion check sheet.

*Supervisor Training.* All supervisors shall receive a minimum of two hours of training in substance abuse awareness education per year. Supervisors will be trained to recognize objective indications of alcohol and substance abuse, will explain the drug policy to employees, provide guidance and support to employees, as well as trained on the availability of drug treatment and counseling programs.

#### **POST-ACCIDENT TESTING**

An Employee in a Safety-Sensitive Position shall be compelled to submit to drug and alcohol testing whenever such Employee is operating a District-owned vehicle that is involved in a collision or other incident in which an individual dies, or an individual who suffers bodily injury receives medical treatment away from the scene of the accident, or a vehicle sustains disabling damage requiring a tow truck, or if the Employee receives a citation under state or local law for a moving traffic violation arising from the accident or incident.

Following such collision or other incident, District will arrange for testing the employee as soon as possible (ideally within two hours, but not to exceed eight hours for alcohol testing and 32 hours for drug testing). Employees involved in accidents must remain available for testing and must refrain from alcohol and drug use following the accident until a drug and alcohol test is administered.

#### **PLACE OF TESTING; ABATEMENT OF DUTIES**

*At Accident Scene.* Post-Accident Testing by breathalyzer will be considered valid if administered by law enforcement personnel at an accident scene. In this event, no additional alcohol testing is required.

*At a Medical Facility.* Employees treated at an emergency room or admitted to a hospital following an incident justifying Post-Accident testing may be compelled to provide a sample for drug and alcohol testing. Test results for alcohol or drugs that are processed by recognized standards generally accepted in the medical profession may be used for purposes described in this Policy.

*Place of Testing.* Except as set forth elsewhere in this policy, all sample collections authorized herein shall occur at the facility of the Service Agency or at one of District's fire houses, by a licensed and qualified remote collection technician dispatched by the Service Agency.

*Transportation.* Employees selected for random testing, or who require testing under the Reasonable Suspicion or Post-Accident standards of this Policy, will be transported to the place of sample collection by employees of the District. Employees shall not use other means to travel to the collection or testing facilities.

*Temporary Abatement of Duties.* Whenever an Employee is required to appear at any collection site or testing facility away from his or her station, the Employee will be paid for the time that it takes for transport to the facility, from an accident scene, or from place of employment, and for return to the place of departure, excepting however if Employee is as a result of an accident is physically unable to return to the place of departure within four (4) hours after initial transport. However, all duties of employment shall be suspended and abated during the interval of time when transportation to the facility begins until Employee has returned to the place of departure.

*Suspension from Employment.* Employees shall be immediately placed on administrative leave under the following circumstances: (i) When the employee is referred for testing based upon Reasonable

Suspicion (as defined herein) of drug or alcohol use until negative test results are received by the District; (ii) Following notification to the District by the MRO of positive, verified test results for drugs or alcohol, within the limits described herein, resulting from referral to the HHS-certified Laboratory facility for any other reason justified by this Policy.

#### **EMPLOYEE RIGHTS & RESPONSIBILITIES**

*Notification of Results.* Results of drug screenings and confirmations shall be communicated to the Employee by the MRO, who may be required to consult with the Employee before determining if the test results must be reported to the Employer.

*Employee's Right to Contest Drug Screening Results.* After being notified by the MRO of a positive test result, Employee has 72 hours in which to request that the MRO arrange for the split portion of the specimen be sent to a different HHS-certified laboratory for testing. The employee making such a request will be required to deposit \$150.00 with the District pending results of the second test. If the second test result is "negative" the District will refund the deposit. If the second test is "positive" the deposit will be used by the District to pay for the second test. If the test result in the secondary laboratory is not consistent with the first lab's result, a cancelled test will be issued and the positive result retracted. When an employee undertakes administrative or legal challenge to drug test results, it shall be the Employee's responsibility to notify the employer and laboratory in writing of such challenge and such notice shall include reference to the chain of custody specimen identification number. After such notification, the sample shall be retained by the laboratory until the case or administrative appeal is settled.

*Alcohol Results.* Whenever an Employee tests positive for the presence of alcohol in excess of the limits set forth in this Policy, the Chief shall be notified immediately of such result. The Chief shall take appropriate action in accordance with the District's Progressive Discipline Policy to discipline the offending Employee. Employee's rights to contest or explain the results of an alcohol screening are limited to such rights to hearing afforded the Employee by the Progressive Discipline Policy.

*Requirement to Execute Consents.* Whenever called upon by District's authorized officers to execute a specific written consent to undergo a test procedure authorized by this Policy, it shall be the duty of all Employees to execute such consent without delay. If an Employee is incapable of giving consent by reason of an injury suffered in an accident covered by Section Seven of this Policy, Employee shall not be required to give advance consent to the extraction of samples for the required testing, but shall nevertheless execute his or her consent in writing as soon as capable of doing so.

*Prescription Medications.* Employees are permitted and encouraged to advise the laboratory of any prescription or other medications that may be in their systems (whether or not disclosed in advance) so that testing can account for these substances.

*Non-Discrimination.* District will not discharge, discipline or discriminate against an Employee solely upon the employee's voluntarily seeking treatment, while under the employ of the District, for a drug or alcohol related problem, if the employee has not previously tested positive for drug use, entered employee assistance at District's request for drug related problems, or entered a drug rehabilitation program. District will not discharge, discipline, refuse to hire, discriminate against, or request rehabilitation of an employee or job applicant on the sole basis of a positive drug test result that has not been verified by a confirmation test and the MRO.

*Confidentiality.* The information regarding 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 secure location with controlled access. Within the District, this information may only be disclosed to the DER and the DER's delegate as approved by the Board of Directors, or to the Board of Directors and/or witnesses in the event that discipline procedures are instituted. 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. In certain circumstances, the following may have access to an employee's test records without the employee's consent: the National Transportation Safety Board as part of an accident investigation; any Federal, state or local safety agency with regulatory authority over the employer or employee.

*Employees' Rights to Receive Own Test Results.* In addition to rights afforded to employees during the testing/MRO process, all employees shall have the right to inspect test results (positive and negative) and correspondence maintained in the possession of the DER, by making written request to the DER. Requests should be made within six (6) months after the test has been conducted.

#### **OTHER PROHIBITED CONDUCT**

*Reporting for Duty When Impaired.* Irrespective of the applicability of testing requirements and procedures herein set out, Employees must not report for duty under the influence of any drug, alcoholic beverage, intoxicant, narcotic or other substance (including legally prescribed medication) which will in any way adversely affect their working ability, alertness, coordination, response or the safety of others on the job.

*Pre-reporting consumption.* An employee must not consume alcohol for eight (8) hours prior to reporting for duty and up to eight hours following an accident or until the employee undergoes a post-accident test, whichever occurs first.

*Other Prohibited Conduct.* Valley Park Fire Protection District prohibits the unlawful use, possession, consumption, manufacture or distribution (for sale or not) on its premises, facilities or job sites, including District vehicles and private vehicles parked on District premises any of the following: alcoholic beverages, intoxicants and narcotics, illegal or unauthorized drugs (including marijuana), "look-alike" (simulated) drugs and related drug paraphernalia.

*\*\*Duly authorized events, as approved by the board of directors, may allow alcohol possession on premise.\*\**

#### **EMPLOYEE ASSISTANCE**

*The District's EAP Program.* Employees who feel they have an alcohol or drug-related abuse or dependence problem are encouraged to utilize the confidential Employee Assistance Program established by the District. *However, when an abuse or dependence problem affects the Employee's job performance reliance upon the EAP program does not impact upon the District's response to drug or alcohol related issues.*

*Sick Leave for Dependence Rehabilitation.* An Employee who requires time off work in order to remedy a drug or alcohol dependence or abuse problem must apply for sick leave and must disclose to the DER the full nature and extent of the perceived problem. Such disclosure shall be considered and kept confidential to the same extent that drug or alcohol test results are confidential. Under this circumstance, Employees are permitted to use all available sick leave, or other forms of paid or unpaid leave available to Employees in case of illness.

*Treatment by Substance Abuse Professional.* Employees who voluntarily submit to drug or alcohol rehabilitation must obtain treatment by a qualified Substance Abuse Professional. District shall be

entitled to receive periodic reports of Employee's treatment.

*Return to Duty.* Employees who successfully complete a voluntary rehabilitation program will qualify to return to active duty. Those voluntarily submitting to a rehabilitation program will be drug and alcohol tested at the time they present for active duty, but will not be required to undergo periodic testing except for random test procedure applicable to all Employees.

#### **LAST CHANCE**

*Discipline Mandatory for Drug Violations.* Any Employee subject to this Policy who receives a verified positive test result, or who adulterates or substitutes a test sample, will be disciplined in accordance with the Progressive Discipline Policy. In any of these events, the Fire Chief shall implement the provisions of the Progressive Discipline Policy requiring immediate suspension and recommendation for termination from employment. The presumptive outcome of the Board of Director's deliberation is discharge. All other violations of this Policy shall be treated as Serious Violations; The offending employee shall be suspended pending Board review and such review shall proceed in ordinary course.

*Alternatives to Discharge.* Employees who violate this Policy and who are subject to discharge as a result of such violation may instead be suspended and rehabilitated in accordance with this section, in the Board's sole discretion. At a minimum, such Employees shall be suspended without pay and required to execute a Last Chance employment agreement, but the Board may in its discretion permit an Employee to use some or all sick leave or vacation leave during rehabilitation.

*Return to Duty Examinations.* An Employee who has entered a drug or alcohol abuse rehabilitation program, either voluntary or mandated, must successfully complete a full battery of urine and breath tests before being returned to duty, except that for purposes of return to duty following rehabilitation his/her breath alcohol level must not exceed .02 or less. Testing cannot occur until after the Substance Abuse Professional has determined that the employee has complied with prescribed education and/or treatment.

#### **Reasonable Suspicion Checklist**

(The following checklist should be completed when a manager or supervisor suspects drug or alcohol use based on the physical appearance and behavior of the employee. Also completing the checklist should be all other managers or supervisors who witnessed the employee being unfit for duty.)

#### **PART 1: EMPLOYEE INFORMATION**

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

**Employee Job Title:** \_\_\_\_\_

**Observation Date:** \_\_\_\_\_

**Observation Time (indicate a.m. or p.m.):** \_\_\_\_\_

**Location:** \_\_\_\_\_

#### **PART 2: OBSERVATIONS**

(Place a **checkmark** next to any of the following observations exhibited by the employee.)

#### **PHYSICAL**

**Walking:**

\_\_\_\_ Holding on; \_\_\_\_ Stumbling; \_\_\_\_ Unable to walk; \_\_\_\_ Unsteady; \_\_\_\_ Staggering;  
\_\_\_\_ Swaying; \_\_\_\_ Falling; \_\_\_\_ Other (describe) \_\_\_\_\_

**Standing:**

\_\_\_\_ Swaying; \_\_\_\_ Feet wide apart; \_\_\_\_ Unable to stand; \_\_\_\_ Rigid; \_\_\_\_ Staggering;  
\_\_\_\_ Sagging at knees; \_\_\_\_ Dizziness; \_\_\_\_ Other (describe) \_\_\_\_\_

**Movements:**

\_\_\_\_ Fumbling; \_\_\_\_ Jerky; \_\_\_\_ Nervous; \_\_\_\_ Slow; \_\_\_\_ Normal; \_\_\_\_ Hyperactive;  
\_\_\_\_ Reduced reaction time; \_\_\_\_ Not following tasks; \_\_\_\_ Diminished coordination;  
\_\_\_\_ Tremors; \_\_\_\_ Other (describe) \_\_\_\_\_

**Eyes:**

\_\_\_\_ Bloodshot; \_\_\_\_ Watery; \_\_\_\_ Droopy; \_\_\_\_ Glassy; \_\_\_\_ Closed;  
\_\_\_\_ Dilated/Constricted Pupils; \_\_\_\_ Other (describe) \_\_\_\_\_

**Face:**

\_\_\_\_ Flushed; \_\_\_\_ Pale; \_\_\_\_ Sweaty; \_\_\_\_ Runny/Bloody Nose;  
\_\_\_\_ Other (describe) \_\_\_\_\_

**Breath:**

\_\_\_\_ No alcoholic odor; \_\_\_\_ Faint alcoholic odor; \_\_\_\_ Alcoholic odor; \_\_\_\_ Chemical odor;  
\_\_\_\_ Sweet/pungent tobacco odor; \_\_\_\_ Heavy use of breath spray;  
\_\_\_\_ Other (describe) \_\_\_\_\_

**Body Odor:**

\_\_\_ Smell of alcohol; \_\_\_ Smell of marijuana.

**Speech:**

\_\_\_ Whispering; \_\_\_ Slurred; \_\_\_ Shouting; \_\_\_ Incoherent; \_\_\_ Slobbering; \_\_\_ Silent;  
\_\_\_ Rambling; \_\_\_ Mute; \_\_\_ Slow; \_\_\_ Other (describe) \_\_\_\_\_

**Appearance:**

\_\_\_ Neat; \_\_\_ Unruly; \_\_\_ Messy; \_\_\_ Dirty; \_\_\_ Stains on clothing; \_\_\_ Partially dressed; \_\_\_ Bodily excrement stains; \_\_\_ Visible puncture marks or tracks; \_\_\_ Burnt rope smell on clothes, hair, body; \_\_\_ Excessive sweating in cool area; \_\_\_ Other (describe) \_\_\_\_\_

**BEHAVIORAL**

**Demeanor:**

\_\_\_ Cooperative; \_\_\_ Calm; \_\_\_ Talkative/Rapid Speech; \_\_\_ Polite; \_\_\_ Sarcastic;  
\_\_\_ Sleepy; \_\_\_ Crying; \_\_\_ Sleeping on job; \_\_\_ Argumentative; \_\_\_ Excited;  
\_\_\_ Withdrawn; \_\_\_ Mood swings; \_\_\_ Overreacts to minor things; \_\_\_ Excessive laughter;  
\_\_\_ Forgetful; \_\_\_ Confused; Other (describe) \_\_\_\_\_

**Actions:**

\_\_\_ Hostile; \_\_\_ Fighting; \_\_\_ Profanity; \_\_\_ Drowsy; \_\_\_ Threatening; \_\_\_ Erratic;  
\_\_\_ Hyperactive; \_\_\_ Calm; \_\_\_ Resisting communication; \_\_\_ Paranoid;  
\_\_\_ Possessing, using or distributing an illegal substance; \_\_\_ Baseless Panic;  
\_\_\_ Avoidance of Supervisors/Coworkers; Other (describe) \_\_\_\_\_

**Appetite:**

\_\_\_ Always munching on something; \_\_\_ Constantly Chewing Gum;  
\_\_\_ Frequently Eating Candy; \_\_\_ Popping Mints Often;  
\_\_\_ Other (describe) \_\_\_\_\_

**Quality of Work:**

\_\_\_ Clear refusal to do assigned tasks; \_\_\_ Significant increase in errors; \_\_\_ Repeated errors despite increased guidance; \_\_\_ Decreased efficiency or productivity; \_\_\_ Inconsistent quantity/quality of work; \_\_\_ Behavior that disrupts workflow; \_\_\_ Careless operation of equipment; \_\_\_ Procrastination on significant decisions or tasks; \_\_\_ More than usual supervision necessary; \_\_\_ Unsupported explanations for poor performance; \_\_\_ Change in written or verbal communication

**Job Performance:**

\_\_\_ Excessive unauthorized absences; \_\_\_ Excessive tardiness; \_\_\_ Frequent Monday/Friday absences; \_\_\_ Frequent patterned absences; \_\_\_ Frequent unexplained disappearances;  
\_\_\_ Frequent concern about safety offenses; Experiences or causes job accidents;  
\_\_\_ Interferes with or ignores procedures; \_\_\_ Inability to follow through

**MISCELLANEOUS**

- Presence of alcohol and/or drugs in employee's possession or vicinity
- On-the-job misconduct by employee
- Employee admission to alcohol and/or drug use or possession

**CORROBORATING WITNESSES**

(List names of all witnesses to the employee's conduct below)

---

---

---

---

---

**OTHER OBSERVATIONS**

(List below any other observations not included in this checklist. Also provide details for any accident that the employee in question caused or was involved in.)

---

---

---

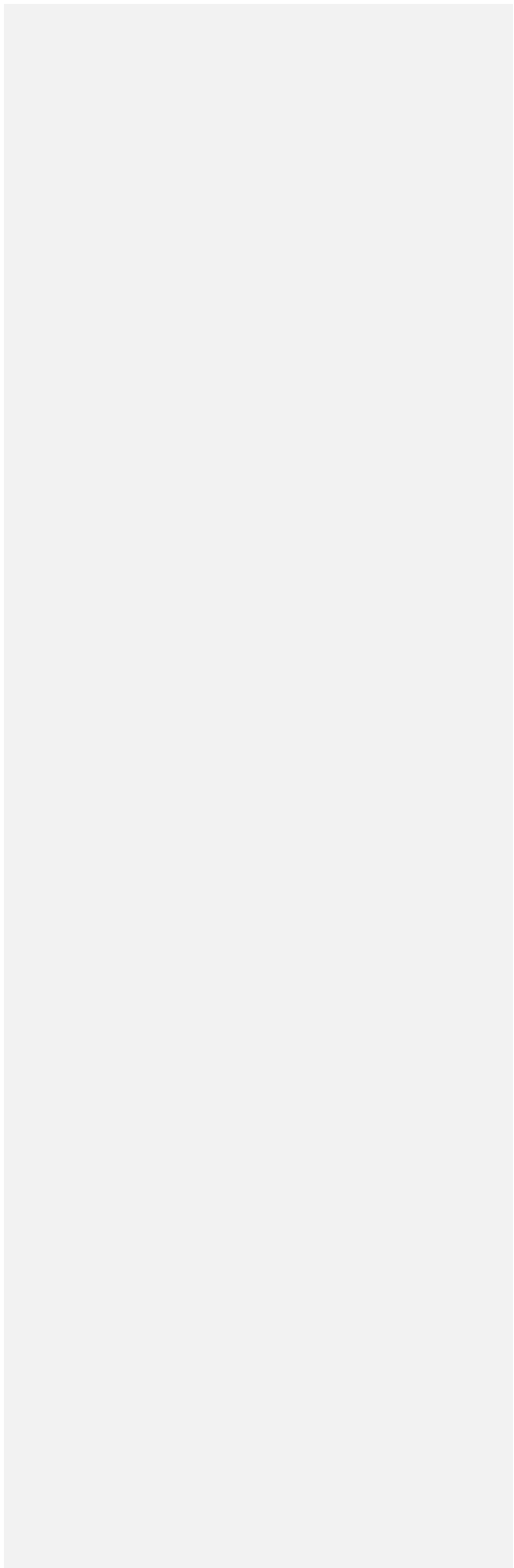
---

---

---

---

---





Scott Rue  
Owner



# Rue's Tractor & Lawn Service

---

Lawn Mowing • Bobcat Tractor Work • Snow Plowing • Complete Lawn Care • Licensed & Insured  
76 Inez Ave • Valley Park, MO 63088 • Ruesservice@aol.com  
Phone: 314 - 973 - 7195 • Fax: 636 - 225 - 5500 • Ruesservice.com

December 10, 2020

RE: 2021 Snow Removal Bid

Valley Park Fire District  
55 Crescent Ave.  
Valley Park, MO.63088

LOCATIONS: 840 St Louis Avenue and 55 Crescent Avenue in Valley Park.

Your 2021 per plow rate will be \$95.00 for each fire station. This includes the entrance driveways, parking area and each engine apparatus pad. This bid doesn't include any hand shoveling of the front or rear entrance doors or sidewalks.

We don't plow any snowfall of 2" or less unless prior arrangements are made. This would be a "keep clean" option. We also offer a pre-salt treatment. You would need to let me know if you want either option. Rock salt is already purchased and the price is \$19.00 per 50lb bag. Calcium Chloride ice melt for concrete is \$30.00 per 50lb bag. Salt and/or Calcium Chloride is applied at our discretion based on the current conditions at time of service.

If a heavy snowfall (6"+) is predicted by the National Weather Service St. Louis we start plowing around 3" and continue to plow until the storm is over. You are charged the per plow rate each time your location(s) is plowed.

A certificate of insurance will be emailed to the Fire District if bid approved.

Please contact me at the number above to confirm service for this season or if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Scott Rue". The signature is fluid and cursive.

Scott Rue