

**PERTAINING TO THE AMENDMENT OF THE CALVERT COUNTY
RISK MANAGEMENT AND SAFETY MANUAL**

WHEREAS, by Resolution 34-88, the Board of County Commissioners established the policy of County government to provide a safe work environment;

WHEREAS, the County's first "Risk Management and Safety Manual" was adopted by the Board of County Commissioners on December 8, 1998 as policy establishing guidelines and procedures for the effective operation of the Emergency Management and Safety Division, without the benefit of a formal resolution;

WHEREAS, the Board of County Commissioners ratified that policy by adoption of Resolution 15-07 in 2007, which was subsequently amended in 2014 (Resolution 50-14);

WHEREAS, due to a reorganization, the purpose of the Risk Management and Safety Manual was converted from guidelines and procedures for the effective operation of the Emergency Management and Safety Division to prescribed occupational safe work practices applicable to all employees of Calvert County by Resolution 43-18; and

WHEREAS, the Board of County Commissioners have expressed a desire to amend the Risk Management and Safety Manual pertaining to incidents arising from the driving or operation of a vehicle, vessel, heavy equipment, or personal vehicle while conducting County business by employees, appointees, and persons subject to 9.09 Post Vehicle Accident Procedures.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners of Calvert County, Maryland, hereby approves and enacts the following amendment to the Risk Management and Safety Manual, repealing and readopting Section 9.09(A) to read as follows:

9.09 Post Vehicle Accident Procedures

A. Impaired Operator Prevention Policy shall be as follows:

1. Employees who are involved in an incident while driving: a vehicle or vessel owned, acquired by, or acquired with funds from the County; a personal vehicle while conducting County business; or operating heavy equipment, that results in damage to the vehicle, or any other property shall inform their Supervisor immediately and all employees and operators of vehicles or equipment who did or could have contributed to the incident shall submit to drug and alcohol testing to refute the presumption of being under the influence of drugs, alcohol, or both. Refer also to Chapter 86 of the Calvert County Code for screening and testing procedures.
2. Refusal to submit to drug and alcohol testing shall result in disciplinary action up to and including termination of employment, and may include restitution and reimbursement of all costs, charges, and expenses arising from the incident.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland, that in the event any portion of the Resolution or the Calvert County Risk Management and Safety Manual are found to be unconstitutional, illegal, null, or void, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the Resolution shall be enforceable and valid.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Calvert County, Maryland, that the foregoing recitals are adopted as if fully rewritten herein.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Calvert County, Maryland, that this amendatory Resolution shall be effective upon recordation without publication of a fair summary.

DONE, this 28th day of June, 2022, by the Board of County Commissioners of Calvert County, Maryland, sitting in regular session.

Aye: _____ 5

Nay: _____ 0

Absent/Abstain: _____ 0

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF CALVERT COUNTY, MARYLAND**

Ruthie Buckler
Ruthie Buckler, Acting Clerk

Earl F. Hance
Earl F. Hance, President

Steven R. Weems
Steven R. Weems, Vice President

Christopher J. Gadway
Christopher J. Gadway

Approved for form and legal
sufficiency by:

Mike Hart
Mike Hart

John B. Norris, III
John B. Norris, III, County Attorney

Kelly D. McConkey
Kelly D. McConkey

Received for Record..... JUNE 28....., 2022.
at..... 3:00..... o'clock..... P..... M. Same day
recorded in Liber KPS No. 68.....
Folio..... 376-377..... COUNTY COMMISSIONERS
ORDINANCES AND RESOLUTION.

Garry P. Smith