

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE COLORADO CENTRE METROPOLITAN DISTRICT  
REGARDING SUBSTANCE ABUSE  
AND RANDOM DRUG TESTING**

**RESOLUTION NO. 2004-2-26.2**

**WHEREAS**, the Colorado Centre Metropolitan District (“the District”) is organized pursuant to COLO. REV. STAT. § 32-1-101 *et seq.* (“Special District Act”); and

**WHEREAS**, the District maintains employees who carry out the District’s daily functions, which include providing water and wastewater services, fire protection, park and recreation facilities and administrative functions related to these services; and

**WHEREAS**, the skills, dependability and reliability of the District’s employees are essential to assuring that the District operates in a manner that protects the health, safety and welfare of the general public; and

**WHEREAS**, upon considering information about the potential impacts to District customers resulting from substance abuse, such as the use of banned or illegal drugs or the excessive use of prescription drugs or alcohol; and drawing upon common knowledge of the effects of substance abuse on individuals, the Board of Directors of the District concludes that:

- substance abuse by any of the District’s employees can significantly impair an employee’s ability and/or judgment;
- impairment of an employee’s abilities and/or judgment due to substance abuse can lead to poor performance in carrying out a particular job or task;
- poor job performance by District employees can potentially endanger public health, safety and welfare; and
- any increased endangerment of the public through accidents caused by or the negligent acts or omissions of District employees potentially subjects the District to increased liability

**WHEREAS**, COLO. REV. STAT. § 32-1-1001(1)(h) grants the District authority to manage, control, and supervise all the business and affairs of the District as defined in Special District Act; and

**WHEREAS**, COLO. REV. STAT. § 32-1-1001(1)(n) grants the District authority to exercise all rights and powers necessary or incidental to or implied from the specific powers granted to special districts under the Special District Act, and such specific powers are not considered a limitation upon any power necessary or appropriate for the District to carry out the purposes and intent of said Act; and

**WHEREAS**, the Board of Directors of the District has determined that a establishing a random drug testing program will help prevent substance abuse by District employees, protect the integrity of the District's daily operations and protect public health, safety and welfare;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Due to the potential risks to public health, safety and welfare presented by substance abuse, the Board of Directors of the District hereby adopts as a formal policy that substance abuse by District employees shall not be tolerated;
2. The Board of Directors hereby formally adopts a random drug testing program which shall apply to all District employees which shall be administered by a qualified private contractor under the direction of the District's Manager;
3. The results of any random drug test administered on a District employee shall be kept confidential unless disclosure of the test result is required by law, court order, or necessary for use in any legal, administrative or arbitration proceeding;
4. The Board of Directors may, but shall not be required to, adopt rules or policies regarding the random drug testing program; and
5. In the absence of any substance abuse rules or policies adopted by the District, the District Manager shall have full authority and discretion to address any violation by a District employee of the District's substance abuse policy adopted in this resolution, which may include termination of employment.

The foregoing is a true copy of a resolution duly adopted by the Board of Directors of the Colorado Centre Metropolitan District by unanimous vote at a public meeting on the 26<sup>th</sup> day of February, 2004.

On File

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Karen Harvey, President

ATTEST:

On File

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Karen Grant, Assistant Secretary