

May 5, 2003

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Kemp, Davis, Mason, Holmes, and Frye were present. Rev. Jeff Dawkins, Jewel Baptist Church, Archdale, gave the invocation, and everyone recited the Pledge of Allegiance.

Special Presentation Regarding "Jerome C. Davis Highway"

Vice Chairman Darrell Frye and N.C. Department of Transportation Board Member G. R. Kindley presented a replica road sign to Jerome Davis. A portion of Hwy 311 from Cedar Square Road at Glenola to Banner Whitehead Road has been named for Mr. Davis, who is a national bull riding champion who lives in Archdale. Mr. Kindley stated that the road signs had been erected earlier in the day.

Consent Agenda

On motion of Mason, seconded by Frye, the Board voted unanimously to approve the consent agenda, as follows:

- *Approve regular minutes of April 7, 2003 and special meeting and closed session minutes of April 16, 2003;*
- *Appoint Deborah Garner, Pat Hurley, Jan Monroe, Julia Howell to the Randolph County Nursing Home Advisory Committee (1-yr. initial terms);*
- *Appoint Elizabeth Cox to the Randolph County Adult Care Home Advisory Committee (1-yr. initial term);*
- *Approve D.O.T. resolution, as follows:*
WHEREAS, the Department of Transportation has investigated Donna Road off of SR 2839 (Staleys Farm Rd.); and
WHEREAS, the subject street has been found to meet minimum requirements for addition;
NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that Donna Road off of SR 2839 (Staleys Farm Rd.) be added to the Division of Highways' Secondary Road System.

Public Hearing - D.O.T. Secondary Road Improvement Program; Approval of Resolution

Jeff Picklesimer, D.O.T. District Engineer, presented the 2003-2004 Secondary Roads Improvement Program and reviewed the expected allocations listed in the resolution that follows.

Chairman Kemp opened the public hearing at 4:30 p.m.

Lisa Hale, 406 Misty Drive, inquired about her road because half of it has been paved and the other half (the half she lives on) is still unpaved. She said that she and her neighbors have been informed by the post office that mail delivery would soon cease due to the poor condition of the road.

Mr. Picklesimer, NCDOT District Engineer, told her that the road would have to be brought up to state standards before the state would take it over. He said that he would send her a letter on what would need to be done.

Chairman Kemp closed the public hearing.

On motion of Mason, seconded by Davis, the Board voted unanimously to adopt the following resolution approving the 2003-2004 Secondary Roads Improvement Program, as presented:

WHEREAS, the North Carolina Department of Transportation anticipates July 2003 an allocation of \$1,993,031 and remaining funds of \$0 from the previous Secondary Construction Program, a total of \$1,993,031 for secondary road improvements in Randolph County for the forthcoming fiscal year. A public meeting was held on May 5, 2003 in the Randolph County Commissioners Meeting Room on the expenditures of said funds:

WHEREAS, it is proposed to utilize approximately \$1,612,000 to construct roads down the priority list as far as possible, provided rights-of-way are available:

PROGRAM SUBJECT TO AVAILABILITY OF FUNDING, RIGHT-OF-WAY, AND ENVIRONMENTAL REVIEW

<u>Priority No.</u>	<u>SR No.</u>	<u>Road Name</u>	<u>From</u>	<u>To</u>	<u>Miles</u>	<u>Description</u>	<u>Cost</u>
6.572970 Rural	2858	Leather Road	US 220	D.E.	0.30	G,D,B,P,EC	\$40,000
			ALT				
6.572972 Rural	2894	Herrington Country Road	SR 1003	SR 2873	1.30	G,D,B,P,EC	\$220,000
6.572980 Rural	2636	Manor Rock Road	SR 2634	End Pvt.	1.40	G,D,B,P,EC	\$307,000
6.572981 Rural	2903D	Osborn Mill Road	End. Pvt.	SR 2911	1.25	G,D,B,P,EC	\$275,000
6.572982 Rural	2882	Carl Cox Road	SR 2876	NC 22/42	1.40	G,D,B,P,EC	\$200,000
6.572984 Rural	1118A	Bethal Lucas Road	NC 134	SR 1121	1.00	G,D,B,P,EC	\$220,000
Priority #26 Rural	2876B	Pleasant Grove Church Road	SR 1002	SR 2885	1.40	G,D,B,P,EC	\$350,000

WHEREAS, it is proposed to retain \$224,809 of the total allocation for spot stabilization, paved road improvements, replace small bridges with pipe, or safety projects;

WHEREAS, it is proposed to retain \$156,223 of the total allocation for road additions, property owner participation paving, volunteer fire departments, rescue squad driveways, old subdivision improvement program, overruns, county surveys and right-of-way acquisition;

WHEREAS, the North Carolina Department of Transportation anticipates July 2003 an allocation of \$1,849,568 and remaining funds of \$0 from the North Carolina Highway Trust Fund, a total of \$1,849,568 for Secondary Road Improvements in Randolph County for the forthcoming fiscal year; A public meeting was held on May 5, 2003 in the Randolph County Office Building on the expenditures of said funds:

WHEREAS, it is proposed to utilize approximately \$1,325,000 to construct roads down the priority list as far as possible, provided rights of way are available:

<u>Priority No.</u>	<u>SR No.</u>	<u>Road Name</u>	<u>From</u>	<u>To</u>	<u>Miles</u>	<u>Description</u>	<u>Cost</u>
Priority #27 Rural	2107	Old Climax Road	SR 2106	CL	0.80	G,D,B,P,EC	\$200,000
Priority #28 Rural	2904	Old Bachelor Creek Road	SR 2900	SR 2903	0.70	G,D,B,P,EC	\$175,000
Priority #29 Rural	1942	Will Coltrane Road	SR 1944	DE	0.40	G,D,B,P,EC	\$100,000
Priority #30 Rural	2631	Frazier Road	US 64	SR 2629	1.40	G,D,B,P,EC	\$350,000
Priority #31 Rural	1179B	Lou Cranford Road	SR 1180	SR 1143	2.00	G,D,B,P,EC	\$500,000

WHEREAS, it is proposed to retain \$238,838 of the total allocation for spot stabilization, paved road improvements, replace small bridges with pipe, or safety projects;

WHEREAS, it is proposed to retain \$285,730 of the total allocation for property owner participation paving and overruns;

BE IT RESOLVED that all of the above be carried out by the Department of Transportation.

Resolution of Support in the Naming of a Bridge for Sgt. Charles Thomas Parker

Roger Greene told the Board that he is seeking support from the Commissioners in an effort to name the new bridge over the Uwharrie River on Jackson Creek Road for Sgt. Charles Thomas Parker. He presented petitions of support with approximately 700 names along with letters of support from family members, Sheriff Litchard Hurley, and Guy Troy, who was Mr. Parker's commanding officer at the time of his death during the Vietnam War. Mr. Troy also spoke in support of this project, saying that Mr. Parker was certainly worthy of this honor. Jeff Picklesimer explained the process by which a bridge gets named. The Board directed Hal Johnson to work with Mr. Greene in the compilation of materials needed to forward to NCDOT to pursue this request.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the following resolution:

WHEREAS, Mr. Charles Thomas Parker was reared in the Jackson Creek community on a dirt lane now named Parker's Mill Road, and his grandfather, Victor Parker, ran the grist mill and general store located next to the bridge where Jackson Creek Road crosses the Uwharrie River; and

WHEREAS, this mill and store, along with the one-lane concrete bridge, was a landmark and community gathering place until the late 1960's, and Mr. Parker spent much of his youth at this site playing and working until he graduated from Farmer High School in 1964; and

WHEREAS, Mr. Parker has been described as one of the best athletes to have attended Farmer High School, serving as co-captain of the basketball team, leading the team to a Randolph County Conference Championship and the District 5 Class A Championship, and advancing through the playoffs to the N.C. State Championship; and

WHEREAS, Mr. Parker was an outstanding member of the 4H Club on the local and state level and later was a respected member of his community and a committed Christian; and

WHEREAS, Mr. Parker answered the call to serve his country and entered the United States Army on April 24, 1967; and

WHEREAS, Mr. Parker gave his life in that service on February 2, 1968 in the Binh Duong Province of South Vietnam, having been struck by hostile fire; and

WHEREAS, this Board has received a request from the community for support in the naming of the new Uwharrie Bridge over Jackson Creek Road for Mr. Parker; and

WHEREAS, there appears to be widespread community support for bestowing this honor on Mr. Parker, as evidenced by letters, petitions, and the citizens who appeared before this Board to speak in support of this request.

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that we support the community's request to name the new bridge over Uwharrie River on the Jackson Creek Road in honor of Mr. Charles Thomas Parker.

BE IT FURTHER RESOLVED that we request that, if acceptable to the North Carolina Department of Transportation, the sign reads as follows: *The Sgt. Charles Thomas Parker Memorial Bridge.*

Aging Services - 2003-2004 Home and Community Care Block Grant (HCCBG) Allocations

Candie Rudzinski, Aging Services Planning Coordinator, reported that the Aging Services Planning Committee has approved a recommendation for the HCCBG allocations for FY 2003-2004, totaling \$634,286, with the required DSS match of \$9,511.

On motion of Davis, seconded by Holmes, the Board unanimously approved Randolph County Senior Adults Association as lead agency, approved the HCCBG Funding Plan as indicated on Form DOA-731 requesting a total of \$634,286 and the required DSS match of \$9,511, and agreed to accept supplemental funding should it become available and to allow the Aging Services Planning Committee to decide how to allocate these funds.

Building Inspections Fee Changes

Paxton Arthurs, Chief Building Inspector for Randolph County, told the Board that he is proposing fee changes/increases for some of the services offered in his department. He said that these increases will help to fund one new inspector position that he is requesting in his FY03-04 Budget and also the changing of a clerical position from part-time to full-time. These positions are needed due to the high number of inspections required. Currently, the Plan Reviewer has been needed to assist in this area by acting as a field inspector. He also stated that required inspections will increase and become more time critical due to State Building Code changes and new legislation. He stated that without these new staff positions, response times will increase and plan review times and availability will worsen. The following are the proposed changes:

Building Permits

1. Change General Construction Permit fees to an even rate of \$3 per \$1000 of construction value. (Currently, after \$100,000 value the rate is reduced to \$2 per \$1000.)

2. Base commercial construction values on SBCCI (Southern Building Code Congress International) estimates instead of using a \$55 per square foot of heated space, or the actual bid price methods.

Modular Permits—Raise the fee to \$400 from \$200 due to the number of inspections required.

Consultation Inspections (Inspections involving advising property owners about future plans or approving buildings to meet licensure requirements)—Begin charging \$50 for consultation inspections. Currently, we do not have any way of charging for these visits.

On motion of Davis, seconded by Holmes, the Board voted unanimously to approve changes to the building inspections fee schedule, as presented above.

Award Bid to Upgrade 911 Equipment

Susana Vang, Purchasing Technician, told the Board that the Emergency Services Department has requested the purchase of an upgrade package for the existing 911 Center equipment and software. The County currently utilizes Rescue Star E911 Public Safety System. The requested upgrade will provide up-to-date technology and services to benefit Randolph County's public safety needs. Sprint, Inc. is the only vendor in the vicinity that could provide and maintain this system. The upgrade proposal submitted by Sprint, Inc. was reviewed by the Emergency Services staff for compatibility and suitability and meets the needs of the County's current system.

On motion of Frye, seconded by Mason, the Board voted unanimously to award the Rescue Star upgrade to Sprint, Inc. for a total cost of \$17,297.46.

Solid Waste Management System Update

David Townsend, III, told the Board that he is studying several options designed to save money and more efficiently manage daily operations at the County's transfer station. He said his main goal is to keep tipping fees constant and to maintain our current level of service. He stated that he is still waiting on proposals from various contractors and that he plans to make a full report at the June meeting.

Resolution of Support for the Siting of the Central N.C. Mental Health Hospital in Chatham County

Chairman Kemp told the Board that Chatham County is requesting a resolution of support in their effort to secure the siting of the Central N.C. Mental Health Hospital in Chatham County.

On motion of Frye, seconded by Holmes, the Board voted unanimously to approve the following resolution:

WHEREAS, geographic accessibility to the service area is one of the key factors in deciding where to locate a mental health facility; and

WHEREAS, many mental health patients require frequent transportation assistance; therefore, access to major highways is another important issue; and

WHEREAS, the Chatham County site under consideration for the Central N.C. Mental Hospital is located in the geographic center of the hospital's service area at the intersection of two major highways, U.S. 64 and U.S. 421; and

WHEREAS, in addition to its ideal location, this site will further benefit North Carolina taxpayers, as Chatham County has agreed to donate the property, which already has access to water and sewer services; and

WHEREAS, location of the facility in Chatham County will also promote a major goal of the state: economic development in rural areas.

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that we hereby request that the North Carolina General Assembly approve Chatham County as the location for the Central N.C. Mental Hospital.

Resolutions for 3 Interlocal Agreements for Self-Insurance Fund

County Manager Frank Willis told the Board that the Board of Trustees of the three NCACC Risk Management Pools have examined and revised the interlocal agreements that govern pool operations. Randolph County is a member of these pools: Group Benefits Pool, Liability and Property Pool and the Workers' Compensation Pool. He explained that the proposed changes to the agreements are largely cosmetic. They have been reorganized to make their formats consistent with each other and provisions that should be included in coverage agreements that are revised annually have been removed. Also, duplicated language in the bylaws has been removed. The NCACC has asked that each member re-adopt resolutions providing for participation in the interlocal agreement that forms each pool.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve 3 resolutions (ATTACHED) adopting each interlocal agreement and, thereby, joining the NCACC Health Insurance Trust, the Liability and Property Joint Risk Management Agency and the Joint Risk Management Agency Worker's Compensation Fund.

July Meeting Date

The Board discussed the July meeting date and decided that since the first Monday (July 7) falls the week after the Independence Day holiday week, there was no need to change the date.

2003-04 Budget Meeting Schedule

The Board discussed the June meeting schedule and decided to set the following dates for their budget sessions: June 3, 9, and 12, including a public hearing on the budget at 6:00 p.m. on June 12.

Adoption of Ambulance Franchise Ordinance

Aimee Scotton, County Attorney, reminded the Board that the County currently has no franchise ordinance in place to regulate ambulance services and, thereby, has no control over any privately owned ambulance service that might choose to locate within Randolph County. A lack of control over private ambulance services could lead to a disparity in the level of services as well as pricing for calls in the county. As things stand now, calls to private ambulance services would not come through the County emergency dispatch system. Instead, private providers would respond to calls that are made to them directly. An ambulance franchise ordinance would benefit Randolph County because it would insure that the County is aware of all of the ambulance services operating within its jurisdiction. It would also allow the County to set a schedule of fees so that citizens won't be gouged by private operators charging outlandish prices. Most importantly, however, an ordinance would allow the County to exercise control over which calls a private operator responds to. Also, the proposed ordinance provides that private ambulance services carry certain minimum liability insurance levels.

Chairman Kemp opened the public hearing and, hearing no comments, closed the public hearing.

On motion of Frye, seconded by Holmes, the Board voted unanimously to adopt the ambulance franchise ordinance, as follows:

Section 1. Purpose.

In the public interest and for the promotion of the public health, safety, welfare and convenience and pursuant to statutory authority contained in N.C.G.S. §153A-250 and other applicable laws, the following rules are adopted, which rules set forth the conditions, limitations, restrictions, and requirements under which a person may provide ambulance services or operate an ambulance in Randolph County.

Section 2. Definitions.

For the purposes of this ordinance, the following words, phrases, terms, abbreviations, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, words in the singular number include the plural number,

and words in the masculine, feminine or neuter gender include each of the other genders. The word “shall” is always mandatory and not merely directory.

(a). “Ambulance” shall mean any privately or publicly owned motor vehicle, aircraft, or vessel that is specially designed, constructed, or modified and equipped and is intended to be used for and is maintained or operated for the transportation of patients on the streets or highways, waterways, or airways of this state, in accordance with N.C.G.S. §131E-155.

(b). “Ambulance Provider” shall mean an individual, firm, corporation or association who engages or professes to engage in the business or service of transporting patients in an ambulance.

(c). “Approved” shall mean approved by the state’s Medical Care Commission pursuant to its rules and regulations promulgated under Chapter 143, Article 56 of the North Carolina General Statutes.

(d). “Board” shall mean the Randolph County Board of County Commissioners.

(e). “County” shall mean Randolph County, North Carolina.

(f). “Credentialed Personnel” shall mean an individual who holds a valid certification from the state that allows them to practice at any of the following levels: Medical Responder, EMT, EMT (epinephrine), EMT-D, EMT-I, and/or EMT-P, as defined in North Carolina General Statutes and any rules promulgated pursuant thereto.

(g). “Department” shall mean the North Carolina Department of Health and Human Services.

(h). “Dispatcher” shall mean a person who is available at all times to receive requests for emergency services, to dispatch emergency services, and to advise fire departments, law enforcement agencies and emergency medical facilities of any existing or threatened emergency.

(i). “Emergency” and “Emergency Transportation Service” shall mean the use of an ambulance, the equipment and personnel to provide medical care transportation of a patient who is in need of immediate medical treatment in order to prevent loss of life or further aggravation of physiological or psychological illness or injury.

(j). “Non-emergency Transportation Services” shall mean the operation of an ambulance for any purpose other than transporting emergency patients.”

(k). “Owner” shall mean any person or entity who owns an ambulance.

(l). “Patient” shall mean an individual who is sick, injured, wounded, or otherwise incapacitated or helpless such that the need for some medical assistance might be anticipated, in accordance with N.C.G.S. §131E-155.

(m). “Person” shall mean any individual, firm, partnership, corporation, association, company, group of individuals acting together for a common purpose, or organization of any kind, including any governmental agency of the United States.

(n). “State” shall mean the State of North Carolina.

Section 3. Standards.

(a). Standards for credentialed personnel shall be as developed by the State Medical Care Commission and the Randolph County Emergency Medical Services System, and shall be applied to the same as if incorporated herein by reference.

(b). Standards for vehicles and equipment shall be as developed by the State Medical Care Commission and the Randolph County Emergency Medical Services System, and shall be applied to the same as if incorporated herein by reference.

Section 4. Communications and Dispatch Requirements.

(a). Each ambulance shall be equipped with UHF and VHF two-way communications compatible with those used by Randolph County Emergency Services. Randolph County Communications shall assign frequencies and record movements of applicant’s ambulances.

(b). Each ambulance shall be required to render assistance to Randolph County Emergency Medical Services (EMS) in the case of a major catastrophe or emergency or when Randolph EMS units are unavailable to respond to emergency calls.

(c). Assigned emergency calls will have priority over scheduled non-emergency calls.

(d). When Randolph EMS units are dispatched to an emergency scene and an applicant’s ambulance is available, closer to the scene, that ambulance is authorized to respond to the scene and provide assistance prior to Randolph EMS if:

- (1). The County Communication Center is notified; and
- (2). The applicant’s ambulance is dispatched.

(e). If, on arrival, it is found that the situation is not an emergency, the patient may be transported by applicant's ambulance. Randolph EMS will continue to the scene if there is any question of the patient's actual condition. Patient's medical needs will be given priority. When necessary, patient will be released to Randolph EMS for treatment and transport.

(f). Any call received at a base or office of the applicant will be immediately referred to County Communications and the appropriate response will be determined.

Section 5. Insurance.

(a). No ambulance franchise shall be issued under this ordinance, nor shall such franchise be valid after issuance, unless the franchisee has at all times in force and effect insurance coverage issued by an insurance company licensed to do business in this state.

(b). This coverage shall provide:

(1). Appropriate Statutory Workmen's Compensation

(2). Auto Liability Coverage in an amount equal to or greater than that carried by Randolph County Emergency Services.

(3). General Liability Coverage in an amount equal to or greater than that carried by Randolph County Emergency Services.

(4). Medical Malpractice Coverage in an amount equal to or greater than that carried by Randolph County Emergency Services.

(c). The applicant shall annually provide the County with a copy of the Certificate of Insurance for the above. The insurance policy must list the County as a party to be notified in the event that the applicant's insurance is revoked, withdrawn, canceled, or allowed to lapse, or in the event that there is any change whatsoever in the above-described coverage amounts.

Section 6. Rates and Charges.

Each franchisee who charges for services shall set his rates and fees in accordance with those rates and fees set by the Board of County Commissioners for the County Department of Emergency Services.

Section 7. Franchise Required.

(a). It shall be unlawful for any person to provide ambulance services in Randolph County or to operate an ambulance in the County unless such person shall have first obtained and shall currently hold a valid franchise granted pursuant to this ordinance.

(b). No franchise shall be required for:

(1). Any entity rendering assistance to a franchised ambulance service in the case of a major catastrophe, mutual aid or emergency with which the services franchised by the County are insufficient or unable to cope;

(2). Any entity operated from a location or headquarters outside of the County in order to transport patients who are picked up beyond the limits of the County to facilities located within the County, or to pick up patients within the County for transporting to locations outside the County;

(3). Any ambulance owned and operated by an agency of the United States Government;

(4). Vehicles owned and operated by rescue squads chartered by the state as nonprofit corporations or associations or by rescue squads which are not regularly used to transport sick, injured, wounded, or otherwise incapacitated or helpless persons except as a part of rescue operations.

(c). Any person who is providing ambulance services in the County or in any portion thereof on the effective date of the adoption of this ordinance is also entitled to a franchise to continue to service that part of the County in which the service is being provided. The Board of Commissioners has determined that Piedmont Triad Ambulance and Rescue Service and Ash-Rand Rescue and EMS, Inc. are the only ambulance services other than those operated by the County that are currently in operation in Randolph County and that both are in compliance with Chapter 131E, Article 7 and Chapter 143, Article 56 of the North Carolina General Statutes and any rules promulgated pursuant thereto and are each hereby granted a franchise to operate under the terms of this ordinance, upon the County's receiving proof of insurance in accordance with Section 5 above. Moses Cone Carelink is also currently operating an ambulance base in the County and is hereby granted a franchise to operate under the terms of this ordinance upon the County's receiving proof of insurance in accordance with Section 5 above, provided however that Moses Cone Carelink shall not be dispatched by the County nor shall they be subject to the provisions of Section 6 (Rates and Charges) above.

Section 8. Application.

(a). Application for a franchise to operate an ambulance in the County shall be made by the ambulance provider upon such forms as may be prepared or prescribed by the County and shall contain, but not be limited to, the following information:

- (1). The name and address of the ambulance provider and the owner(s) of the ambulance(s);
- (2). The trade or other fictitious names, if any, under which the applicant does business, along with a certified copy of an assumed name certificate stating such names or articles of incorporation stating such names;
- (3). A resume of the training and experience of the applicant in the transportation and care of patients;
- (4). A full description of the type and level of service to be provided, including detailed plans stating the method of implementation and operation of service;
- (5). An audited financial statement of the applicant as same pertains to the operations in the County, such financial statement to be in such forms and detail as the County may require;
- (6). A list of employees, job status, and North Carolina motor vehicle operator license numbers. This list must be kept current at all times;
- (7). A list of vehicles, including the model, year and license numbers for each;
- (8). Proof of required insurance;
- (9). Proof of registered state certification for vehicles and employees; and,
- (10). The address and physical location of all places where business is conducted; and,
- (11). A consent form allowing the Director of County Emergency Services to inspect the applicant's stations, vehicles, equipment, and attendants' state medical certification cards during the term of the franchise.

(b). Application for a franchise to operate an ambulance in the County shall be accompanied by an application examination fee of three hundred dollars (\$300.00).

Section 9. Issuance and Renewal of Franchise.

(a). Upon receipt of an application for a franchise, the County shall schedule a time and place for hearing the applicant prior to an investigation. Within thirty (30) days after such hearing, the County shall cause such investigation, as it may deem necessary to be made of the applicant and his proposed operations.

(b). A franchise may be granted if the County finds that:

- (1). The applicant meets state standards and the standards outlined in this ordinance; and,
- (2). A need exists for the proposed service in order to improve the level of ambulance services available to residents of the County and that this is a reasonable and cost effective manner of meeting the need. Where a franchise is to be issued to an existing service, there must be a need to maintain the existing level of service.

(c). The authority hereby granted to provide ambulance services in the County is not and shall not be deemed to be an exclusive right or permission. The County expressly reserves the right to grant similar non-exclusive franchises to other persons, firms, or corporations at any time or for any period of time. No additional franchise granted by the County shall in any wise affect the obligations of the grantee hereunder.

(d). Each franchise shall be valid for two years from the date of its issuance.

(e). Each franchise may be renewed by submission of the renewal application to the office of the County Manager at least ninety (90) days prior to the expiration date of the franchise. After approval of said application by the Board of County Commissioners and upon payment of a renewal examination fee of one hundred fifty dollars (\$150.00), the applicant shall be issued a renewal certificate, which shall validate the applicant's franchise for an additional two years.

Section 10. Termination.

(a). Either party, at its option, may terminate a franchise granted under this ordinance upon one hundred twenty (120) days prior written notice to the other party. After a notice of termination is given, the ambulance provider may reapply for a franchise if continued service is desired.

(b). The acceptance of a franchise by an operator constitutes an agreement to comply with required standards at all times. Each franchised ambulance service shall comply at all times with the requirements of this ordinance, the franchise granted hereby, and all applicable federal, state, and local laws relating to health, sanitation, safety, equipment, and ambulance design and all other laws and ordinances, including but not limited to Chapter 131E, Article 7 and Chapter 143, Article 56 of the North Carolina General Statutes, and the Emergency Medical Services System Plan adopted by Randolph County. Failure to comply will result in the revocation of the franchise by the County.

(c). Upon suspension, revocation, or termination of a franchise granted hereby, such franchised ambulance service shall immediately cease operations. Upon suspension, revocation, or termination of a driver's license or attendant's

certification, such persons shall immediately cease to drive an ambulance or to provide medical care in conjunction with the ambulance service.

(d). Upon any change in ownership of a franchised ambulance service made without prior written approval by the County, the County shall have the option to terminate the franchise effective immediately. No franchise shall be sold, assigned, mortgaged, or otherwise transferred, in whole or in part, without the prior written approval of the County. The County shall have the option to terminate the franchise, in either case, requiring a new application to be submitted, and a finding of conformance with all requirements of this ordinance as upon original franchising.

Section 11. Enforcement and Revocation of Franchise.

(a). It shall be the duty of the Director of Randolph County Emergency Services to periodically inspect the stations and ambulances licensed under this ordinance in order to determine any violations of its provisions.

(b). Upon acquiring reasonable and substantial evidence that an ambulance provider requiring a franchise under this ordinance, or an owner, officer, or employee of such ambulance provider, has violated any provision of this ordinance, the Director of County Emergency Services shall notify the Board of County Commissioners of such evidence. The Board shall then determine if there is sufficient danger to the morals, public health, safety, or general welfare of the citizens and residents of the County to warrant revocation of the ambulance provider's franchise.

(c). Upon a determination that there is probable cause for revocation and after notification to the ambulance provider of such determination and the reasons therefore, the Board shall schedule a hearing at which the ambulance provider or his representative shall be afforded the opportunity to show good cause why his franchise should not be revoked. Upon the ambulance provider's failure to show such good cause, the Board shall revoke the franchise.

Day Reporting Center Budget Amendment

Jane Leonard, Deputy Finance Officer, told the Board that the Criminal Justice Partnership Program has approved an allocation of discretionary funding for one-time expenses for the Adult Day Reporting Center (DRC). They have approved \$28,150 in funds for the Randolph County program and \$27,375 for the Montgomery County program. The DRC wishes to purchase two vans, computers and program supplies with these funds.

On motion of Mason, seconded by Davis, the Board voted unanimously to approve Budget Amendment #33, as follows:

GENERAL FUND - # 33	
Revenues	Increase
<i>Restricted Intergovernmental</i>	\$ 55,525
Appropriations	Increase
<i>Day Reporting Center</i>	\$55,525

Public Health Budget Amendment

Ms. Leonard told the Board that the County has received a notice of caseload adjustment for the WIC program, which entitles us to receive additional funding for this fiscal year in the amount of \$9,370. The Health Department wishes to use these funds to make some physical changes in the WIC office that will streamline patient flow and to purchase some office furniture, equipment and educational materials.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve Budget Amendment #34, as follows:

GENERAL FUND - # 34	
Revenues	Increase
<i>Restricted Intergovernmental</i>	\$ 9,370
Appropriations	Increase
<i>Public Health</i>	\$ 9,370

Rezoning Public Hearing

At 6:30 p.m. the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Administrator, presented the following requests, and Chairman Kemp opened the public hearing for comments on each request and closed it before taking action on each request.

1. JIMMY WANSLEY, Asheboro, North Carolina, is requesting that 10.07 acres located on Scott McDowell Road, Union Township, be rezoned from RA to RLOR-CU. The Proposed Conditional Use Zoning would specifically allow the property to be divided and into two 5-acre parcels with an existing doublewide mobile home on each new lot. The Planning Board considered this request at a public hearing on April 7, 2003 and recommended unanimously that this request be approved.

Jimmy Wansley, applicant, spoke in support of his request, stating that he plans to deed one of the lots to his son.

On motion of Frye, seconded by Davis, the Board voted unanimously to approve the request of Jimmy Wansley.

2. LEVON HOPKINS, Denton, North Carolina, is requesting that 5.23 acres located on the corner of Burney Mill Road/Kidds Mountain Road, New Hope Township, be rezoned from RA to RM-CU. The proposed Conditional Use Zoning would specifically allow a 3-space mobile home park. The Planning Board considered this request at a public hearing on April 7, 2003 and recommended unanimously that this request be denied as inconsistent with the rural residential agricultural community.

Levon Hopkins, applicant, spoke in support of his request, stating that the reason he wants to put a small mobile home park here is because he is tired of losing money on his land. He doesn't want to sell the property because he wants to be able to control how the property is used and the appearance of the property. He said that he has planted a buffer of trees on one side of the property so that his renters won't have to look at the junked cars on the adjoining property. He mentioned that if the reason the Commissioners decided to deny the request was because they felt it would set a precedent for other mobile home parks in this area, then he agrees that they should deny it. Mr. Hopkins believes that this park will be a good thing for the area because he plans to make it look very attractive. He also mentioned that there is a good water supply on this property.

On motion of Holmes, seconded by Mason, the Board voted unanimously to approve the request of Levon Hopkins.

3. DANIEL & JANICE KINLEY, Lexington, North Carolina, is requesting that 30.80 acres located on Ross Wood Road, Tabernacle Township, be rezoned from RA to CVOR-CU. The proposed Conditional Use Zoning would specifically allow the development of a 6-lot subdivision for Class-A doublewide mobile homes on permanent masonry foundations, modular homes, or site built homes. The Planning Board considered this request at a public hearing on April 7, 2003 and recommended unanimously that this request be approved with the condition that the private road will have to meet the County's private road standards.

Jerry King, surveyor, said that the applicant understands that that he will have to improve the road to meet the County's private road standards. He said that Davidson Water is available here.

Daniel Kinley, applicant, said that he plans to build his own residence across the road. He said that he has talked to his neighbors about his plans for this property. He hopes to make this community a nicer place to live. He mentioned that he understands that he has to bring the road up to the County's private road standards.

On motion of Davis, seconded by Mason, the Board voted unanimously to approve the request of Daniel and Janice Kinley.

4. CHARLES POWELL, Sophia, North Carolina, is requesting that 43.61 acres located on Old Walker Mill Road, Level Cross Township, be rezoned from RA to CVOR-CU. The Proposed Conditional Use Zoning would specifically allow the development of a 20-lot subdivision for Class-A doublewide mobile homes on permanent masonry foundations, modular homes, or site-built homes. The Planning Board considered this request at a public hearing on April 7, 2003 and recommended unanimously that this request be approved.

Jerry King, surveyor, stated that the deed restrictions will require a 6-12 (6' vertical rise for every 12' horizontal run) pitch roof for some of the lots and then asked that the conditions be changed to require that all lots require this roof pitch. Also, the front porches will have to be bricked, not wood. He mentioned that there was very good soil on this property.

On motion of Frye, seconded by Holmes, the Board voted unanimously to approve the request of Charles Powell with the added condition that all lots will require a 6-12 pitch roof.

Adjournment

There being no further business, the Board adjourned at 7:10 p.m.

Phil Kemp, Chairman

J. Harold Holmes

Darrell L. Frye

Robert O. Mason

Robert B. Davis

Cheryl A. Ivey, Deputy Clerk to the Board