

PERQUIMANS COUNTY
CAPITAL PROJECTS ORDINANCE
FOR
NC HOUSING FINANCE AGENCY
SINGLE FAMILY REHABILITATION PROGRAM

Section 1: APPROPRIATIONS - The following amounts are hereby appropriated in this Capital Reserve/NC Housing Finance Agency beginning July 1, 2019, and ending June 30, 2020.

Rehabilitation	\$	44,017
Program Costs		16,000
TOTAL CAPITAL RESERVE/NC HOUSING FINANCE AGENCY	\$	60,617

Section 2: REVENUES - It is estimated that the following revenues will be available for appropriation in the Capital Reserve/NC Housing Finance Agency beginning July 1, 2019, and ending June 30, 2020.

Single Family Rehab	\$	60,017
TOTAL CAPITAL RESERVE/NC HOUSING FINANCE AGENCY	\$	60,617

Wallace E. Nelson, Chairman
Perquimans Co. Board of Commissioners

WORK SESSION
June 17, 2019
7:00 p.m.

Due to a lack of business to discuss, the Perquimans County Board of Commissioners Work Session on June 17, 2019 was cancelled.

REGULAR MEETING
July 1, 2019
6:50 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, July 1, 2019, at 6:50 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Wallace E. Nelson, Chairman Fondella A. Leigh, Vice Chair
 Joseph W. Hoffler T. Kyle Jones
 Alan Lennon Charles Woodard

MEMBERS ABSENT: None

OTHERS PRESENT: Frank Heath, County Manager Mary Hunnicutt, Clerk to the Board

The meeting was called to order by Chairman Nelson. Commissioner Leigh gave the invocation and the Chairman led the Pledge of Allegiance. Afterwards, the Chairman explained that the first item of business was to hold a public hearing to receive citizens' comments to consider the proposed Perquimans County Ordinance Regulating Ambulance Service and the Granting of Ambulance Services.

PUBLIC HEARING

Perquimans County Ordinance Regulating Ambulance Services & the Granting of Ambulance Service Franchises

Chairman Nelson opened the Public Hearing restating that the purpose of this public hearing to receive citizens' comments to consider the proposed Perquimans County Ordinance Regulating Ambulance Service and the Granting of Ambulance Services. There were sixteen (16) people present. Jonathan Nixon, Emergency Services Directed, presented an overview of the proposed Ordinance. After his presentation, Chairman Nelson asked if there were any questions or comments from the Board or public. There being no questions from the Board or public, Chairman Nelson closed the Public Hearing at 7:00 p.m. and proceeded with Regular Meeting.

AGENDA

Chairman Nelson said that a copy of the amended Agenda was at their seats tonight. Alan Lennon made a motion to approve the Agenda, as amended. The motion was seconded by Joseph W. Hoffler and unanimously approved by the Board.

CONSENT AGENDA

Commissioner Lennon requested that Item V.E.3 be removed from the Consent Agenda and added to the July Work Session Agenda. Charles Woodard made a motion approving the Consent Agenda with the above item removed. The motion was seconded by Joseph W. Hoffler and unanimously approved by the Board.

1. **Approval of Minutes:** June 3, 2019 Regular Meeting & June 17, 2019 Special Called Meeting & Work Session Minutes which was cancelled due to no business.
2. **Tax Refunds & Release Approvals:**

PERQUIMANS COUNTY TAX REFUNDS:

- Brabble, Jr., Henry Wilson**----- \$110.77
Gave vehicle to his son. 11 month refund. Account Number 0036230837.
- Chappell, Melvin Elmer**----- \$100.97
Deceased. Estate of Mr. Chappell. 9 month refund. Account Number 0045358377.
- United Country Forbes Realty & Auctions, LLC**----- \$202.10
Changed information from company name to personal name. Account Number 0046250394.
- Parkinson, James Edward**----- \$217.41
Vehicle is registered in WV. 10 month refund. Account Number 0045321332.

PERQUIMANS COUNTY TAX RELEASE:

- Global Deluxe, LLC**----- \$691.02
Hertford mowing fee was keyed in in error under the wrong code. Account Number 356273.

3. Personnel Matters:

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
Robert Smith	Water Technician I	Appointment	58/1	\$24,447	07/01/2019
Sharon Cooper	Administrative Assistant- Inspections	Transfer	61/1	\$27,900	07/01/2019
Amy Ward	Tax Clerk – DMV	Appointment	58/3	\$25,671	07/01/2019
Sam Barrow	Planner	Extended Military Leave	Extended – 400 days		06/21/2019
Janice Thornton	IMC II	Resignation			06/20/2019
Ashley Weatherford	PT/FI EMT	Removed from Roster			06/11/2019
Alice Copeland	IMC II	Resignation			06/28/2019
Darlene Lind	PT/FI Certified Telecommunicator	Resignation			06/06/2019
Ernie Swanner	Code Enforcement Officer	Resignation			06/30/2019
Add 2 positions below	Amend Salary Classifications	Amendment			07/01/2019
Krystal Agosto	911 Communications Shift Supervisor II / Training Officer	Position Reclassification	68/6	\$42,905	07/01/2019
Julie Solesbee	PIO/Grants Manager/AEMT	Appointment/New Position	67/6	\$41,055	07/01/2019

4. Step/Merit Increases:

Employee Name	Employee Job Title	Grade /Step	New Salary	Effective Date
Jonathan A. Nixon	Emergency Services Director	76/17	\$79,776	07/01/2019
Joanne Avery	IMC II	63/4	\$32,790	07/01/2019
Krystal Dozier-Bass	Public Information Assistant IV	59/5	\$28,167	07/01/2019
Deanne Smith	IMC II	63/1	\$30,466	07/01/2019
Caitlyn Colson	EMS Shift Supervisor (Paramedic)	70/5	\$45,712	07/01/2019
Donna Phelps	Assistant Register of Deeds	60/9	\$32,453	07/01/2019
Rebecca Murray	Tax Clerk -Business Personal Property	61/3	\$29,294	07/01/2019

5. Annual Contract: The following annual contracts were unanimously approved by the Board for FY 2019-20:

- a. **Senior Nutrition Contract:** This contract is between Perquimans County and Albemarle Commission to handle the Senior Nutrition Program at the Senior Center. The cost is \$10,749.24 for FY 2019-2020.
- b. **Drainage Management Contract:** This contract is between Perquimans County and Dwane Hinson to handle drainage water management consulting services to meet the water management needs in Perquimans County. And it has the option to extend on an annual basis. The contract with Dwane Hinson would be for another year at a cost of an average of 12 hours per week at a fee of \$30.00 per hour plus a mileage supplement of 58 cents per mile FY 2019-2020.
- c. **Economic Development Consultant Contract:** This contract between Perquimans County and Dave Goss to handle economic development matters was moved to the July 15, 2019 Work Session per Alan Lennon.

6. Resolution: The following Resolution was unanimously approved by the Board:

RESOLUTION OF THANKS FOR DR. MARIA TRENT

WHEREAS, DR. MARIA TRENT is a native of Perquimans County; growing up in Hertford and is the daughter of Vivian and Graham Trent and sister of Granette; and

WHEREAS, DR. MARIA TRENT attended Perquimans County schools before transferring to the North Carolina School of Science and Math; and

WHEREAS, DR. MARIA TRENT graduated from Yale University, the University of North Carolina School of Medicine and the Harvard School of Public Health; and

WHEREAS, DR. MARIA TRENT is an Adolescent/Young Adult specialist and Professor on the faculty at Johns Hopkins University; and

WHEREAS, DR. MARIA TRENT is an independent scientist and serves as the principal investigator on multiple research projects funded by the National Institute of Health; and

WHEREAS, DR. MARIA TRENT is the President of the Society for Adolescent Health and Medicine and Chair of the Section on Adolescent Health for the American Academy of Pediatrics; and

WHEREAS, DR. MARIA TRENT is a sought after speaker and the author of scientific research articles, editorials, book chapters, and patient directed media materials in the field of adolescent health.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners for the County of Perquimans on behalf of the citizens of Perquimans County:

- 1. Hereby express our gratitude and our pride in DR. MARIA TRENT for her service to her patients, her County, and for her advancements in the field of adolescent medicine; and
- 2. Hereby express our deepest gratitude to DR. MARIA TRENT for serving as the grand marshal of the Perquimans County Independence Day celebration.

This the 1st day of July, 2019.

Wallace Nelson, Chairman
Perquimans County Commissioners



PRESENTATIONS & INTRODUCTION OF NEW EMPLOYEES/STAFF

The following presentations were made:

- 1. **Debbie Proctor:** Virgil Parrish, Chief Building Inspector, presented a plaque to Debbie Proctor who retired on June 30, 2019 after 29 years of service in the Building Inspector’s Office.

The following employee/staff was introduced to the Board:

- 1. **Jared Tardiff:** Mike Petruncio, District Forester – District 7, introduced Jared Tardiff who was appointed as the Pasquotank/Perquimans County Ranger. Mr. Tardiff made a few comments and Chairman Nelson welcomed him to Perquimans County.

2. **Alyssa Walters:** Jonathan Nixon introduced Alyssa Walters who was appointed an AEMT on June 1, 2019. Ms. Walters made a few comments and Commissioner Nelson welcomed her to Perquimans County.
3. **Commissioner Hoffer:** Mr. Hoffer explained that he had a heart attack this past Sunday and he wanted to recognize Jonathan Nixon and his staff for their professionalism and their great work on getting him to the hospital. The staff that assisted him were Matt Leicester, Shift Supervisor-Paramedic; Michaela Madden, EMT-I; and Madeline Lighthill, EMT.

JAMES COFIELD, 2020 CENSUS

Mr. Cofield presented a PowerPoint presentation on the upcoming 2020 Census and explained how the Board of Commissioners could assist in the process. After answering several questions, Chairman Nelson thanked Mr. Cofield for coming and informing the Board on the upcoming 2020 Census.

SUSAN CHANEY, SOCIAL SERVICES DIRECTOR

Ms. Chaney was not present to give her monthly report.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

There was no commissioner's concerns/committee report given.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- **6-30-19 Press Release - Durants Neck Fire District Rating:** Mr. Heath read the following press release explaining the Durants Neck Fire District Rating:



PERQUIMANS COUNTY EMERGENCY SERVICES

P.O. Box 563 - 159 Creek Drive - Hertford, NC 27944

(252) 426-5646 Phone - (252) 426-3306 Fax

Jonathan A. Nixon, Director

PRESS RELEASE – DURANTS NECK FIRE DISTRICT IMPROVES INSURANCE RATING

FOR IMMEDIATE RELEASE
June 30, 2019

Contact: Jonathan A. Nixon
Phone: 252-426-5646

We are excited to announce that Chief Robert Eure and the Durants Neck Fire Department have been recognized by the North Carolina Department of Insurance for their dedication and commitment to making their community a safer place to live. The commendation comes after a recent inspection completed by officials with the Department of Insurance Office and the NC State Fire Marshal, Mike Causey.

Inspections are required on a regular basis as part of the North Carolina Response Rating System (NCRRS) and it reviews several areas including staffing, equipment, maintenance of equipment, communications capabilities and the availability of a water source. The results of these inspections help determine homeowner's insurance rates within that fire district. Effective October 1, 2019, homeowners in the Durants Neck Fire District will now have a rating of 5/9E, effectively lowering the rating within five road miles of the fire station. This is an excellent rating for a rural volunteer fire department!

"I'd like to congratulate Chief Eure for the department's performance and for the hard work of all the department members," said Commissioner Causey. "The citizens should rest easy knowing they have a fine group of firefighters protecting them and their property in case of an emergency."

When speaking of his Department, Chief Eure stated, "The guys do the work and have a desire to be here, which makes my job a lot easier". Volunteer firefighters must complete a minimum of 36 training and continuing education hours per year to remain active. This past year, the 27 members of Durants Neck Fire Department logged over 3,000 hours of training, which was over 2,000 more hours than the required amount.

Chief Eure also spoke of how the process of preparing for this ratings inspection was a team effort and wanted to thank the other agencies that helped them achieve this goal. He stated that "Winfall Fire Department, Inter-County Fire Department and the Perquimans County Water Department played an important role in us achieving this rating". He also commended the Board of County Commissioners, County Manager Frank Heath, the Perquimans 911 Center and Perquimans County Emergency Management for their support through this tedious process.

We would like to thank all the departments involved for constantly working to improve the services provided to our County!



Mr. Heath explained that the County is always looking for ways to save our residents money so he wanted to recognize this accomplishment publicly. He is thankful for the efforts of these departments to complete their work and improve their rating.

- **Planner Deployment:** For information purposes, Mr. Heath explained that the County's other Planner, Sam Barrow, has been deployed for a while now and is going to be deployed to the Middle East in August. He will be out of the country for the next year. He further stated that he encouraged the Board to remember him in their thoughts as he completes this deployment.

PERQUIMANS COUNTY ORDINANCE REGULATING AMBULANCE SERVICES & THE GRANTING OF AMBULANCE SERVICE FRANCHISES

The Public Hearing was held earlier in the evening. On motion made by T. Kyle Jones, seconded by Fondella A. Leigh, the Board unanimously approved the Ordinance No. 100 (**See Attachment A**).

NCACC CONFERENCE VOTING DELEGATE

Chairman Nelson stated that, at this time, Wallace Nelson, Charles Woodard, Fondella Leigh, and Joseph Hoffler were planning to attend the NCACC Annual Conference in August. The Board needs to appoint a Voting Delegate. On motion made by Charles Woodard, seconded by Joseph W. Hoffler, the Board unanimously appointed Wallace E. Nelson as the Voting Delegate to the 2019 NCACC Conference in August.

PERSONNEL MATTER: ATHLETIC PROGRAM SUPERVISOR

County Manager Heath explained that this request came after the Agenda Packets were e-mailed out so we cannot include it in the Consent Agenda. On motion made by Charles Woodard, seconded by Joseph W. Hoffler, the Board unanimously approved the following appointment:

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
John A. Downum	Athletic Program Supervisor	Appointment	64/1	\$31,837	07/01/2019

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 7:55 p.m. on motion made by Charles Woodard, seconded by Fondella A. Leigh.

Wallace E. Nelson, Chairman

Clerk to the Board

ATTACHMENT A

ORDINANCE NO. 100

AN ORDINANCE OF PERQUIMANS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF NORTH CAROLINA, AMENDING, ADDING AND REPEALING SECTIONS OF THE PERQUIMANS COUNTY PERQUIMANS COUNTY AMBULANCE SERVICE FRANCHISE ORDINANCE AS ADOPTED BY ORDINANCE NO. 27; THIS ORDINANCE REPLACES ORDINANCE NO. 27; PROVIDES FOR SEVERABILITY; AND PROVIDES FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY, NORTH CAROLINA THAT:

Section 1. Perquimans County Ordinance No. 27 (Perquimans County Ambulance Service Franchise Ordinance) is hereby replaced by Ordinance No. 100 and is attached hereto as Exhibits A & B, and incorporated herein by reference, in its stead;

Section 2. Severance Clause. It is the intent of the Board of County Commissioners of Perquimans County, North Carolina, and it is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance; and

Section 3. Effective Date. This Ordinance shall take effect upon its passage and enactment. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of Perquimans County, North Carolina.

PASSED AND ENACTED by the Board of County Commissioners of Perquimans County, North Carolina, this 1st day of July, 2019.

BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY, NORTH CAROLINA

By: _____
Wallace E. Nelson, Chairman
Perquimans County Board of Commissioners

ATTEST:

 Mary P. Hunnicutt, Clerk to the Board

Effective Date: _____

EXHIBIT A

**PERQUIMANS COUNTY ORDINANCE REGULATING
AMBULANCE SERVICE AND THE GRANTING
OF AMBULANCE SERVICE FRANCHISES
ORDINANCE NO. 100**

Section 1. Purpose. In the public interest and for the promotion of the health, safety and welfare of the citizens of Perquimans County, North Carolina and pursuant to the authority contained in N.C.G.S. §53A-250 and other applicable laws, the following ordinance sets forth the conditions, limitations, restrictions and requirements under which a person, as defined herein, may provide ambulance services or operate ambulances in Perquimans County, North Carolina.

Section 2. Abbreviations and Definitions. For the purposes of this ordinance, the following words, phrases, terms and abbreviations shall have the meaning(s) given below.

“Ambulance”-Any privately or publicly owned motor vehicle, aircraft, or vessel that is specifically 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 the provisions of N.C.G.S. §131E-155.

“Board of County Commissioners”-Perquimans County Board of Commissioners.

“County”-Perquimans County, North Carolina.

“County EMS”- Perquimans County, North Carolina EMS System.

“Franchisee”-Any owner, as defined herein, of a franchisee to operate a franchise in Perquimans County, North Carolina that is granted under the terms of this Ordinance.

“N.C.G.S.”-North Carolina General Statutes.

“NCOEMS”-North Carolina Office of Emergency Medical Services.

“Owner”-Any person or entity who owns an ambulance.

“Patient”-A person who is sick, injured, wounded, or otherwise incapacitated or helpless such that some medical assistance might be anticipated as defined in N.C.G.S. §131E-155.

“Person”- Any individual, firm, partnership, company, corporation, association, limited liability company or group of individuals acting for a common purpose, or organizations of any kind including but not limited to any local, state or federal governmental agency.

“Personnel”-Any person employed by an owner or franchisee in any duties associated with or in connection with the service of transporting patients in an ambulance.

“Provider”-Any individual, firm, partnership, company, corporation, association, limited liability company or group of individuals acting for a common purpose, or organizations of any kind who engage in the service of transporting patients in an ambulance.

“Shall”-always describes actions which are required and not merely suggestive or directive.

“State”-State of North Carolina.

Section 3. Franchise Required. It shall be unlawful for any person or owner to provide ambulance services or to operate ambulances of any type within the County without having been granted a franchise to do so by the County. Provided however, this section shall not apply to: (i) ambulances owned or operated by the County; (ii) ambulances owned by an agency of the United States; (iii) ambulances which transport patients who are picked up outside the County and transported to destinations outside the County; (iv) ambulances which transport patients who are picked up outside the County and transported to destinations inside the County; (v) ambulance which transport patients which are picked up inside the county and transported to destinations outside the County; and (iv) any owner, person or entity rendering assistance to the County or a franchised ambulance service in the event of a major catastrophe or emergency pursuant to the North Carolina Mutual Aid Agreement.

Section 4. Personnel Credentials Required. Pursuant to N.C.G.S. §131E-158 and §131E-159, no personnel shall attend to a patient nor transport a patient within the County, unless he or she holds a valid credential issued by the North Carolina Department of Health Service Regulation, Office of Emergency Medical Services and has passed a Technical Scope of Practice with the Perquimans County Medical Director.

Section 5. Application for Ambulance Franchise Requirements. Each application for a franchise to operate an ambulance or ambulance service in the County shall contain the following information:

(a) The name and address of the owner of the ambulance service and owner of any vehicle, ambulance, apparatus, equipment, property or facilities designated for the operation of the ambulance.

(b) If the applicant is a corporation or limited liability company, a certificate of good standing from the North Carolina Secretary of State.

(c) The trade name or fictitious names, if any, under which the applicant does business, along with a certified copy of the assumed name certificate.

(d) A resume of the training and experience of all personnel associated with the applicant in the care of patients to include state credentials and other associated professional certifications or course completion documentation.

(e) A full description of the type and level of service to be provided including a description of the applicant's ability to provide service, how many hours a day and how many days a week the service will be provided, the area to be covered, an estimate of the minimum and maximum response time for calls within the area of service, the location of the place or places from which the service is intended to operate, the manner in which the public will be able to obtain assistance and how ambulances will be dispatched.

(f) A complete set of financial statements for the entity for the previous three year period, audited by a Certified Public Accountant with an unqualified opinion. Financial statements must contain an income statement, balance sheet and a cash flow statement.

(g) A statement of which services the applicant intends to provide: emergency, non-emergency, convalescent, hospital to hospital, specialty care transport or a combination thereof.

(h) Such further information which the County shall deem reasonable and necessary to determine the capability of the applicant to provide ambulance services within the County.

Section 6. Application Review Fee. At the time the applicant submits its application for franchise, the applicant shall submit an application review fee in such amount as shall be set by the Board of Commissioners in a fee schedule.

Section 7. Hearing on Application. Within sixty (60) days of the receipt of an application, the County will schedule a time and place for a hearing on the application before the County's EMS Peer Review Committee. After such hearing by the County's EMS Peer Review Committee, the Committee shall forward to the Board of Commissioners its recommendation on the application and thereafter within thirty (30) days of the Committee's hearing on the application, the Board of Commissioners will make a final decision on the application and the County will provide the applicant with notice of its decision on the application.

Section 8. Award of Franchise. A franchise may be granted if the County finds that:

(a) A need exists for the services proposed by the applicant in its application to improve the medical services available to the residents of the County and the proposed services to be provided are reasonable and cost effective. In order for the County to determine the reasonableness and cost effectiveness of the applicant's proposed services, the applicant shall submit to the County a schedule of the applicant's proposed fee schedule at the time the applicant's application is submitted to the County.

(b) The proposed services will fit within the County's EMS System Plan so as to not adversely affect the level of service or operations of the County's EMS operations or of other agencies or existing franchisees.

(c) The applicant shows it has met federal, state and local standards outlined in this ordinance.

Section 9. Initial Franchise Fee. Upon approval and award of a franchise, the franchisee shall pay to the County an initial franchise fee as set forth in Section 5 herein or as otherwise set by the Board of Commissioners.

Section 10. Ongoing Service and Franchise Fees. Once the franchisee begins its operations and providing services under the franchise the franchisee shall pay to the County service fees and ongoing franchise fees as set by the Board of Commissioners, for the following:

(a) A paramedic intercept fee, as set by the County Commissioners, in which County EMS personnel attend to the patient being transported or serviced by the franchisee.

(b) The County shall charge the franchisee an annual ongoing franchise fee equal to a percentage of gross revenues derived from the franchisee's Perquimans County operations as may be set in a fee schedule adopted by the Board of Commissioners in the County's annual budget. In order for the County to determine the annual franchise fee due by the applicant, the applicant shall provide to the County on an annual basis an audited financial statement of the gross revenues derived from the franchisee's Perquimans County operations.

(c) An annual renewal fee in such amount as may be set by the Board of Commissioners in a fee schedule. The Board of Commissioners reserves the right, on an annual basis, to amend the amount of the annual renewal fee.

Section 11. Operational Standards and Expectations of Service. Each franchisee shall provide the following:

(a) Each ambulance shall be required to render assistance to any requesting individual or agency in a professional and timely manner.

(b) Each ambulance shall be required to render assistance to the County in the event of a major catastrophe, emergency, natural disaster or when all County EMS resources are in service or are temporarily unavailable to respond to emergency requests for service.

Section 12. Reporting and Documentation. Franchisee shall keep and maintain all records related to the maintenance and operations of franchisee's ambulance service and all such records and shall be open for inspection by the County's representatives during the franchisee's normal business hours. The types of documents which shall be kept, maintained and open to inspection by the County shall include, but not be limited to, dispatch records, trip records and logs, daily report logs, equipment and vehicle inspection reports, and daily driver and attendant checklist. In addition to the records listed above, the franchisee shall submit to

the county on a semi-annual basis in electronic form the following information: number of responses by type and time frame, response time data, any responses associated with a death, staff activities including training hours and hours worked and any vehicle failures or other maintenance issue which limit response availability. The time period in which the franchisee's records shall be kept and maintained shall be as set forth by the rules and regulations of NCOEMS.

Section 13. HIPAA Requirements. The franchisee shall, upon request of the County, provide the County documentation of proper training and education associated with general operations, medical care, driving and with privacy and confidentiality rules regulations and practices in accordance with the Health Insurance Portability and Accountability Act (HIPAA) as well as the Health Information Technology for Economic and Clinical Health Act (HITECH) and the franchisee's privacy policy.

Section 14. Equipment and Supplies. Franchisee's apparatus and equipment shall be in accordance with the standards developed by the North Carolina Medical Care Commission and the North Carolina College of Emergency Physicians and those standards are incorporated herein as if set forth fully.

Section 15. Vehicles and Vehicle Operators. All of franchisee's emergency vehicle operators shall be required to obtain emergency vehicle operator training and franchisee shall keep documentation on file detailing the performance of each operator based on written performance and actual driving evaluations. All franchisee personnel shall be subject to annual driving record checks. All of franchisee's vehicles shall be in compliance with state, federal and local rules and regulations governing construction, maintenance and layout of the vehicles. The graphics the franchisee uses for its vehicles shall not be similar in appearance, graphics and color schemes of existing County EMS vehicles.

Section 16. Communications. Each of franchisee's vehicles shall be in compliance with the minimum communications requirements as forth by NCOEMS. Communications shall be able to be monitored by County without encryption. Federal Communications Commission (FCC) licensing will be the responsibility of the franchisee. Copies of all FCC authorizations, certificates and licenses shall be available for inspection by the County per FCC rules and regulations.

Section 17. Fees for Services. Fees for franchisee's services shall not exceed the County's EMS fees schedule. Franchisee shall not attempt to collect fees for service on any emergency response until the patient has reached the point of destination, has received medical attention and is in a condition deemed by the patient's attending physician to be fit to consult with franchisee concerning fees and charges. In addition, franchisee shall not attempt to collect fees from family, guardians or the patient during the course of medical treatment. On scheduled, non-emergency services where a patient requires transportation for non-emergency events, the franchisee may attempt collection of fees before the ambulance trip begins or is completed.

Section 18. Termination, Suspension, Revocation or Reinstatement of Franchise. Either party at its option may terminate the franchise upon sixty (60) days prior written notice to the other party.

If a suspension, revocation or termination of a franchise is entered for franchisee's failure to comply with the terms of the franchise or this ordinance, franchisee shall immediately cease operations and there shall be no refund of any franchise fees or renewal fees paid to the franchisee under such circumstances.

For non-compliance with the provisions of the franchise or this ordinance, the County shall hold a hearing and upon thirty (30) days' notice, may suspend or revoke the franchise. If at such hearing, the County finds that the franchisee has corrected any deficiencies or issues of non-compliance and is in compliance with the franchise and this ordinance, the franchise may be reinstated.

Upon reinstatement of a suspended or revoked franchise, the franchisee shall be placed on probation and subject to reviews of its performance under and compliance with this ordinance and the franchise for a period of not less than six (6) months and if after a six (6) month period the franchisee is found to be in compliance with this ordinance and the franchise, the franchise will be renewed for a mutually agreed upon term.

If the franchisee fails to comply with the terms of this ordinance and the franchise which necessitates more than two (2) hearings per year, then the County may revoke the franchise with no option of renewal for a period on no less than ten (10) years.

Section 19. Changes in Ownership of Franchisee. Any changes of ownership in franchisee shall automatically terminate the franchise and shall require a new application.

Section 20. Sale of Franchise. The franchise shall not be sold, assigned or otherwise transferred to any other person or entity. Any such sale, assignment or transfer shall result in immediate termination of the franchise.

Section 21. Renewal of Franchise. The applicant may renew the franchise upon the same terms and conditions by submission of an application for renewal to the County at least sixty (60) days before the expiration of the current term.

Section 22. Operating Expenses. Any and all operating expenses arising out of or in connection with the franchise shall be the sole responsibility of franchisee. Under no circumstances shall any of the expenses arising out of or in connection with the franchise be the responsibility of the County.

Section 23. Damages and Indemnification. The franchisee shall be responsible for all damages or injuries to persons or property when such injury or damage is caused by the negligence of the franchisee and its agents, employees and independent contractors.

The franchisee shall indemnify and hold harmless the County for any and all claims, suits, judgments or costs incurred by the County which are caused by the negligence of the franchisee and its agents, employees and independent contractors.

Section 234. Insurance Requirements. Franchisee shall have at all times in force and effect insurance coverage which shall provide and include: appropriate statutory worker’s compensation, three million dollars (\$3,000,000.00) of combined single limit motor vehicle insurance coverage, three million dollars (\$3,000,000.00) of combined single limit general liability coverage and three million dollars (\$3,000,000.00) combined single limited of professional liability coverage. Franchisee shall annually provide the County with a copy of the insurer’s Certificate of Insurance for the above listed coverages.

Section 25. NCOEMS will be the enforcing agency as it relates to North Carolina General Statutes, North Carolina Administrative Code and the North Carolina College of Emergency Physicians requirements for EMS providers. The County will be the enforcing agency as it relates to the franchisee’s compliance with the franchise or this ordinance.

Section 26. Scope of Franchisee Coverage Area. Unless otherwise limited in the franchise, the franchisee shall be permitted to cover the entire County. However, the County in its sole discretion has the statutory power to limit the hours and days the franchisee may operate and the areas of the County which may be served by the franchisee.

Section 27. Controlling Law and Venue. The terms of the franchise and this ordinance shall be construed under the law of the State of North Carolina. The venue of any legal dispute arising out of the terms of the franchise or this ordinance shall be in the court of appropriate jurisdiction in Perquimans County.

Section 28. Term of Franchise. The term of any franchise granted hereunder shall be valid for a term of one (1) year from the date of issuance of the franchise provided that the franchisee is in compliance with the terms of this ordinance. In addition, the County and the franchisee each reserve their right to terminate the franchise upon sixty (60) days prior notice to the other party as set forth in Section 16 herein.

Section 29. Reservation of Rights. The County in its sole discretion reserves the right to amend or modify this ordinance. In the event the County exercises its discretion to amend or modify this ordinance, any amendments or modifications which are made to this ordinance shall not apply to any then existing franchises and shall only apply to applications for a franchise which are submitted after the date of such amendments and modifications. Provided however, as to any then existing franchises, those amendments or modifications so made shall apply to any renewal term of an existing franchise. The County also reserves the right to open or close acceptance of applications and to limit the number of franchises granted based on the needs of the County.

Section 30. In addition to any rights of punishment given to the County in this ordinance or the North Carolina General Statutes, a violation of any provision of this Chapter shall be a misdemeanor punishable by a fine not to exceed Five Hundred Dollars (\$500), or imprisonment for not more than thirty (30) days, or both. Each day’s violation of this article is a separate offense.

WITNESS my hand and the official seal of Perquimans County, this the 1st day of July, 2019.

Wallace E. Nelson, Chairman
Perquimans County Board of Commissioners

ATTEST:

Mary P. Hunnicutt, Clerk to the Board
Perquimans County Board of Commissioners

EXHIBIT B

**PERQUIMANS COUNTY ORDINANCE REGULATING
AMBULANCE SERVICE AND THE GRANTING
OF AMBULANCE SERVICE FRANCHISES
ORDINANCE NO. 100**

2019-2020 FEE STRUCTURE

Application Review Fee (Section 6)	\$5,000
Paramedic Intercept Fee (Section 10a)	\$100 per occurrence
Annual Ongoing Franchise Fee	10% of Gross Revenues derived from the Franchisee’s Perquimans County Operations
Annual Renewal Fee	\$2,500

WORK SESSION
July 15, 2019
7:00 p.m.

The Perquimans County Board of Commissioners met in a Work Session on Monday, July 15, 2019, at 7:00 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Wallace E. Nelson, Chairman Joseph W. Hoffler
 Kyle Jones Alan Lennon
 Charles Woodard

MEMBERS ABSENT: Fondella A. Leigh, Vice Chair

OTHERS PRESENT: Frank Heath, County Manager Mary Hunnicutt, Clerk to the Board

Chairman Nelson called the meeting to order. Commissioner Lennon gave the invocation and the Chairman led the Pledge of Allegiance. Chairman Nelson explained that Commissioners Leigh and Woodard were out of town.

INTRODUCTION OF PERQUIMANS YOUTH DELEGATE

Chairman Nelson recognized Meredith Wood, Extension Agent - 4-H Youth Development, who introduced Clayton White, the 4-H youth that will be attending the 4-H Citizenship Event as the Perquimans Youth delegate at the upcoming Commissioner's NCACC Conference in August. Mr. White gave a synopsis of his achievements and thanked the Board for the opportunity to serve as their delegate. After he made a few comments, Chairman Nelson explained that several of the Commissioners would be at the Conference and that they may see him there.

LOTTERY FUNDS DISCUSSION

Chairman Nelson recognized Tanya Turner, Perquimans County Superintendent, who read the following statement:

Tanya Turner
Superintendent

Perquimans County Schools
P. O. Box 337
Hertford, North Carolina 27944



Board of Education
Dr. Anne White, Chair
Amy Spough, Vice-Chair
Russell Lassiter
Matt Peeler
Leary Winslow
Arlene Yates

Good evening Mr. Nelson, Mr. Heath and Board Members! Thank you for giving us the opportunity to come speak to you during your work session.

The purpose of us being here is to explain the reason why we will be requesting \$146,029 of the lottery monies. This request will be to pay for the concession stand and bathroom building at the athletic complex.

Shortly after I came on board as superintendent on May 1st, meetings were held to update me on the athletic complex building project. During the meetings with Mr. Bunch, Mrs. York, and Mr. Davison, the financial balance of the building project, what had been paid for, and what still needed to be funded were reviewed.

Mrs. York confirmed at those meetings that the funds needed for project completion were available.

On June 18th, I requested a print out of all outstanding purchase orders involving capital outlay projects and the athletic complex. The purpose of this request was to confirm that we were in good financial standing for project completion.

After the report was ran, a meeting was held and the report showed that the budget had been overspent.

The capital outlay allotment received from the commissioners was spent during the school year on the capital projects that were presented in our budget. The finance officer combined capital outlay and the lottery money that was provided for the athletic complex when they should have been accounted for separately.

At the end of the school year, funding that was provided for capital outlay had been spent on those projects. Because the funds were comingled, more money was spent on the athletic complex than what was provided through the county for that purpose.

We're not here to make excuses or to pass blame but to be transparent about the mistake that occurred. We have a new finance officer that begins tomorrow and he has been informed. He also comes to us with 10 years of experience as a chief finance officer of a neighboring school district. Under his leadership a gym complex has been built and a new school is currently being built. We will be working with him to develop processes and procedures to ensure this won't happen again in the future.

Are there any questions?

After completing her comments, she introduced James Bunch, Assistant School Superintendent, and James Davison, Maintenance Supervisor. She said that she brought these individuals with her tonight to be able to answer any questions because they had been part of this project from the beginning and were more familiar with the project. Chairman Nelson opened the meeting for discussion. The following questions were asked:

- **Commissioner Jones:** Mr. Jones asked Ms. Turner what their Fund Balance was. Ms. Turner said that it was a little over \$200,000. Mr. Heath wanted to verify whether it was the General Fund or Capital Fund. Mr. Bunch said that it was the General Fund Balance.
- **Chairman Nelson:** Mr. Nelson asked what their total budget was for FY 2019-20. He wanted to determine what percentage the Fund Balance was of the total budget. Mr. Bunch said that it was around \$21,000,000. Ms. Turner said that it was lower than the 8%. Mr. Heath said that the 8% does not necessary apply to the school system.
- **Chairman Nelson:** Mr. Nelson asked if they had looked at any capital requests that they made this year to see if they could postpone those expenses. Ms. Turner said that they met and reviewed their requests but they did not see any fluff that the school system could postpone any of their capital requests for FY 2019-20.
- **County Manager Heath:** Mr. Heath asked if the Board could receive a copy of what she read tonight and a copy of a breakdown of how the lottery money was spent. Ms. Turner said that she would be happy to provide that to him. He would forward it to the Commissioners.
- **Commissioner Lennon:** Mr. Lennon asked if the new Finance Officer had been asked to prepare a plan of action to improve their process. Ms. Turner said that the new Finance Officer's name is Rube Blanchard and presented more information on his qualifications.
- **Tanya Turner:** Ms. Turner said that the lack of experience of the previous Finance Officer was the reason that this problem occurred. The former Finance Officer explained that to the Board of Education stating that she did not have a good understanding of how the lottery money worked.

- **Commissioner Jones:** Mr. Jones understands that this situation does not reflect on Ms. Turner. Part of his issue is the word “overspent”. His said that this is the second time that the School Board has come to the Board of Commissioners requesting funds in fifteen months. Last time it was for \$56,000 for a broken down HVAC system. The next item was for \$125,000 for lights for the Athletic Complex. In his opinion, he feels that there are some serious priority issues here. Mr. Jones asked would it hurt to leave the Complex as is and wait till they get the money.
- **James Davison:** Mr. Davison responded to Mr. Jones’ questions. He said that it would not hurt anything but there is an expectation among some individuals in the community that the Complex would be utilized next school year starting in early September. There is still a lot of work to be done at the Complex.
- **Tanya Turner:** Ms. Turner said that, if they get the lottery funding as requested, they should be able to use the facility for their first game in September but it will not be a completed facility. They would not have the field house, the ticket booth, and some beautification items completed, but it would be ready to play football.
- **Commissioner Jones:** Mr. Jones asked if they had asked Dr. Nixon for any funds. James Bunch said that they have not asked him for any funds from June 2nd through the end of May. Most of Mr. Bunch and Dr. Nixon’s discussions were about where we are with the Complex and where we are heading and what the priorities are.
- **County Manager Heath:** Mr. Heath stated that they had \$197,000 in lottery funds currently. You are asking for \$146,000. Do you have a plan to ask for any additional funding in the future For future years, will they be spending more funds from the lottery account? Mr. Bunch said yes they would but there needs to be some serious discussion on where they are going to. They have gone through four superintendents and three finance officers. He has seen more than five models and phase and design were different. They had to adapt and utilize the funds that were available. He encouraged the Board to go look at the current structure. There are no extras just what they needed to pay football. Mr. Heath said that, as far as future years, what the plan is for the future. Their first priority was the football field. Phase 2 may be soccer field and track. They need to come up with a sustainable plan that is supported by the Commissioners and includes funding at a reasonable rate so we can move forward with this venture. Mr. Heath explained to Mr. Bunch that he was asking these questions because the current debt service for the school puts a great deal of pressure on the County’s budget. Lottery funds are permissible to be used to help with debt service payments. That is what is on the mind of the Board of Commissioners.
- **Commissioner Lennon:** Mr. Lennon stated that he feels that the new finance officer will be good for handling future funding for the complex. Since Mr. Blanchard has had a great deal of experience on major projects, he feels that the School Board and Staff need to rely on him and his experience. Ms. Turner agreed and feels that they are blessed to have him come on board to work with them.
- **Chairman Nelson:** Mr. Nelson asked if it was their plan to move forward. They need to get a handle on what else needs to be done. Ms. Turner said that Mr. Davison said that they need to complete the sidewalk to the concession stand and restrooms to be ADA compliant. They also need to cover the overspent items and this one last project with the sidewalk. Chairman Nelson asked if they completed these two items, would they be able to play football in the fall. Mr. Davison said that they would.
- **County Manager Heath:** Mr. Heath asked about parking availability. Mr. Davison said that it was permitted by the Town of Hertford to allow parking at the high school so they would have to cross the street. He further stated that the current completed parking lot would be for handicap parking and bus parking.
- **Commissioner Jones:** Mr. Jones stated that, in spite of his previous comments, he has more faith in Tanya Turner than he had in Matthew Cheeseman.
- **Commissioner Lennon:** Mr. Lennon agreed with Mr. Jones and feels that they need to move forward and make better decisions.

Chairman Nelson asked if there were any further comments or questions. Their being none, he thanked Ms. Turner, Mr. Bunch, and Mr. Davison for coming to the Work Session to explain the situation. They thanked to Board for allowing them to come.

ECONOMIC DEVELOPMENT CONSULTANT CONTRACT

Chairman Nelson explained that this item was removed from the July 1st Consent Agenda to tonight’s Agenda so that the Board could discuss this contract. Commissioner Lennon did not understand the contract because it did not look like an official contract as we have done in the past. It looked like just a letter. Mr. Heath explained that this letter was all that the County received from Dave Goss, Economic Development Consultant. The Board budgeted this amount for FY 2019-20 before Mr. Goss provided Mr. Heath with this letter. Mr. Goss has mentioned that he was beginning to cut back in his work. Mr. Heath stated that, if the Board wishes, they could prepare a more formalized contract for Mr. Goss. After discussing that State Budget and the future of the marine industrial park, County Manager Heath and Chairman Nelson will be talking to the Department of Commerce to find out options that they need to be looking into. Mr. Heath feels that we need at least a part-time Economic Developer. Chairman Nelson asked if there were any other comments regarding any of the items discussed tonight. The following individuals made comments:

- **Commissioner Hoffler:** Mr. Hoffler wanted to know if they needed to take action tonight. Mr. Nelson explained that they could not take action tonight. That would occur in the August meeting.
- **Tracy Mathews:** Ms. Mathews made comments on how this could happen.
- **Commissioner Jones:** He feels that, if we continue to give them the funds that they ask for it, they will continue to ask for additional funding.
- **County Manager Heath:** Mr. Heath feels that, should they get this money, they need to bank some of it for future maintenance issues.

ADJOURNMENT

There being no further comments or business to discuss, the Work Session was adjourned at 7:55 p.m.

Wallace E. Nelson, Chairman

Clerk to the Board
