#### STATE OF NORTH CAROLINA

#### COUNTY OF VANCE

The Vance County Board of Commissioners met in regular session on Monday, December 7, 2020 at 6:00 p.m. in the Commissioners' Conference Room, Vance County Administration Building, 122 Young Street, Henderson, NC. Those Commissioners present were as follows: Chairman Gordon Wilder, Vice-Chairman Dan Brummitt, Commissioners Carolyn Faines, Yolanda J. Feimster, Leo Kelly, Jr. and Archie B. Taylor, Jr.

Absent: Commissioner Thomas S. Hester, Jr.

Also present were County Manager Jordan McMillen, Finance Director Katherine Bigelow, County Attorney Jonathan S. Care, and Clerk to the Board Kelly H. Grissom.

At this time, Judge Henry W. Hight, Jr. administered the oaths of office for re-elected Commissioners Carolyn Faines, Yolanda Feimster, Leo Kelly, Jr., and Archie B. Taylor, Jr.

The first order of business was the election of the chairman. Commissioner Archie B. Taylor, Jr. nominated Commissioner Dan Brummitt for the position of chairman. Commissioner Carolyn Faines seconded the nomination. Vote to close the nominations and appoint Commissioner Dan Brummitt as chairman for the coming year was unanimous.

Commissioner Gordon Wilder nominated Commissioner Leo Kelly, Jr. for the position of vice-chairman. Commissioner Carolyn Faines seconded the nomination. Vote to close the nominations and appoint Commissioner Leo Kelly, Jr. as vice-chairman for the coming year was unanimous.

The next item addressed was the 2021 holiday schedule. Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to adopt the following schedule of holidays for 2021:

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#### **2021 Holiday Schedule**

January 1, 2021

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New Year's Day Martin Luther King, Jr. Birthday Good Friday Memorial Day Independence Day Labor Day Veteran's Day Thanksgiving Christmas

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January 18, 2021 April 2, 2021 May 31, 2021 July 5, 2021 September 6, 2021 November 11, 2021 November 25 & 26, 2021 December 23, 24 & 27, 2021 Friday Monday Friday Monday Monday Thursday Thursday & Friday Thursday, Friday Monday

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Motion was made by Commissioner Leo Kelly, Jr. that the Board of Commissioners renew its meeting schedule for the first Monday of each month at 6:00 p.m. unless otherwise noted. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

As advertised, a public hearing was held to gain citizen input on proposed amendments to Chapter 110 of the Vance County, NC Code of Ordinances related to amendments to the ambulance franchises. As there was no one present who wished to speak on this matter, Chairman Dan Brummitt declared the public hearing closed.

Motion was made by Commissioner Gordon Wilder to approve the amendments to Chapter 110 of the Vance County, NC Code of Ordinances pertaining to ambulance franchises. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

#### AMENDMENT TO CODE OF ORDINANCES CHAPTER 110: AMBULANCE SERVICE FRANCHISE

WHEREAS, Vance County Board of Commissioners previously adopted Ordinances that are now codified as Chapter 110, Ambulance Service Franchise, of the Code of Ordinances, Vance County, North Carolina, which establishes a franchise requirement, application process and operating standards for ambulance providers that operate in Vance County; and

**WHEREAS,** establishing operational standards for ambulance providers ensures Vance County citizens receive an adequate level of care which is in compliance with state and county regulations and are within the local medical directors recommendations; and

**WHEREAS**, the County's Emergency Medical Services Department and Director provide a vital role in enforcing related county ordinances and amendments and are recommending changes to the Board of Commissioners.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS,** that Chapter 110, Ambulance Service Franchise in the Code of Ordinances, Vance County, North Carolina be amended as follows (removed text shown as strikethroughs and additions shown as <u>underlined</u> text):

1) AMEND Section 110.15, Definitions as follows:

ADVANCED LIFE SUPPORT (ALS). Ambulance service that includes the necessary equipment and staff to render Advanced Life Support services (e.g. advanced airway procedures, defibrillation and medication administration).

**AMBULANCE**. Any privately or publicly owned motor vehicle intended to be used for, and is maintained or operated for transportation on the streets or highways of persons who are sick, injured, wounded or otherwise incapacitated or helpless.

**AMBULANCE PROVIDER**. An individual, firm, corporation or association who engages or professes to engage in the business or service of transporting patients in an ambulance.

**APPROVED**. Approved by the <u>North Carolina</u> State Medical Care Commission pursuant to the latter's rules and regulations promulgated under <u>North Carolina</u> G.S. §§ 131E-155 *et seq*.

**BASIC LIFE SUPPORT.** An ambulance service that includes the necessary equipment and staff to render basic services (e.g. control bleeding, delivery of babies and splinting fractures).

COMMISSION. The State Medical Care Commission.

**CONVALESCENT**. The transportation of sick or infirmed patients having a known, nonemergency medical condition, on a scheduled basis between facilities or between a residence and a facility.

**COUNTY**. The County of Vance.

EMERGENCY MEDICAL SERVICES DIRECTOR. An individual employed by Vance County to provide oversight and supervision for Emergency Medical Services within Vance County.

EMERGENCY MEDICAL TECHNICIAN (AEMT, PARAMEDIC). An individual who has completed a training program in emergency medical care at least equal to the National Standard Training Program of Emergency Medical Technicians as defined by the United States Department of Transportation and has been credentialed as an Emergency Medical Technician, Advanced Emergency Medical Technician or Paramedic by the State of North Carolina Office of Emergency Medical Services.

**FRANCHISE**. A permit issued by the county to any person for the operation of a <del>commercial</del> ambulance service.

**FRANCHISEE**. Any person having been issued a franchise by the county for the operation of a commercial ambulance service.

**LICENSE**. Any driver's license or permit to operate a motor vehicle issued under or granted by the laws of the state <u>of North Carolina</u>.

**MEDICAL RESPONDER.** An individual who has completed a training program in Emergency Medical Care and First Aid approved by the N.C. Department of Health and Human Services and has been certified as a Medical Responder by the N.C. Department of Health and Human Services, Office of Emergency Medical Services.

**NON-EMERGENCY TRANSPORTATION SERVICES.** The transportation by ambulance of a person having an immediate or prompt need for medical treatment or care other than an emergency. The operation of an ambulance for any purpose other than transporting emergency patients.

**OPERATOR**. A person in actual physical control of an ambulance which is in motion or has the engine running.

**OWNER**. Any person or business entity who owns and operates an ambulance service. Any individual, firm, partnership, association, corporation, company or group of individuals acting together for a common purpose or organizations of any kind, including any governmental agency other than the United States, who owns and operates an ambulance service.

**PATIENT.** An individual who is sick, injured, wounded or otherwise incapacitated or helpless such as that the need for some medical assistance might be anticipated while being transported to or from a medical facility.

#### 2) AMEND Section 110.16 as follows:

#### § 110.16 FRANCHISE REQUIRED.

- (A) Emergency Medical Services Vance County Emergency Medical Services Department is the primary provider of emergency care and will be primarily responsible for all emergency transportation services provided in Vance County unless an entity is granted a franchise by Vance County as set forth herein and assistance is requested.
- (B) No person, either as an owner, agent, employee or otherwise, shall furnish, operate, conduct, maintain, advertise or otherwise be engaged in or profess to be engaged in the business of non-emergency, or convalescent or emergency transportation of patients within the county unless the person holds a valid permit for each ambulance used in such business issued by the Medical Care Commission of the State Department of Health and Human Resources Services, and has been granted a franchise for the operation of the business or service by the county pursuant to this subchapter by Vance County as set forth herein.

(C) No person shall drive an ambulance, attend a patient in one or permit one to be operated when transporting a patient within the County of Vance unless he or she holds a current valid credential as a medical responder, EMT, AEMT or Paramedic issued by the North Carolina Department of Health and Human Services, Office of Emergency Medical Services.

# 3) Amend Section 110.17 as follows:

# § 110.17 REQUIRED PERSONNEL.

- (A)(1) Every ambulance when transporting a patient shall be occupied at a minimum by the following:
  - (a) At least one emergency medical technician who shall be responsible for the medical aspects of the mission prior to arrival at the medical facility, assuming no other individual of higher certification or license is available; and
  - (b) One medical responder who is responsible for the operation of the vehicle and rendering assistance to the emergency medical technician.
  - (c) An ambulance owned and operated by a licensed health care facility that is used solely to transport sick or infirm patients with known non-emergency medical conditions between facilities or between a residence and a facility for scheduled medical appointments is exempt from the requirements of this division (A).
- (B) The <u>Medical Care</u> Commission <u>of NCDHHS</u> shall <u>may</u> adopt rules setting forth exemptions to the requirements stated in division (A) above applicable to situations where exemptions are considered by the Commission to be in the public interest.
- (C) The applicant must maintain a Vance County office and facility for housing each ambulance used within the boundaries of Vance County, North Carolina. Specific location and description thereof must be provided by the applicant. (Ord. 35, passed 3-14-2005) Penalty, see § 110.99
- 4) AMEND Section 110.18 as follows:

# § 110.18 EXEMPTIONS.

- The following vehicles are exempt from the provisions of this subchapter:
- (A) Privately owned vehicles not regularly used in the business of transporting patients;
- (B) A vehicle rendering service as an ambulance in case of a major catastrophe or emergency, when the permitted ambulances based in the locality of the catastrophe or emergency are insufficient to render the services required;
- (C) Any ambulance based outside this state <u>Vance County</u>, except that an ambulance which receives a patient within this state <u>Vance County</u> for transportation to a location within this state <u>Vance County</u> shall comply with the provisions of this subchapter;
- (D) Ambulances owned and operated by an agency of the United States government;
- (E) Vehicles owned and operated by rescue squads chartered by the state as nonprofit corporations or associations which are not regularly used to transport sick, injured, wounded or otherwise incapacitated or helpless persons except as a part of rescue operations; and
- (F) Any ambulance service sponsored and/or under operation of the county.

# 5) AMEND Section 110.19 as follows:

# § 110.19 APPLICATION FOR AMBULANCE FRANCHISE.

Application for a franchise to operate ambulances in the county shall be made upon the forms as may be prepared or prescribed by the county and shall contain:

- (A) The name and address of the applicant and of the owner of the ambulance(s) along with the location and description where the ambulance(s) will be housed.
- (B) <u>Copy of North Carolina articles of incorporation/organization</u>, Tthe trade or other fictitious names, if any, under which the applicant does business, along with a certified copy of <u>the filed an</u> assumed name certificate. stating the name of articles of incorporation stating the name;
- (C) A resume of the training and experience of the applicant in the transportation and care of patients, a roster of employees, position of each employee, and licenses and certifications of each employee;
- (D) A description and copy of State EMS Provider License, Permit and most recent State EMS annual inspection state certification for each ambulance owned and operated by the applicant;
- (E) The location and description of the place from which it is intended to operate;

- (F) Audited f<u>F</u>inancial statement of the applicant as the same pertains to the operations in the county;
- (G) A description of the applicant's capability to provide 24-hour coverage 7 days per week;
- (H) A copy of IRS tax exempt status letter (i.e. 501(c)(3), if any;
- (I) Federal Employer Identification Number (FEIN);

(H) (J) Any information the county shall deem reasonably necessary for a fair determination of the capability of the applicant to provide ambulance service in the county in accordance with the requirements of the state and the provisions of this section.

6) AMEND Section 110.20 as follows:

### § 110.20 GRANTING OF FRANCHISE.

- (A) (1) Prior to accepting applications from applicants for the operation of an ambulance service, the board of commissioners may designate specific areas of franchise districts;
  (2) The board of county commissioners shall have the authority to redistrict or rearrange existing districts at any time at their discretion.
- (B) Upon receipt of any application for a franchise, the county may schedule a time and place for hearing the applicant. Within 30 days after hearing, the county shall cause the investigation as it may deem necessary to be made of the applicant and his or her proposed operations.
- (C) A franchise may be granted if the county finds that:
  - (1) The public convenience and necessity require the proposed ambulance service; and
  - (2) Each ambulance of the applicant, its required equipment, and the premises designated in the application have been certified by the state.
- (A) The county may at any time designate specific service areas as franchise districts. Said districts may be established at the discretion of the county using criteria such as geographic size, road access, the location of existing medical transportation services, population and response time.
- (B) <u>A franchise may be granted if the county finds that</u>:

(1) The applicant meets the State of North Carolina standards and standards outlined in this ordinance.

(2) The proposed service will not adversely affect the quality or level of service already provided to the citizens of Vance County.

(3) A need exists for the proposed service in order to improve the level of ambulance services available to the residents of Vance County and that this is a reasonable and cost effective manner of meeting the need.

- (C) In granting a franchise, the county will comply with the requirements of N.C.G.S. 153A-46, which requires that a franchise be granted by ordinance, and that such ordinance shall not be adopted until it has been passed at two regular meetings of the Board of <u>Commissioners</u>.
- (D) If the application for a franchise is approved by the county, the county and the applicant will enter into a Franchise Agreement that may provide for further requirements of the applicant/franchisee, for a term not to exceed three years from the date of issuance, and may be renewed for additional three year terms.
- 7) AMEND Section 110.21 as follows:

# § 110.21 TERM OF FRANCHISE.

- (A) The county may issue a franchise under this subchapter to an owner of an ambulance service, to be valid for a term <u>of three years unless otherwise</u> to be determined by the county, provided that either party, as its option, may terminate the franchise upon 60 days' prior written notice to the other party. After a notice of service termination is given, the ambulance service shall reapply for a franchise if continued service is desired.
- (B) If any franchisee shall violate or fail to comply with any provision of this subchapter or a franchisee issued under this subchapter For any violation under this subchapter, the franchisee shall may be eited issued a civil penalty by the county for the violation of up to \$100 for each separate breach violation of the franchise as provided herein, or the county may suspend or revoke the franchise. If at any hearing the county shall find that the franchisee has corrected any deficiencies to the satisfaction of the county and has brought this operation into compliance with the provisions of this subchapter, the franchise shall not be further suspended or revoked for the cited violations, but a civil penalty as provided herein may be imposed.

- (C) (1) Upon suspension, revocation or termination of a franchise granted under this subchapter, the franchised ambulance service shall immediately cease operations in Vance County.
- (D)(2) Upon suspension, revocation or termination of a driver's license or emergency medical technician certificate, the persons shall cease to drive an ambulance or provide medical care in conjunction with an ambulance service or attend an ambulance, and no person shall employ or permit the individual to drive an ambulance or provide medical care in conjunction with an ambulance service. (Ord. 35, passed 3-14-2005) Penalty, see § 110.99.
- (E) <u>All existing franchises issued as of the date of this Ordinance shall terminate on June 30,</u> <u>2021 unless terminated earlier</u>.

#### 8) AMEND Section 110.22 as follows:

#### § 110.22 STANDARDS FOR AMBULANCE FRANCHISE.

- (A) Each franchised ambulance service shall comply at all times with the requirements of this subchapter, the franchise granted under this subchapter, and all applicable state and local laws relating to health, sanitation, safety, equipment and ambulance design and all other laws and ordinances.
- (B) Ownership
  - (1) Prior approval by the county shall be required where ownership or control of more than 10% of the right of control of franchisee is acquired by a person or group of persons acting in concert, none of whom own or control 10% or more of the right of control, singularly or collectively, at the date of franchise.
  - (2) By its acceptance of the franchise, the franchisee specifically agrees that any such acquisition occurring without prior approval of the county shall constitute a violation of the franchise by franchisee and shall be cause for immediate termination at the option of the county.
  - (3) Any change of ownership of a franchised ambulance service without the approval of the county shall terminate the franchise and shall require a new application, a new franchise and conformance with all the requirements of this subchapter as upon original franchising.
- (C) The applicant must maintain and operate out of a Vance County office and facility that houses each ambulance used within the boundaries of Vance County, North Carolina. Specific location and description thereof must be provided by the applicant. Any change of ownership of a franchised ambulance service without the approval of the county shall terminate the franchise and shall require a new application, a new franchise and conformance with all the requirements of this subchapter as upon original franchising.
- (D) (1) No franchise may be sold, assigned, mortgaged or otherwise transferred without the approval of the county and a conformance with all requirements of this subchapter as upon original franchising.
- (2) Each franchised ambulance service, its equipment and the <u>Vance County</u> premises designated in the application for all records relating to its maintenance and operation as such shall be open to inspection by the state, the county or their designated representatives.
  (E) No official entry made upon a franchise may be defaced, removed or obliterated.
- (F) Any change, failure to provide or loss of the level of service required to be offered by the franchisee without the approval of the county shall terminate the franchise and shall require a new application and a new franchise and conformance with all the requirements of this ordinance as upon original franchising.
- (G) A franchise shall be required to participate in and provide backup emergency services as needed under the Vance County EMS system plan and shall obtain and maintain the required NC State permits and certifications for such ALS services.
- 9) ADD Section 110.23 as a new section as follows:

# § 110.23 STANDARDS FOR PERSONNEL.

- (A) Standards for EMS personnel are to be complied with as dictated under North Carolina Laws, rules and regulations governing EMS personnel, including, but not limited to, Article 7, Chapter 131E-158 and Article 56, Chapter 143. All such laws, rules and regulations, as currently in place and as amended or replaced, are herein incorporated by reference and mandated.
- (B) <u>All personnel providing ambulance services shall obtain and maintain the approval of the</u> <u>Emergency Medical Services Director and Medical Director prior to providing medical</u> <u>care and each submission for approval shall be accompanied by the submission of a driver's</u>

license, criminal record history and a letter of review/approval by the Vance County Medical Director.

#### 10) AMEND Section 110.23 as follows:

#### § 110.23 110.24 STANDARDS FOR VEHICLES AND EQUIPMENT.

Vehicle and equipment standards as developed by the commission pursuant to G.S. § 131E-155 et seq. and shall be applied and are incorporated in this section by reference. (Ord. 35, passed 3-14-15)

<u>Vehicle and equipment standards as developed by the North Carolina Medical Care</u> <u>Commission pursuant to Article 7, Chapter 131E-157 and Article 56, Chapter 143 of the General</u> <u>Statutes of North Carolina, shall be applied and adhered to and the same are incorporated herein</u> <u>by reference</u>.

#### 11) AMEND Section 110.24 as follows:

#### § 110.24 110.25 STANDARDS FOR COMMUNICATIONS.

- (A)Each ambulance must be equipped with a two-way radio licensed by the Federal Communications Commission which must be in operative condition at all times and which has the capacity of communicating with the Vance County Emergency Communications Center and Maria Parham Medical Center and other franchised providers in the county.
- (B) Each ambulance service shall provide the county a copy of the Federal Communications Commission license authorizing the use of the communication equipment owned and operated by that service and its operable frequency.
- (C) (A) Each ambulance service shall maintain a central point of contact that is available 24 hours a day, 7 days a week by way of two way radio or telephone line. Each base of operation central point must have at least one open telephone line. Telephone numbers must be registered with each law enforcement agency and communications center in the county. (Ord. 35, passed 3-14-2005) Penalty, see § 110.99
- (B) Each ambulance vehicle shall be equipped with an operational two-way radio capable of establishing good quality voice communications from within the geographical confines of Vance County to the hospital(s) emergency department in Vance County.
- (C) Each ambulance vehicle shall be equipped with two-way radio communications capabilities for communications with all hospital emergency departments to which transportation of patients is made on a regular routine basis anywhere in the state of North Carolina.
- (D) Each ambulance shall be equipped with a two-way radio which must be operative at all times and which has the capacity of communicating with Vance County Emergency Communications, Vance County EMS and other franchised providers in Vance County.
- (E) Each ambulance shall provide the county a copy of the Federal Communications Commission license authorizing the use of the communication equipment owned and operated by that service and its operable frequency.

#### 12) AMEND Section 110.25 as follows:

#### § <del>110.25</del> <u>110.26</u> INSURANCE.

- (A) No ambulance franchise shall be issued under this subchapter, nor shall the franchise be valid after issuance, nor shall any ambulance be operated in the county unless there is at all times in force and effect insurance coverage, issued by an insurance company licensed to do business in the state for each and every ambulance owned and/or operated by or for the ambulance service providing for the payment of damages:
  - (1) In the sum of \$1,000,000 for injury to or death of individuals in accidents resulting from any cause for which the owner of the vehicle would be liable on account of liability imposed on him or her by law, regardless of whether the ambulance was being driven by the owner or his or her agent; and
  - (2) In the sum of \$1,000,000 for the loss of or damage to the property of another, including personal property, under like circumstances, in sums as may be required by the state or as approved by the county.
- (B) Any lapse of insurance coverage constitutes immediate grounds for suspension or revocation of the franchise by the county. (Ord. 35, passed 3-14-2005) Penalty, see § 110.99

13) AMEND Section 110.26 as follows: **§** 110.26 Illows:

Each franchisee shall maintain the following records:

- (A)*Record of dispatch*. Time call was received, time ambulance dispatched, time arrived on scene, time arrived at destination, time in service, and time returned to base;
- (B) Trip Record. All information required in division (A) above, in addition to patient's address and telephone number, condition of patient, <u>documentation of all medical care</u>, <u>procedures or type of medical assistance administered before reaching hospital provided</u> for each call, time of day all medical care, procedures or assistance provided, total trip miles, schedule of charges, and name of attendant and driver; and
- (C) *Daily Report Log.* A log maintained for the purpose of identifying more than one person <u>all people</u> transported in any one day.
- (D) Daily Vehicle Inventory and Safety Log. A daily checklist review of the inventory and results of a daily safety inspection for each vehicle, signed by the individual verifying vehicle operations and equipment;
- (E) All the above reports shall be maintained for a minimum of a three (3) year period unless a longer retention period is otherwise required by other retention rules.

#### 14) AMEND Section 110.27 as follows:

#### § 110.27 110.28 RATES AND CHARGES.

- (A) Within 60 days after the acceptance of the franchise as provided for herein, the franchisee shall submit to the county a proposed schedule of rates and charges for the operation of an ambulance service. The county shall within 30 days thereafter either accept or reject the proposed rates. If the county rejects the rates, the franchisee and the county shall negotiate for an acceptable rate, and if the agreement is not reached within 30 days after the rejection by the county, the county may terminate the franchise; and further, any rate increase sought by the franchisee will be filed with the county 60 days before it is to be effective; and if the county takes no action or approves the increase, it will go into effect on the date specified in the filing. If the county takes action by resolution to disapprove the increase, the proposed rate increase shall not be effective.
- (B) No ambulance service shall attempt to collect rates on emergency calls, if applicable, until the patient has reached the point of destination, has received medical attention, and is in a condition deemed by the physician fit to consult with the ambulance service.

(B) (C) On non-emergency calls or calls where a person requires transportation to a nonemergency facility, attempts to collect payments can be made before the ambulance begins its trip.

#### 15) AMEND Section 110.28 as follows:

#### § 110.28 110.29 ENFORCEMENT.

- (A) The County Emergency Medical Services Department Manager, or his designee, shall be the enforcing agency for the regulations contained in this subchapter.
- (A)(B) The County Medical Director shall have the authority to issue an immediate suspension for up to thirty (30) days due to matters related to public health, safety and welfare in additional to the ability to hold an EMS Peer Review of the ambulance service as defined in N.C.G.S. 131E 155(a)(6b).
- (B) (C) The office Manager will:
  - (1) Receive all franchise proposals from potential providers;
  - (2) Study each proposal for conformance to this subchapter;
  - (3) Recommend to the <u>Vance County</u> <u>bB</u>oard of eCommissioners the award of the franchises to the applicants submitting the best proposals;
  - (4) Cause the County Emergency Medical Services Department to inspect the premises, vehicles, equipment and personnel records of franchisees to ensure compliance with this subchapter;
  - (5) Recommend to the Board of Commissioners the temporary or permanent suspension of a franchise in the event of noncompliance with the franchise terms of this subchapter Ordinance. Recommend appropriate legal action for the imposition of misdemeanor or civil penalties as provided in this subchapter Ordinance;
  - (6) Ensure by cooperative agreement with other ambulance services the continued service in a district where an ambulance service franchise has been suspended;
  - (7) Receive complaints from the public, other enforcing agencies and ambulance services regarding franchise infractions;
  - (8) Recommend improvements to the county which will ensure better medical transportation;

(9) Maintain all records required by this subchapter and other applicable county regulations. (Ord. 35, passed 3-14-2005); and

(B) Each Franchise will:

- (1) Submit monthly reports from ambulance services provided from the previous month on or before the 15<sup>th</sup> of the following month.
- (2) Participate in Vance County EMS system wide Peer Review.
- (3) Ensure by cooperative agreement with other ambulance services the continued service in a district where an ambulance service franchise has been suspended;
- (4) Within 10 days of receipt, report any complaints from the public, other enforcing agencies and ambulance services regarding services provided within Vance County.
- (5) Maintain all records required by this Ordinance and other applicable State and local regulations; and

#### 16) AMEND Section 110.29 as follows:

#### § 110.29 110.30 TERRITORIAL JURISDICTION.

The provisions of this subchapter shall apply to all areas within the geographic confines of the county. (Ord. 35, passed 3-14-2005)

#### 17) AMEND Section 110.30 as follows:

#### § 110.30 110.31 INSPECTION OF RECORDS.

The county may inspect a franchisee's records, premises and equipment at any time in order to ensure compliance with this subchapter and any franchise granted under this subchapter. (Ord. 35, passed 3-14-2005)

The above amendments are effective upon adoption of this ordinance.

# Adopted this 7<sup>th</sup> day of December, 2020.

# **ATTEST:**

<u>R. Dan Brummitt (signed)</u>	Kelly H. Grissom	(signed)
R. Dan Brummitt, Chairman	Kelly H. Grissom	
Vance County Board of Commissioners	Clerk to the Board	

As advertised, a public hearing was held to receive public input on a proposed expansion of an economic development incentive expenditure to be considered for the location of a new company, Select Tissue of North Carolina, LLC. It is proposed that Vance County will provide an addendum to the Incentive Agreement for an additional \$25,000 with the source of funds from a Duke Energy Carolinas Investment Fund Grant, and being appropriated from the Vance County General Fund Balance, for the purpose of infrastructure activities that add value to facility. The location of this company in Vance County will stimulate investment in the local economy and promote business, resulting in the creation of a substantial number of jobs at competitive wages, and to encourage economic growth and development opportunities which the County has determined will be made possible because of this Project.

As there was no one present who wished to speak on this matter, Chairman Dan Brummitt declared the public hearing closed.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to approve the amendment to the local incentive agreement with Select Products Holdings, LLC and Select Tissue of North Carolina, LLC.

Mr. Stuart Hill, Thompson, Price, Scott, Adams & Co, P.A., was next on the agenda and presented the FY 2019-20 Audit Report. He stated that there were no significant audit findings, no difficulties encountered in performing the audit, no uncorrected misstatements, and no disagreements with management. The County's total fund balance increased from \$20.1 million to \$22.0 million. The unassigned fund balance increased from \$14.9 million to \$15.3 million, which is 31.53% of next year's budget. This is well within the range that is recommended by the Local Government Commission. Tax collections decreased from 97.16% to 96.68%. The total property valuation is \$2,906,238,539 and the total levy amount is \$25,991,649. The board expressed its concern with the decrease in property tax collections for the past two years as compared to other counties our size and asked staff to review this matter to see why our collections have decreased.

After discussion, motion was made by Commissioner Gordon Wilder to receive the FY 2019-20 Audit Report as presented. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

Mr. Elliot Clark, Cardinal Innovations Healthcare, appeared before the board and gave an overview of services provided in Vance County including a summary of service utilization data for Cardinal Innovations members in the county – volume vs cost for state and Medicaid services illustrated by population and age, child vs adult, and substance use disorder, intellectual/developmental disability, and mental health; and facility based crisis and mobile crisis utilization. After lengthy presentation and discussion, the board thanked Mr. Clark for his report.

Mr. James Johnson, Family Resource Center South Atlantic, informed the board of the New Start Reentry Program which assists people who have been released from jail/prison to acclimate back into the community and back to work. The program assists with housing, transportation, basic resources, employment, and support services. This program is provided by a grant through the US Department of Labor. A similar grant was received in 2017 for Vance, Edgecombe and Wilson counties and resulted in 94% of the 200 individuals served receiving monthly services, 56% receiving occupational training, 81% receiving peer to peer support, 96% never returned to prison, 63% were employed within the first quarter and 54% of surveyed participants reported family stability improvement. He stated that the new grant will serve 300 individuals. Those individuals will be referred to the program by the corrections department (jails/prisons). He asked the board for its support and to help get the word out about the program throughout the county.

Commissioner Gordon Wilder stated that he would like to see a review of first grant programs from the Department of Labor. After a question and answer session, the board thanked Mr. Johnson for his report.

#### Water District Board

Chairman Dan Brummitt called the water district board to order. The October 2020 monthly operations report was presented to the board for information.

Chairman Dan Brummitt adjourned the water district board.

#### Committee Reports and Recommendations

Public Safety Committee – Ambulance Franchise Application from North State Medical Transport. Commissioner Gordon Wilder reported that the committee (Wilder[C], Brummitt & Taylor) met on Tuesday, December 1, 2020 to discuss an application from North State Medical Transport to operate ambulance service in the county. North State intends to provide ALS (Advance Life Support) and BLS (Basic Life Support) non-emergent ambulance service to assist Maria Parham Health with in-county transports. The committee reviewed the application and was informed that North State is working to finalize a Vance County location as is required by ordinance. Staff reviewed the request and noted the following items would need updated or provided in the application to fully meet the county ordinance requirements:

- The financial statements are marked as DRAFT and the ordinance requires audited financial statements.
- The Certificate of Assumed Name needs updated to the proper state form and refiled with the Secretary of State's Office.
- The application needs updated to ensure the company's name and ownership structure is consistent with the articles of incorporation and financial statements.
- Evidence of a Vance County office and facility for housing each ambulance must be provided.

The committee was agreeable to these conditions and was made aware that the application was submitted prior to the new ordinance being approved, which would allow North State to operate under the older ordinance provisions. The committee was also aware that ambulance franchise agreements must be approved in two separate meetings of the commissioners as per NC General Statute. The committee was agreeable and recommended approval of the franchise. Motion was made by Commissioner Gordon Wilder to approve and grant the ambulance franchise agreement allowing North State Investment Group, LLC, d/b/a North State Medical Transport to provide ALS and BLS service in Vance County, subject to them meeting conditions of the franchise ordinance within 60 days and subject to a second approval by the board as required by NC General Statutes for a term not to exceed past June 30, 2021. This motion was seconded by Commissioner Archie B. Taylor, Jr. and unanimously approved.

A second vote on this matter will be taken during the board's January 4, 2021 regular meeting.

#### County Attorney's Report

*REO Properties – Bid Acceptance Resolutions*. County Attorney Jonathan S. Care noted that during its November meeting, the board of commissioners approved the public sale process for 715 Vaughan Street – Parcel 0075 02004; 322 Pearl Street – Parcel 0098 01003; 318 Pearl Street – Parcel 0098 01004; 335 Pearl Street – Parcel 0098 02021; and 225 Pearl Street – Parcel 0098 03012. The properties were advertised through the upset bid process and no upset bids were received. The board is now free to sell the properties or reject the offers.

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolutions accepting the bids for 715 Vaughan Street – Parcel 0075 02004; 322 Pearl Street – Parcel 0098 01003; 318 Pearl Street – Parcel 0098 01004; 335 Pearl Street – Parcel 0098 02021; and 225 Pearl Street – Parcel 0098 03012:

#### **RESOLUTION ACCEPTING BID FOR COUNTY OWNED REAL PROPERTY**

**WHEREAS**, the Vance County Board of County Commissioners received an offer in the amount of \$750.00 from Divine Path Properties LLC for the purchase and sale of County owned real property, which is more particularly described below:

# 715 Vaughan Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0075 02004.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on *November 12, 2020* stating that said offer from Divine Path Properties LLC in the amount of \$750.00 had been received and that any person wishing to submit an upset bid should do so within 10 days, and

WHEREAS, no upset bids were received within the statutorily prescribed time period.

**THEREFORE, BE IT RESOLVED** by the Vance County Board of Commissioners, pursuant to NCGS 160A-269 that:

The bid submitted by *Divine Path Properties LLC* in the amount of \$750.00 subject to the terms and conditions contained in the submitted upset Offer to Purchase Contract, attached hereto as

Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 7<sup>th</sup> day of December, 2020.

<u>R. Dan Brummitt</u> (signed) R. Dan Brummitt, Chairman Vance County Board of Commissioners

ATTEST:

<u>Kelly H. Grissom</u> (signed) Kelly H. Grissom, Clerk to the Board

#### **RESOLUTION ACCEPTING BID FOR COUNTY OWNED REAL PROPERTY**

**WHEREAS**, the Vance County Board of County Commissioners received an offer in the amount of \$1,145.00 from Divine Path Properties LLC for the purchase and sale of County owned real property, which is more particularly described below:

# 322 Pearl Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0098 01003.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on *November 12, 2020* stating that said offer from Divine Path Properties LLC in the amount of \$1,145.00 had been received and that any person wishing to submit an upset bid should do so within 10 days, and

WHEREAS, no upset bids were received within the statutorily prescribed time period.

**THEREFORE, BE IT RESOLVED** by the Vance County Board of Commissioners, pursuant to NCGS 160A-269 that:

The bid submitted by *Divine Path Properties LLC* in the amount of **\$1,145.00** subject to the terms and conditions contained in the submitted upset Offer to Purchase Contract, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 7<sup>th</sup> day of December, 2020.

<u>R. Dan Brummitt (signed)</u> R. Dan Brummitt, Chairman Vance County Board of Commissioners

ATTEST:

<u>Kelly H. Grissom</u> (signed) Kelly H. Grissom, Clerk to the Board

#### **RESOLUTION ACCEPTING BID FOR COUNTY OWNED REAL PROPERTY**

**WHEREAS**, the Vance County Board of County Commissioners received an offer in the amount of \$975.00 from Divine Path Properties LLC for the purchase and sale of County owned real property, which is more particularly described below:

# 318 Pearl Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0098 01004.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on *November 12, 2020* stating that said offer from Divine Path Properties LLC in the amount of \$975.00 had been received and that any person wishing to submit an upset bid should do so within 10 days, and

WHEREAS, no upset bids were received within the statutorily prescribed time period.

**THEREFORE, BE IT RESOLVED** by the Vance County Board of Commissioners, pursuant to NCGS 160A-269 that:

The bid submitted by *Divine Path Properties LLC* in the amount of **\$975.00** subject to the terms and conditions contained in the submitted upset Offer to Purchase Contract, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 7<sup>th</sup> day of December, 2020.

<u>R. Dan Brummitt (signed)</u> R. Dan Brummitt, Chairman Vance County Board of Commissioners

ATTEST:

<u>Kelly H. Grissom</u> (signed) Kelly H. Grissom, Clerk to the Board

#### **RESOLUTION ACCEPTING BID FOR COUNTY OWNED REAL PROPERTY**

**WHEREAS**, the Vance County Board of County Commissioners received an offer in the amount of \$1,800.00 from Divine Path Properties LLC for the purchase and sale of County owned real property, which is more particularly described below:

# 335 Pearl Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0098 02021.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on *November 12, 2020* stating that said offer from Divine Path Properties LLC in the amount of \$1,800.00 had been received and that any person wishing to submit an upset bid should do so within 10 days, and

WHEREAS, no upset bids were received within the statutorily prescribed time period.

**THEREFORE, BE IT RESOLVED** by the Vance County Board of Commissioners, pursuant to NCGS 160A-269 that:

The bid submitted by *Divine Path Properties LLC* in the amount of **\$1,800.00** subject to the terms and conditions contained in the submitted upset Offer to Purchase Contract, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

# Adopted this the 7<sup>th</sup> day of December, 2020.

<u>R. Dan Brummitt (signed)</u> R. Dan Brummitt, Chairman Vance County Board of Commissioners

#### ATTEST:

#### <u>Kelly H. Grissom</u> (signed) Kelly H. Grissom, Clerk to the Board

#### **RESOLUTION ACCEPTING BID FOR COUNTY OWNED REAL PROPERTY**

**WHEREAS**, the Vance County Board of County Commissioners received an offer in the amount of \$960.00 from Divine Path Properties LLC for the purchase and sale of County owned real property, which is more particularly described below:

225 Pearl Street, Henderson, North Carolina 27536, Vance County Tax Department Parcel Number 0098 03012.

WHEREAS, pursuant to NCGS 160A-269, a notice was published in the *Daily Dispatch* on *November 12, 2020* stating that said offer from Divine Path Properties LLC in the amount of \$960.00 had been received and that any person wishing to submit an upset bid should do so within 10 days, and

WHEREAS, no upset bids were received within the statutorily prescribed time period.

**THEREFORE, BE IT RESOLVED** by the Vance County Board of Commissioners, pursuant to NCGS 160A-269 that:

The bid submitted by *Divine Path Properties LLC* in the amount of **\$960.00** subject to the terms and conditions contained in the submitted upset Offer to Purchase Contract, attached hereto as Exhibit "A", is hereby accepted for the property described herein and the Board's Chairperson shall execute the documents necessary to complete the transfer of title to such property.

Adopted this the 7<sup>th</sup> day of December, 2020.

<u>R. Dan Brummitt</u> (signed) R. Dan Brummitt, Chairman Vance County Board of Commissioners

ATTEST:

#### <u>Kelly H. Grissom</u> (signed) Kelly H. Grissom, Clerk to the Board

*REO Properties – New Offers*. Attorney Care stated that two offers had been received from Kimberly Johnson for real property located at Andrews Avenue Lot – Parcel 0079 03036 and East Avenue Lot – Parcel 0079 03038. He stated that the board needs to vote on whether or not to proceed with the sale by advertising for upset bids and recommended approval of the resolutions to begin the upset bid process for the properties. He noted the properties are jointly owned with the City of Henderson, so any action will need to be contingent upon the city taking similar action.

The board discussed the fact that there are four city/county owned properties in this location adjacent to each other and mentioned the possibility of selling all four lots as a block; however, the board was agreeable to proceed with the upset bid process for the two offers.

Motion was made by Commissioner Yolanda Feimster to approve the upset bid process for real property located at Andrews Avenue Lot – Parcel 0079 03036 and East Avenue Lot – Parcel 0079 03038, contingent upon the city taking similar action. This motion was seconded by Commissioner Carolyn Faines and unanimously approved.

#### RESOLUTION AUTHORIZING UPSET BID PROCESS FOR SALE OF REAL PROPERTY Lot off Andrews Avenue, Henderson, NC 27536

WHEREAS, Vance County owns certain real property with an address of Lot off Andrews Avenue, Henderson, North Carolina, and more particularly described by the Vance County Tax Department as Parcel Number 0079 03036; and

**WHEREAS**, North Carolina General Statute §160A-269 permits the county to sell real property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer to purchase the real property described herein above in the amount of \$1,791.00 subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by *Kimberly Johnson*; and

**WHEREAS**, the County has made a counteroffer to amend the terms of the Offer to Purchase County Owned Property; and

WHEREAS, *Kimberly Johnson* has paid the required deposit in the amount of **\$800.00** with her initial offer.

# THEREFORE, THE VANCE COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of County Commissioners declares the real property described above surplus and authorizes its sale through the upset bid procedure of North Carolina General Statute §160A-269.

2. Upon acceptance of the County's counter offered terms and conditions, a notice of the proposed sale shall be published which shall describe the property and the amount of the offer and shall require any upset offer be subject to the same terms and conditions as contained therein except for the purchase price.

3. Any person may submit an upset bid to the Clerk to the Board of County Commissioners within 10 days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.

4. If a qualifying upset bid is received, a new notice of upset bid shall be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of County Commissioners.

5. A qualifying higher bid is one that raises the existing offer by the greater of \$750 or ten percent (10%) of the first 1,000.00 of that offer and five percent (5%) of the remainder of the offer and is subject to the same terms and conditions of the previous bid.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of the greater of \$750 or five percent (5%) of the bid, which may be made by cash, cashier's check or certified funds. The County will return the deposit of any bid not accepted and will return the bid of an offer subject to upset if a qualifying higher bid is received.

7. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed and the buyer must pay with certified funds or wire transfer the bid amount and any other amounts as required pursuant to the terms and conditions of the bid at the time of closing, which shall be no later than 30 days following the approval by this Board of the final bid. The real property is sold in its current condition, as is, and the County gives no warranty with respect to the usability of the real property or title. Title will be delivered at closing by **a Non Warranty Deed**, subject to exceptions for ad valorem taxes, assessments, zoning regulations, restrictive covenants, street easements, rights of others in possession and any other encumbrances of record. Buyer shall pay for preparation and recording of the Deed and revenue stamps.

8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted **and the right to reject all bids at any time**.

9. If no qualifying upset bid is received, the Board of County Commissioners will accept or reject the bid submitted within 60 days after the close of the 10-day upset period.

#### Adopted this the 7<sup>th</sup> day of December, 2020.

<u>R. Dan Brummitt (signed)</u> R. Dan Brummitt, Chairman Vance County Board of Commissioners

ATTEST:

<u>Kelly H. Grissom (signed)</u> Kelly H. Grissom, Clerk to the Board

#### RESOLUTION AUTHORIZING UPSET BID PROCESS FOR SALE OF REAL PROPERTY Lot off East Avenue, Henderson, NC 27536

WHEREAS, Vance County owns certain real property with an address of Lot off East Avenue, Henderson, North Carolina, and more particularly described by the Vance County Tax Department as Parcel Number 0079 03038; and

WHEREAS, North Carolina General Statute §160A-269 permits the county to sell real property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer to purchase the real property described herein above in the amount of **\$2,239.00** subject to the terms and conditions as included in the submitted offer to purchase bid, submitted by *Kimberly Johnson*; and

**WHEREAS**, the County has made a counteroffer to amend the terms of the Offer to Purchase County Owned Property; and

WHEREAS, *Kimberly Johnson* has paid the required deposit in the amount of \$1,600.00 with her initial offer.

THEREFORE, THE VANCE COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

1. The Board of County Commissioners declares the real property described above surplus and authorizes its sale through the upset bid procedure of North Carolina General Statute §160A-269.

2. Upon acceptance of the County's counter offered terms and conditions, a notice of the proposed sale shall be published which shall describe the property and the amount of the offer and shall require any upset offer be subject to the same terms and conditions as contained therein except for the purchase price.

3. Any person may submit an upset bid to the Clerk to the Board of County Commissioners within 10 days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.

4. If a qualifying upset bid is received, a new notice of upset bid shall be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of County Commissioners.

5. A qualifying higher bid is one that raises the existing offer by the greater of \$750 or ten percent (10%) of the first 1,000.00 of that offer and five percent (5%) of the remainder of the offer and is subject to the same terms and conditions of the previous bid.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of the greater of \$750 or five percent (5%) of the bid, which may be made by cash, cashier's check or certified funds. The County will return the deposit of any bid not accepted and will return the bid of an offer subject to upset if a qualifying higher bid is received.

7. The terms of the final sale are that the Board of County Commissioners must approve the final high offer before the sale is closed and the buyer must pay with certified funds or wire transfer the bid amount and any other amounts as required pursuant to the terms and conditions of the bid at the time of closing, which shall be no later than 30 days following the approval by this Board of the final bid. The real property is sold in its current condition, as is, and the County gives no warranty with respect to the usability of the real property or title. Title will be delivered at closing by **a Non Warranty Deed**, subject to exceptions for ad valorem taxes, assessments, zoning regulations, restrictive covenants, street easements, rights of others in possession and any other encumbrances of record. Buyer shall pay for preparation and recording of the Deed and revenue stamps.

8. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted **and the right to reject all bids at any time**.

9. If no qualifying upset bid is received, the Board of County Commissioners will accept or reject the bid submitted within 60 days after the close of the 10-day upset period.

#### Adopted this the 7<sup>th</sup> day of December, 2020.

<u>R. Dan Brummitt (signed)</u> R. Dan Brummitt, Chairman Vance County Board of Commissioners

#### ATTEST:

<u>Kelly H. Grissom</u> (signed) Kelly H. Grissom, Clerk to the Board

Attorney Recommendation. Attorney Care stated that his role as county attorney has always been to provide civil and administrative legal guidance for the Sheriff's Office. He advised that he would like to take this opportunity to let the board know that it became apparent last week that a need has arisen for the Sheriff's Office to have legal guidance for criminal matters. He stated that the typical entity that has, in the past, provided this criminal legal guidance for the Sheriff's Office (District Attorney's Office) is no longer available due to adversarial reasons. He recommended that the board consider budgeting funds for the Sheriff's Office for criminal legal guidance. He noted that this would be for the entity of the Sheriff's Office related to criminal law, not criminal defense, of individuals or the Office. Commissioner Gordon Wilder asked if \$25,000 would be appropriate. Attorney Care responded yes, that amount would be appropriate.

Motion was made by Commissioner Gordon Wilder to appropriate \$25,000 from Fund Balance to support the Sheriff's Office in criminal matters and criminal operations of the Sheriff's Office, and not for individual criminal defense. This motion was seconded by Commissioner Leo Kelly, Jr.

During discussion, it was noted that this funding would be a recurring cost and the amount could vary if needed. It was also noted that if the district attorney's office changes in the future, it may not be needed at all. Commissioner Yolanda Feimster suggested that this funding be used solely for the purpose of criminal legal guidance and not transferred to another line item if legal guidance is not needed.

Vote on the motion to appropriate \$25,000 from Fund Balance to support the Sheriff's Office in criminal matters regarding the operations of the Sheriff's Office, and not for individual criminal defense was unanimous.

Budget Amendment #18
FY 2020-2021
Sheriff

		Revenue
<b>Revenue Amendment Request</b>	Account Number	Increase (Decrease)
General Fund Balance	10-399-439900	25,000
Total Revenue Increase (Decrease)		\$ 25,000

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Legal Services	10-510-500055	25,000
Total		\$ 25,000

Purpose: To appropriate \$25,000 from Fund Balance to support the Sheriff's Office in criminal matters regarding the operations of the Sheriff's Office, and not for individual criminal defense.

Authorization:	Vance County Board of Commissioners
	December 7, 2020

#### County Manager's Report

*Records Preservation – Register of Deeds.* County Manager Jordan McMillen noted that last fall the Register of Deeds completed preservation of marriage license records from 1895 to 1920. He stated that the Register of Deeds intends to preserve additional marriage license records from 1921 through 1925 utilizing \$5,018 in dedicated automation funds in the current year budget. North Carolina law requires approval from the board for removing the records for greater than 24 hours. The records will be taken to Greensboro for approximately 18-22 weeks to complete the preservation process.

Motion was made by Commissioner Archie B. Taylor, Jr. to approve the following resolution authorizing documents to be taken offsite from the Register of Deeds office for the purpose of preservation. This motion was seconded by Commissioner Gordon Wilder and unanimously approved.

# RESOLUTION

by the Vance County Board of Commissioners To authorize documents to be moved off-site from the Register of Deeds Office for purpose of Preservation

- WHEREAS, the Register of Deeds is an elected official with primary duties deemed to be a major custodian of records in county government, including maintenance and protection of such records; and
- WHEREAS, Vance County Register of Deeds Cassandra D. Neal has determined the need for preservation of Original Marriage Licenses which are currently stored in the Vance County Register of Deeds Office dated from (1921-1925), whereas the years, number of records and volume of pages including any documentary attachments as follows: (1921 (5) vol. 8 pgs. 1-5, 1923 vol. 10 pgs. 1-2 (2), 1924 (106) vol. 11 pgs. 1-105 including an A page, 1925 (281) vol. 12 pgs. 1-281. Volume 9 for the year 1922 had no marriages found for that year. We have no record that recorded or digitized for automation; and
- **WHEREAS**, such preservation requires said records to be taken to the office of Kofile, in Greensboro, N.C., 18-22 weeks or until marriage preservation is completed; and
- WHEREAS, North Carolina General Statute 153A-436(b) only allows a Register of Deeds to approve removal of public records for a maximum of twenty-four hours, with a longer absence to be approved only by the board of county commissioners.
- NOW THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners does approve the request of duly elected Vance County Register of Deeds Cassandra D. Neal for removal from the Vance County Register of Deeds Office of original marriage licenses dated from (1921-1925), whereas the years, number of records, and volume of pages including any documentary attachments as follows: (1921 (5) vol. 8 pgs. 1-5, 1923 (2) vol. 10 pgs. 1-2, 1924 (106) vol. 11 pgs. 1-5 including an A page, 1925 (281) vol. 12 pgs. 1-281. Volume 9 for the year 1922 had no marriages found in that year. We have no record that is recorded or digitized for automation/preservation. These documents are

to be transported by Kofile Staff to the Greensboro office for the purpose of preservation of said documents.

This the 7<sup>th</sup> day of December, 2020.

#### <u>*R. Dan Brummitt* (signed)</u> R. Dan Brummitt, Chairman

*Lease Renewal – Scott Parker Building.* Mr. McMillen advised that Gang Free has requested an extension of its lease agreement of the Scott Parker Building. Gang Free has leased the building from the county since 2016 and continues to make a positive impact on the community. They provide an after-school program, summer camps and have expanded into providing an emergency food pantry and homeless shelter for women in the past year. Additionally, they have taken on distributing PPE and household items and have hosted COVID testing events through the pandemic. North Carolina law requires counties to give appropriate notice before approving a lease agreement for a period greater than one year. Mr. McMillen noted that this will be brought back to the board for approval at the January 4<sup>th</sup> meeting subject to any changes or comments from the board.

*Extension of Tax Listing Period.* Mr. McMillen stated that the regular tax listing period for residents and businesses in North Carolina is during the month of January and this year the deadline is February 1<sup>st</sup> due to January 31<sup>st</sup> falling on a weekend. During non-reappraisal years, the county commissioners may extend the listing period, not to exceed 30 additional days. Due to COVID, the tax administrator is requesting to extend the listing period 14 days until February 15<sup>th</sup>. This will allow the tax office to focus their attention on tax payments in early January while reducing traffic and providing additional time for individuals to list their property.

Motion was made by Commissioner Archie B. Taylor, Jr., seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following resolution authorizing the tax assessor to extend the tax listing period until February 15, 2021.

#### R E S O L U T I O N by the Vance County Board of Commissioners Extending the Year 2021 Tax Listing Period

**BE IT RESOLVED** by the Board of County Commissioners of Vance County, pursuant to the provisions of G.S. 105-307, that the year 2021 regular tax listing period is hereby extended for a period of fourteen (14) additional days beyond February 1, 2021. The entire period for listing, including the extension of time granted herein, shall be considered the regular

listing period for the year 2021. The regular listing period, which includes the extension, begins January 1, 2021 and ends on February 15, 2021.

**BE IT FURTHER RESOVED** that notice hereof shall be published and posted as required by N.C.G.S. 105-296© of the Machinery Act of North Carolina.

This, the 7<sup>th</sup> day of December, 2020.

<u>*R. Dan Brummitt* (signed)</u> Chairman, Vance County Board of Commissioners

Consent Agenda

Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Carolyn Faines, vote unanimous, to approve the following consent agenda items as presented: Budget Amendments #16 and #17, October 2020 Tax Refunds and Releases, departmental monthly reports, and the minutes of the November 2, 2020 regular meeting.

#### Budget Amendment #16 FY 2020-2021 Social Services

		Revenue
<b>Revenue Amendment Request</b>	Account Number	Increase (Decrease)
General Fund Balance	10-399-439900	7,500
Total Revenue Increase (Decrease)		\$ 7,500

		Expense
<b>Expenditure Amendment Request</b>	Account Number	Increase (Decrease)
DSS General Assistance Fund	10-610-500020	7,500
Total		\$ 7,500

Purpose: Additional funds needed to complete the fiscal year.

Authorization: Vance County Board of Commissioners December 7, 2020

#### Budget Amendment #17 FY 2020-2021 Fire

		Revenue
<b>Revenue Amendment Request</b>	Account Number	Increase (Decrease)
General Fund Balance	10-399-439900	14,460.72
Total Revenue Increase (Decrease)		\$ 14,460.72

		Expense
Expenditure Amendment Request	Account Number	Increase (Decrease)
Maintenance Vehicles	10-531-500017	14,460.72
Total		\$ 14,460.72

Purpose: As discussed in the July 21, 2020 public safety committee meeting, this is the repair bill of the 1998 Ford Engine to put in service.

	TAX OFFICE REFUND AN	D RELEASE REPORT	FOR OCTOBER 2020
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TAXPAYER NAME	TAX YR	REAL	PERSONAL	SOLID WASTE FEE	REASON
EPPS WENDY	2018	500.33	0	112	CORRECT VALUE
EPPS WENDY	2019	513.43	0	112	CORRECT VALUE
CARPENTER LINDA PASCHALL	2020	0	0	0	ADD SOLID WASTE
EDMONDS WILLIAM PAYNE III	2020	0	49.94	0	CORRECT VALUE
EPPS WENDY	2020	513.43	0	117	CORRECT VALUE
FRAZIER KAREN WYCHE	2020	0	51.16	0	PERS PROP BILLED
HINTON SIDNEY WAYNE	2020	0	42.49	0	CORRECT VALUE
HINTON SIDNEY WAYNE	2020	0	42.49	0	CORRECT VALUE
JOHNSON HIRAM ALVIN JR	2020	0	84.84	0	PERS PROP BILLED
JOHNSON HIRAM ALVIN JR	2020	0	198.47	0	PERS PROP BILLED
KNOWLES AARON A JR	2020	0	80.12	0	PERS PROP BILLED
PARSONS RANDY	2020	1607.13	0	0	CORRECT VALUE
ST WOOTEN CORPORATION	2020	0	680.09	0	PERS PROP BILLED
TOTAL		3134.32	1229.60		
GRAND TOTAL	4363.92				

MONTHLY REPORTS: 911 Emergency Operations, Administrative Ambulance Charge-

Offs, Cooperative Extension, EMS, Human Resources, Information Technology, Parks and Recreation, Planning and Development, Tax Collections and Veterans Service.

#### Miscellaneous

Appointments. The following appointments were presented to the Board for consideration:

<u>Farmers Market Advisory Committee – three year term</u> Reappoint Horace Bullock and Angelique Clay

<u>Tourism Development Authority – three year term</u> Reappoint Shirley Julian and Benny Finch

<u>Community Advisory Committee – three year term</u> Reappoint Joann Evans

Authorization: Vance County Board of Commissioners December 7, 2020

<u>Granville-Vance District Health Board</u> Appoint Dr. Michael Sylvia to fill a vacant position.

Motion was made by Commissioner Archie B. Taylor, Jr., seconded by Commissioner Gordon Wilder, vote unanimous, to approve the appointments as presented.

Appointment of Voting Delegate for 2021 Legislative Goals Conference. Motion was made by Commissioner Gordon Wilder, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to appoint Dan Brummitt as voting delegate for the 2021 Legislative Goals Conference in January and appoint Jordan McMillen as his alternate.

As there was no further business, at 8:50 p.m., motion was made by Commissioner Gordon Wilder, seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, that the meeting be adjourned.

# Approved and signed January 4, 2021.

<u>R. Dan Brummitt</u> (signed) R. Dan Brummitt, Chairman