

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: NOVEMBER 23, 2015-FIRST READING
DECEMBER 21, 2015-SECOND READING

AGENDA ITEM NUMBER: 14-ABCDE&F
4-ABCDE&F

SECOND READING ON:

- SUBJECT: A. PUBLIC HEARING ON FIVE PROPOSED ORDINANCES GRANTING EXTENSIONS OF AMBULANCE FRANCHISES WITHIN FORSYTH COUNTY (NUCARE CAROLINA AMBULANCE, INC.-GROUND AMBULANCE) (LIFESTAR EMERGENCY SERVICES, LLC-GROUND AMBULANCE) (FORSYTH MEMORIAL HOSPITAL, INC. D/B/A FORSYTH MEDICAL CENTER-GROUND AMBULANCE) (NORTH CAROLINA BAPTIST HOSPITAL-LIMITED AIR AND GROUND AMBULANCES)**
- B. ORDINANCE GRANTING AN EXTENSION OF A NONEMERGENCY GROUND AMBULANCE FRANCHISE TO NUCARE CAROLINA AMBULANCE, INC. (EMERGENCY SERVICES DEPARTMENT)**
- C. ORDINANCE GRANTING AN EXTENSION OF A NONEMERGENCY GROUND AMBULANCE FRANCHISE WITHIN FORSYTH COUNTY TO LIFESTAR EMERGENCY SERVICES, LLC (EMERGENCY SERVICES DEPARTMENT)**
- D. ORDINANCE GRANTING AN EXTENSION OF A GROUND AMBULANCE FRANCHISE TO FORSYTH MEMORIAL HOSPITAL, INC. D/B/A FORSYTH MEDICAL CENTER (EMERGENCY SERVICES DEPARTMENT)**
- E. ORDINANCE GRANTING AN EXTENSION OF A GROUND AMBULANCE FRANCHISE TO NORTH CAROLINA BAPTIST HOSPITAL (EMERGENCY SERVICES DEPARTMENT)**
- F. ORDINANCE GRANTING AN EXTENSION OF A LIMITED AIR AMBULANCE FRANCHISE TO NORTH CAROLINA BAPTIST HOSPITAL (EMERGENCY SERVICES DEPARTMENT)**

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:

ATTACHMENTS: YES NO

SIGNATURE: _____ DATE: _____
COUNTY MANAGER

**ORDINANCE GRANTING AN EXTENSION OF A NONEMERGENCY
GROUND AMBULANCE FRANCHISE TO
NUCARE CAROLINA AMBULANCE, INC.
(EMERGENCY SERVICES DEPARTMENT)**

WHEREAS, the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

WHEREAS, the Emergency Services Director has determined that NuCare Carolina Ambulance, Inc. meets both the State standards and the standards outlined in Chapter 5 of the Forsyth County Code for providing ambulance services within Forsyth County.

NOW, THEREFORE, BE IT ORDAINED by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code, and other applicable laws, and upon application of NuCare Carolina Ambulance, Inc. ("franchise operator/Private Provider"), a North Carolina Business Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a non-emergency ground ambulance service within Forsyth County, strictly subject to the following conditions:

(1) The franchise operator/Private Provider may provide nonemergency ground ambulance services within the boundaries of Forsyth County, or provide services that begin within Forsyth County and terminate outside the County, or begin outside the County and terminate within the boundaries of the County.

(2) The franchise operator/Private Provider may only provide emergency services when specifically authorized by the Forsyth County Emergency Services Director.

(3) The franchise operator/Private Provider shall operate as support response or backing for the Forsyth County Emergency Services Department during a catastrophe or emergency when requested and deemed necessary by the Forsyth County Emergency Services Director, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(4) The franchise operator/Private Provider shall respond in a timely manner to all service requests, authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources, including personnel, equipment and vehicles within Forsyth County to timely respond.

(5) The franchise operator/Private Provider shall at all times be licensed to operate the ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The franchise operator/Private Provider shall at all times comply with all applicable federal, state, and local laws. The provisions of Article 7 of Chapter 131E of the North Carolina General Statutes are incorporated herein by reference to the extent they apply.

(6) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, workers' compensation, liability and property damage insurance coverage relating to the operations and personnel of the ambulance service as is reasonably required by Forsyth County through the County Risk Manager, and shall provide the County with certificates of insurance

coverage and copies of insurance policies as may be requested by the County Risk Manager, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(7) The franchise operator/Private Provider shall maintain and charge at all times the fees for ambulance services as approved by the Forsyth County Board of Commissioners for such services within the County, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(8) An operational agreement detailing the specific standard operating procedures of the franchise operator/Private Provider has been created and approved in writing by the franchise operator/Private Provider and the Forsyth County Emergency Services Director and is attached hereto and incorporated herein by reference. The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and non-emergency ambulance services shall be defined for the purposes of this ambulance franchise ordinance by Chapter 5 of the Forsyth County Code.

(9) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or in the operational agreement as approved by the franchise operator/Private Provider and the Forsyth County Emergency Services Director, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.

(10) The franchise operator/Private Provider shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, equipment and records of the franchise holder/Private Provider used for the ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator/Private Provider shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, equipment, agreements, and insurance coverage.

(11) With the approval of the Forsyth County Board of Commissioners, the franchise operator/Private Provider may transfer a majority of the stock of the corporation, or controlling interest in the corporation, to a person or corporation which is qualified hereunder to provide ambulance services, whereby the successor organization acquires this franchise and the right to operate within Forsyth County, North Carolina. The provisions of this paragraph also apply to the franchise operator/Private Provider becoming a subsidiary organization to a corporation which provides ambulance services, either itself or through the acquired corporation. This franchise may not be transferred in any manner without the prior written approval of the Forsyth County Board of Commissioners, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(12) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.

(13) This franchise shall be effective and is granted for a period of five (5) years, beginning January 11, 2016 and expiring January 11, 2021.

BE IT FURTHER ORDAINED that the franchise shall become effective upon final adoption after two readings.

Adopted on first reading on this the 23rd day of November 2015.

Adopted on second reading on this the 21st day of December 2015.

**ORDINANCE GRANTING AN EXTENSION OF A NONEMERGENCY GROUND
AMBULANCE FRANCHISE WITHIN FORSYTH COUNTY TO
LIFESTAR EMERGENCY SERVICES, LLC
(EMERGENCY SERVICES DEPARTMENT)**

WHEREAS, the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

WHEREAS, the Emergency Services Director has determined that LifeStar Emergency Services, LLC meets both the State standards and the standards outlined in Chapter 5 of the Forsyth County Code for providing ambulance services within Forsyth County.

NOW, THEREFORE, BE IT ORDAINED by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code, and other applicable laws, and upon application of LifeStar Emergency Services, LLC (“franchise operator/Private Provider”), a North Carolina Limited Liability Company, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a non-emergency ground ambulance service within Forsyth County, strictly subject to the following conditions:

(1) The franchise operator/Private Provider may provide non-emergency ground ambulance services within the boundaries of Forsyth County, or provide services that begin within Forsyth County and terminate outside the County, or begin outside the County and terminate within the boundaries of the County.

(2) The franchise operator/Private Provider may only provide emergency services when specifically authorized by the Forsyth County Emergency Services Director.

(3) The franchise operator/Private Provider shall operate as support response or backing for the Forsyth County Emergency Services Department during a catastrophe or emergency when requested and deemed necessary by the Forsyth County Emergency Services Director, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(4) The franchise operator/Private Provider shall respond in a timely manner to all service requests authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources, including personnel, equipment and vehicles within Forsyth County to timely respond.

(5) The franchise operator/Private Provider shall at all times be licensed to operate the ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The franchise operator/Private Provider shall at all times comply with all applicable federal, state, and local laws. The provisions of Article 7 of Chapter 131E of the North Carolina General Statutes are incorporated herein by reference to the extent they apply.

(6) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, workers’ compensation, liability and property damage insurance coverage relating to the operations and personnel of the ambulance service as is reasonably required by Forsyth County through the County Risk Manager, and shall provide the County with certificates of insurance

coverage and copies of insurance policies as may be requested by the County Risk Manager, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(7) The franchise operator/Private Provider shall maintain and charge at all times the fees for ambulance services as approved by the Forsyth County Board of Commissioners for such services within the County, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(8) An operational agreement detailing the specific standard operating procedures of the franchise operator/Private Provider has been created and approved in writing by the franchise operator/Private Provider and the Forsyth County Emergency Services Director and is attached hereto and incorporated herein by reference. The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and nonemergency transportation services are defined for the purposes of this ambulance franchise ordinance by Chapter 5 of the Forsyth County Code.

(9) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or in the operational agreement as approved by the franchise operator/Private Provider and the Forsyth County Emergency Services Director, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.

(10) The franchise operator/Private Provider shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, equipment and records of the franchise operator/Private Provider used for the ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator/Private Provider shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, equipment, agreements, and insurance coverage.

(11) With the approval of the Forsyth County Board of Commissioners, the franchise operator/Private Provider may transfer a majority of the stock of the corporation, or controlling interest in the corporation, to a person or corporation which is qualified hereunder to provide ambulance services, whereby the successor organization acquires this franchise and the right to operate within Forsyth County, North Carolina. The provisions of this paragraph also apply to the franchise operator/Private Provider becoming a subsidiary organization to a corporation which provides ambulance services, either itself or through the acquired corporation. This franchise may not be transferred in any manner without the prior written approval of the Forsyth County Board of Commissioners, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(12) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.

(13) This franchise shall be effective and is granted for a period of five (5) years, beginning January 11, 2016, and expiring January 11, 2021.

BE IT FURTHER ORDAINED that the franchise shall become effective upon final adoption after two readings.

Adopted on first reading on this the 23rd day of November 2015.

Adopted on second reading on this the 21st day of December 2015.

**ORDINANCE GRANTING AN EXTENSION OF A GROUND AMBULANCE
FRANCHISE TO FORSYTH MEMORIAL HOSPITAL, INC.
D/B/A FORSYTH MEDICAL CENTER
(EMERGENCY SERVICES DEPARTMENT)**

WHEREAS, the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

WHEREAS, the Emergency Services Director has determined that Forsyth Memorial Hospital, Inc., d/b/a Forsyth Medical Center meets both the State standards and the standards outlined in Chapter 5 of the Forsyth County Code.

NOW, THEREFORE, BE IT ORDAINED by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code and other applicable laws, and upon application of Forsyth Memorial Hospital, Inc., d/b/a Forsyth Medical Center (“franchise operator/Private Provider”), a North Carolina Nonprofit Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a non-emergency ground ambulance service within Forsyth County, strictly subject to the following conditions:

(1) The franchise operator/Private Provider may provide inter-hospital transport and continuous critical care nursing to critically ill adult patients that require inter-hospital transport and admission from community based hospitals to Forsyth Medical Center. The critical care units may also be utilized to transport and administer advanced life support to patients being transported from the Forsyth Medical Center to other medical facilities.

(2) The franchise operator/Private Provider shall operate as support response or backing for the Forsyth County Emergency Services Department during a catastrophe or emergency when requested and deemed necessary by the Forsyth County Emergency Services Director pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(3) The franchise operator/Private Provider shall respond in a timely manner to all service requests, authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources including personnel, equipment and vehicles within Forsyth County to timely respond.

(4) The franchise operator/Private Provider shall at all times be licensed to operate the ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The franchise operator/Private Provider shall at all times comply with all applicable federal, state, and local laws. The provisions of Article 7 of Chapter 131E of the North Carolina General Statutes are incorporated herein by reference to the extent they apply.

(5) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, workers’ compensation, liability and property damage

insurance coverage relating to the operations and personnel of the ambulance service as is reasonably required by Forsyth County through the County Risk Manager, and shall provide the County with certificates of insurance coverage and copies of insurance policies as may be requested by the County Risk Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(6) The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and nonemergency ambulance services shall be defined for the purposes of this ambulance franchise ordinance by Chapter 5 of the Forsyth County Code.

(7) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.

(8) The franchise operator/Private Provider shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, equipment and records of the franchise holder/Private Provider used for the ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator/Private Provider shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, equipment, agreements, and insurance coverage.

(9) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.

(10) This franchise shall be effective and is granted for a period of five (5) years, beginning January 11, 2016 and expiring January 11, 2021.

BE IT FURTHER ORDAINED that the franchise shall become effective upon final adoption after two readings.

Adopted on the first reading on this the 23rd day of November 2015.

Adopted on the second reading on this the 21st day of December 2015.

**ORDINANCE GRANTING AN EXTENSION OF A GROUND AMBULANCE
FRANCHISE TO NORTH CAROLINA BAPTIST HOSPITAL
(EMERGENCY SERVICES DEPARTMENT)**

WHEREAS, the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

WHEREAS, the Emergency Services Director has determined that North Carolina Baptist Hospital meets both the State standards and the standards outlined in Chapter 5 of the Forsyth County Code.

NOW, THEREFORE, BE IT ORDAINED by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code and other applicable laws, and upon application of North Carolina Baptist Hospital (“franchise operator/Private Provider”), a North Carolina Nonprofit Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a ground ambulance service within Forsyth County, strictly subject to the following conditions:

- (1) The franchise operator/Private Provider may:
 - (a) Receive adults, neonates or pediatric patients up to four years of age being treated or hospitalized at North Carolina Baptist Hospital or Forsyth Memorial Hospital for ground ambulance transportation to a point outside Forsyth County;
 - (b) Receive adults, neonates or pediatric patients up to four years of age being treated or hospitalized outside Forsyth County for ground ambulance transportation to a hospital within Forsyth County;
 - (c) Transport by ground ambulance adults, neonates or pediatric patients up to four years of age from one hospital to another within Forsyth County; and
 - (d) Transport by ground ambulance adults, neonates or pediatric patients up to four years of age, who are referred to North Carolina Baptist Hospital, to hospitals that are located outside of Forsyth County if the appropriate facilities at North Carolina Baptist Hospital are filled to capacity.

The services identified in Section (1) herein may be emergency or non-emergency as defined in Chapter 5 of the Forsyth County Code.

For the purposes of this Ordinance, the term “neonate” is defined as an infant whose health is at risk as a consequence of low birth weight, pre-term delivery or other medical or surgical complications having their origin in the first 28 days of life.

(2) The franchise operator/Private Provider may also:

(a) Provide ground ambulance services as a primary responder to transport patients between Smith Reynolds Airport, North Carolina Baptist Hospital, and/or Forsyth Memorial Hospital;

(b) Provide critical care ground transport service for interhospital transport of patients who are in critical care units at hospitals outside Forsyth County and need to be transferred to the North Carolina Baptist Hospital in Winston-Salem. The patients transported shall be those who are not as acutely ill as those currently transported by helicopter; the patients transported shall be those requiring special care during transport for ventilator management and who need manipulation of certain intravenous medications. These ground ambulance units shall be certified as Category III by the North Carolina Office of Emergency Medical Services. In addition to the driver, the units shall be staffed by two (2) registered nurses or one (1) registered nurse and one (1) CCT paramedic. The Emergency Department of the North Carolina Baptist Hospital shall provide medical control and oversight; and

(c) Transport patients by ground ambulance between Forsyth Memorial Hospital and North Carolina Baptist Hospital who require one of the following: cardiac electrophysiology studies, intra-aortic balloon pumping, and extensive ventilator management secondary to adult respiratory distress syndrome. The ground units may also be used to transport patients with advanced life support outside the County and to transport patients or donor organs between Smith Reynolds Airport and North Carolina Baptist Hospital or Forsyth Memorial Hospital.

(3) The franchise operator/Private Provider shall operate as support response or backing for the Forsyth County Emergency Services Department during a catastrophe or emergency when requested and deemed necessary by the Forsyth County Emergency Services Director, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(4) The franchise operator/Private Provider shall respond in a timely manner to all service requests authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources including personnel, equipment and vehicles within Forsyth County to timely respond.

(5) The franchise operator/Private Provider shall at all times be licensed to operate the ground ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The franchise operator/Private Provider shall at all times comply with all applicable federal, state, and local laws.

(6) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, workers' compensation, liability and property damage insurance coverage relating to the operations and personnel of the ground ambulance service as is reasonably required by Forsyth County through the County Risk Manager,

and shall provide the County with certificates of insurance coverage and copies of insurance policies as may be requested by the County Risk Manager, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(8) The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and non-emergency transportation services are defined for the purposes of this ground ambulance franchise ordinance by Chapter 5, of the Forsyth County Code, entitled Ordinance Governing The Franchising Of Ambulance Services In Forsyth County.

(9) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.

(10) The franchise operator shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, aircraft, equipment and records of the franchise operator/Private Provider used for the air ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, aircraft, equipment, agreements, and insurance coverage.

(11) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.

(12) This franchise shall be effective and is granted for a period of five (5) years, beginning January 11, 2016, and expiring January 11, 2021.

BE IT FURTHER ORDAINED that the franchise shall become effective upon final adoption after two readings.

Adopted on first reading on this the 23rd day of November 2015.

Adopted on second reading on this the 21st day of December 2015.

**ORDINANCE GRANTING AN EXTENSION OF A LIMITED AIR AMBULANCE
FRANCHISE TO NORTH CAROLINA BAPTIST HOSPITAL
(EMERGENCY SERVICES DEPARTMENT)**

WHEREAS, the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

WHEREAS, the Emergency Services Director has determined that North Carolina Baptist Hospital meets both the State standards and the standards outlined in Chapter 5 of the Forsyth County Code.

NOW, THEREFORE, BE IT ORDAINED by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code and other applicable laws, and upon application of North Carolina Baptist Hospital (“franchise operator/Private Provider”), a North Carolina Nonprofit Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a limited air ambulance service within Forsyth County, strictly subject to the following conditions:

(1) The franchise operator/Private Provider may receive patients being treated or hospitalized at North Carolina Baptist Hospital or at Forsyth Memorial Hospital in Winston-Salem, Forsyth County, for air ambulance transportation by helicopter to a point outside of Forsyth County, and may receive patients at points outside of Forsyth County for air ambulance transportation by helicopter to North Carolina Baptist Hospital or Forsyth Memorial Hospital in Winston-Salem, Forsyth County. These services may be emergency or convalescent.

(2) The franchise operator/Private Provider may only provide emergency air ambulance services from one point within Forsyth County to another point within Forsyth County as a second responder for Forsyth County Emergency Services when specifically authorized and coordinated in each case by Forsyth County Emergency Services. The franchise operator/Private Provider shall respond upon request or dispatch by Forsyth County Emergency Services, when the air ambulance service is reasonably available.

(3) The franchise operator/Private Provider may only provide convalescent (non-emergency) air ambulance service from one point within Forsyth County to another point within Forsyth County as a second responder for Forsyth County Emergency Services when specifically authorized in each case by Forsyth County Emergency Services. The franchise operator/Private Provider shall respond upon request or dispatch by Forsyth County Emergency Services, when the air ambulance service is reasonably available.

(4) The franchise operator/Private Provider shall respond in a timely manner to all service requests, authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources including personnel, equipment and vehicles within Forsyth County to timely respond.

(5) The franchise operator/Private Provider shall at all times possess a valid permit or license to operate the limited air ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The provisions of Article 7 of Chapter 131E of the North Carolina General Statutes are incorporated herein by reference

to the extent they apply. The franchise operator/Private Provider shall at all times comply with all applicable federal, state and local laws, including but not limited to zoning and related permits.

(6) The franchise operator/Private Provider must meet all requirements of the rules and regulations of the North Carolina Office of Emergency Medical Service governing air ambulances and all applicable Federal Aviation Administration requirements.

(7) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, such workers' compensation, liability, casualty and property damage insurance coverage relating to the ambulance operations and personnel as is reasonably required and approved by the Forsyth County Risk Manager and shall provide the Risk Manager, and shall provide the County with certificates of insurance coverage and copies of insurance policies as may be requested by the County Risk Manager, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(8) The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and non-emergency ambulance services shall be defined for the purposes of this ambulance franchise ordinance by Chapter 5 of the Forsyth County Code.

(9) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.

(10) The franchise operator/Private Provider shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, aircraft, equipment and records of the franchise operator/Private Provider used for the air ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator/Private Provider shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, aircraft, equipment, agreements, and insurance coverage.

(11) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.

(12) This franchise shall be effective and is granted for a period of five (5) years, beginning January 11, 2016 and expiring January 11, 2021.

BE IT FURTHER ORDAINED that the franchise shall become effective upon final adoption after two readings.

Adopted on first reading on this the 23rd day of November 2015.

Adopted on second reading on this the 21st day of December 2015.

NOTICE OF PUBLIC HEARING PURSUANT TO
N.C.G.S. 153A-250 ON FIVE PROPOSED ORDINANCES
GRANTING EXTENSIONS OF AMBULANCE FRANCHISES
WITHIN FORSYTH COUNTY
(NORTH CAROLINA BAPTIST HOSPITAL-AIR AND
GROUND AMBULANCES)

(NUCARE CAROLINA AMBULANCE, INC.-GROUND AMBULANCE)
(FORSYTH MEMORIAL HOSPITAL, INC. D/B/A FORSYTH MEDICAL
CENTER-GROUND AMBULANCE)
(LIFESTAR EMERGENCY SERVICES, LLC-GROUND AMBULANCE)

Notice is hereby given that pursuant to the requirements set forth in N.C.G.S. 153A-250, the Forsyth County Board of Commissioners will hold a public hearing on Monday, November 23, 2015 at 6:00 p.m. in the Commissioners' Meeting Room on the fifth floor of the Forsyth County Government Center located at 201 N. Chestnut Street, Winston-Salem, North Carolina on the need for ambulance services and to assure the provision of adequate and continuing ambulance service and to preserve, protect and promote the public health, safety and welfare pursuant to the request made by North Carolina Baptist Hospital that Forsyth County adopt an ordinance granting an extension of its limited air ambulance franchise and its ground ambulance franchise, and pursuant to the request made by NuCare Carolina Ambulance, Inc. that Forsyth County adopt an ordinance granting an extension of its nonemergency ground ambulance franchise, and pursuant to the request made by Forsyth Memorial Hospital, Inc. d/b/a Forsyth Medical Center that Forsyth County adopt an ordinance granting an extension of its ground ambulance franchise, and pursuant to the request made by Lifestar Emergency Services, LLC that Forsyth County adopt an ordinance granting an extension of its nonemergency ground ambulance franchise.

All persons interested in these proposed ordinances for ambulance franchises should attend this public hearing and present their views.

This notice of public hearing shall be published once a week for two successive weeks before the public hearing.

FORSYTH COUNTY BOARD OF COMMISSIONERS
Carla D. Holt, Clerk to the Board