

RESOLUTION # _____

RESOLUTION AUTHORIZING A GRANT OF FRANCHISE FOR
CONVALESCENT OR NONEMERGENCY TRANSPORTATION TO MOUNTAIN
AREA GROUND NON-EMERGENCY TRANSPORTATION, LLC, A NORTH
CAROLINA LIMITED LIABILITY COMPANY DOING BUSINESS AS "MAGNET"

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- WHEREAS, Buncombe County received an application for grant of convalescent transportation franchise from Mountain Area Ground Non-Emergency Transportation, LLC, a North Carolina limited liability company doing business as "MAGNET";
- WHEREAS, County legal services, in consultation with County EMS, scheduled a hearing with the Applicant, by and through its owners, Tony Campbell and Chris Roberts, and held the same on December 7, 2022.
- WHEREAS, as required by Buncombe County Code Sec. 22-43(b), the County has caused such investigation necessary to be made of the Applicant and its proposed operations including a review by County Legal of the Application;
- WHEREAS, this matter came before the Board at its January 17, 2023 regular meeting where and when a report of County Legal and Finance was provided as well as the Ordinance requirements for a grant of an ambulance franchise;
- WHEREAS, in addition to the aforementioned investigation, the County requested that OEMS inspect the Applicant's Premises and Equipment to determine whether that the Applicant has the ability to provide safe, adequate and responsible service to Buncombe County and such investigation has been completed and two minor deficiencies have been corrected;
- WHEREAS, this Board, finds that the Applicant has the ability to provide safe, adequate and responsible service to Buncombe County: (i) that the public will be served by granting the Applicant a franchise, consistent with the article; (ii) that the Application is accurate and complete; (iii) that the Applicant has provided adequate evidence of its ability to provide safe, adequate and responsible service, and evidence that no owner, operator, agent or employee of Applicant has been debarred from the Medicare or Medicaid program, or any other public benefit program of the United States or any state; and (iv) that the Applicant holds all necessary licenses and permits from OEMS, or will be fully qualified to obtain all necessary licenses and permits upon award of the franchise.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County of Buncombe as follows:

1. That the Board of Commissioners for the County of Buncombe hereby grants a franchise for convalescent ambulance transportation to Mountain Area Ground Non-Emergency Transportation, LLC d/b/a MAGNET.
2. That County Legal, in consultation with County EMS, and the Applicant, is hereby instructed to draft an agreement for a term of one (1) year containing all terms and conditions required by Buncombe

County Code of Ordinances, Chapter 22, Article II, and any other terms it deems wise. The agreement may include provision for one renewal term of up to four (4) years in the discretion of the County provided MAGNET is in good standing with OEMS, County EMS, and all appropriate licenses are maintained.

3. That, by and with the consent of County Legal, County staff is hereby instructed to proceed with this undertaking and all acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
4. That the Chair and County Manager, or either of them, is hereby authorized to execute such documents as may be required to effect the purposes and intents of this resolution.
5. That this resolution shall become effective upon its adoption.

This the 17th day of January, 2023.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Lamar Joyner, Clerk

By: _____
Brownie Newman, Chairman

APPROVED AS TO FORM

County Attorney