

**EMS System Oversight Committee Meeting
October 09, 2008
EOC Conference Room**

Members/Liaisons Present: Faye Barefoot, Tom Czaplijski, Jack Cote, Duane Holder, Jimmy Garris, Kyle Willis, Chuck Owens, David Lusk, Jack White, Jeff Ferguson, MD for Juan March, MD

Staff Present: Noel Lee, Scott Elliott, Helen Bryant, Janis Gallagher

Absent: Ted Delbridge, MD, Juan March, MD

Open: Chairman David Lusk called the meeting to order.

Approval of Agenda: Noel Lee requested to add Bid Proposal for Vehicles to the agenda. Jimmy Garris made the motion to approve the agenda with the above addition. Tom Czaplijski seconded the motion. Motion passed. Vote was unanimous.

Approval of Minutes:

September 11, 2008 Minutes: Faye Barefoot made the motion to approve the minutes. Jack White seconded the motion. Motion passed.

Old Business

- **Pactolus Lease:** Noel Lee reported that the subcommittee appointed to review the options regarding the lease of the Pactolus EMS building met today and have recommended the following options:

Option 1.

- A. Offer Pactolus Fire Department \$7200.00 (\$600.00 per month) for the use of the Pactolus EMS building for the year of July 1, 2007 to June 30, 2008. Starting July 1, 2008, pay \$800.00 per month (\$9600.00 per year) lease for the Pactolus EMS building for one year with the option to lease the facilities for 5 more years in one year increments
- B. Cosmetic upkeep of the EMS Building both interior and exterior, including interior janitorial service, cutting and maintenance of grass and landscaping, pest control, utility (electricity, water, gas, phone) cost, and trash dumpster for Pactolus EMS Building only.
- C. Will provide insurance coverage on both real and personal property in the amount to cover replacement value for the Pactolus EMS Building.

Option 2.

- A. No lease payment for the year of July 1, 2007 to June 30, 2008.
- B. Pay \$1200.00 monthly (\$14,400.00 yearly) EMS building for one year with the option to lease the facilities for 5 more years in one year increments
- C. Cosmetic upkeep of the EMS Building both interior and exterior, including interior janitorial service, cutting and maintenance of grass and landscaping, pest control, utility (electricity, water, gas, phone) cost, and trash dumpster for Pactolus EMS Building only.
- D. Will provide insurance coverage on both real and personal property in the amount to cover replacement value for the Pactolus EMS Building.

Option 3.

Reject current offer and stay with county's original offer of \$600 with original obligations

Jack Cote asked if the subcommittee has a preference as to the option. Faye Barefoot responded Option 1. Noel pointed out that any action recommended by the committee requires the approval of the county commissioners.

Jimmy Garris asked if the options refer only to the EMS Building. He also asked if these options are short-term or long-term. David Lusk responded that these are short-term options and refer only to the EMS Building.

Jack Cote asked where the funds would come from to pay for the lease of the Pactolus EMS building? Jimmy Garris responded that they would normally come out of the EMS contingency fund.

Scott Elliott reported that if #8 on the agenda is approved there will be \$33,000 left in the contingency fund for the year.

Jack Cote asked if it would be possible to revise Option 1 by removing the back pay and paying \$800 per month.

Janis Gallagher reported that as long as you keep an amount for year 1 you eliminate any claim for year 1. In the absence of a dollar amount, default is fair market value.

Jimmy Garris asked if there was an agreement or a dollar amount discussed for year 1. Noel Lee reported that there was no agreed upon amount because this has been in negotiation.

Motion: Jimmy Garris made the motion to recommend Option 1 to the County Commissioners. Faye Barefoot seconded the motion.

Discussion: Jack Cote reported that if we choose to fund grants there will be little money left. Jimmy Garris reported that the squads have to realize that the money is short already.

Kyle Willis responded that the Winterville match of \$25,000 was approved in the budget process.

Vote:

Yes

David Lusk
Jimmy Garris
Kyle Willis
Tom Czaplinski
Faye Barefoot
Jack White

No

Jack Cote

Dr. Jeff Ferguson abstained because he felt that he does have enough information at this time.

Lifting the Moratorium on Non-E Franchise Applications:

The minutes from the County Commissioners meeting of 8-20-07 were reviewed and the reason for the moratorium was that there was enough franchises at the time. There are now four non-emergency franchises in Pitt County. Noel reported that there have been no complaints regarding the lack of service.

Noel reported that all counties have a limit on the number of franchises and all use a different means of determining that number. Some use population, the number of nursing homes, and in one county the medical director makes the decision, etc.

Scott Elliott asked if we can keep the moratorium in place indefinitely? Janis responded that at some time the ordinance will need to be amended.

Submission of Data Reports

Noel distributed two reports, Response Time Performance Measure and Transport Rate Performance Measure for the first quarter. Noel pointed out that these reports are not in the fractile method of reporting. Noel reported that Grifton has not submitted all their data. Jack Cote reported that the monthly vehicle log, service data report and 6 PCR's for August are outstanding. Reports are due within 72 hours. Scott Elliott reported that he talked with Ivey Cook, Chief of Grifton EMS, yesterday and he never asked for release of funds. Dr. Ferguson reported that as of 4:30 today no paperwork has been submitted to the medical director's office. Jack White reported that he has talked with Ivey and that Ivey reported that it takes too much of his time and he has other things to do. He reported that Ivey did not ask him for money.

Dr. Ferguson reported that the other side of this is the legal/medical issues. Some medical records are 90 days in arrears. The issue came up at the Quality Management meeting and it was discussed to consider suspending practice of this squad.

Kyle Willis reported that the medical director can suspend a paramedic not a squad. Does the committee want the medical director to be able to suspend a squad?

Scott Elliott reported that one of the recommendations of the Fitch Study is that there needs to be an MOU with the medical director that spells out the roles and responsibility of the medical director.

Kyle Willis reported that according to the NCOEMS the Medical Director ultimately has the decision as to who operates under his/her medical license.

Chuck Owens responded that without a MOU the responsibilities and authorities are not well defined. The state's position is well defined. Dr. March can restrict individuals but he is not over the operational aspect of the squad.

Dr. Ferguson reported that the Quality Management Committee is looking for a recommendation from the Oversight Committee regarding the issue with Grifton EMS.

Janis Gallagher reported that if there is a breach of contract you can take enforcement steps but it needs to be done carefully because of the detriment to the citizens.

Jimmy Garris asked if there is a problem with a contractor, what is the role of the Rescue Association. Kyle Willis responded that Grifton does not participate in the association meetings.

Jimmy Garris asked if we need to have the Chief of Grifton EMS come before the committee. Dr. Ferguson responded that he is against that idea because we need the medical reports now.

Jack White asked who were the personnel involved in not submitting the reports. Noel reported that Grifton EMS is not completing the run logs so we don't know who ran the call and this is one of the contractual requirements that has not been met.

Motion: Faye Barefoot made the motion to recommend that Dr. March take the necessary action to get the situation corrected. No second. *Motion Failed.*

Jimmy Garris reported that he did not second the motion because we need to know the implications of this action. Noel reported that the county does have a contingency plan and we would pull county staff to operate the district and would assume Grifton's budget. You would be looking at overtime and the costs would go up.

Dr. Ferguson reported that the State backs the Medical Director and his decision is final.

David Lusk asked what would happen if the committee does nothing. What are the legal ramifications. Scott Elliott responded that the county needs a policy, that we are lacking teeth in the contract.

Motion: Jimmy Garris made the motion to instruct the County Attorney to issue a certified letter to Grifton EMS Captain and a member in good standing regarding noncompliance of the contractual agreement and give them 15 days to come in compliance as required in the contract. Dr. Ferguson seconded the motion. Vote was unanimous.

Discussion: Jimmy Garris asked Dr. Ferguson if he is comfortable with the motion. Dr. Ferguson replied that he is since there is a contingency plan in place.

Prioritization of Fitch & Associates Recommendations

Mike Taylor went over the recommendation showing the four ranks. Rank 1 and Rank 2 are the highest benefit. Some recommendations require money and will have to go through the budget process. Regardless of the ranking there was very little change in priority.

The criteria used and percentages are indicated below:

Viability/	Cost	Term	Benefit	Probability
Weight Rank 1	0.30	0.10	0.40	0.20
Weight Rank 2	0.40	0.10	0.30	0.20
Weight Rank 3	0.25	0.18	0.35	0.22
Weight Rank 4	0.25	0.25	0.25	0.25

Motion: Jimmy Garris made the motion to use Weight Rank 1 as the foundation. Kyle Willis seconded the motion. Vote was unanimous.

Quality Management Report

Dr. Ferguson reported for Dr. March. Two years ago all Pitt County EMS squads were instructed that they would need to get their DEA licenses. One squad has not complied- Ayden EMS. As of today, they have applied to the State but not Federal. A site visit has been schedule for October 27. The squad's lack of compliance is a contract violation and a medical issue because the squad cannot operate at the same level as the other squads in the county.

Gene Powell reported that you have to have the State number before the federal DEA licensure agency will talk to you.

Janis Gallagher asked how can we help Ayden EMS.

Kyle Willis reported that the Ayden Chief gave the responsibility to someone else and they did not do it. Several departments have offered assistance and Ayden has not accepted it.

Jack Cote reported that when he made his offer to help he was accused of opening the door for the county to take over Ayden EMS.

Dr. Ferguson reported that Ayden had to call mutual aid for another unit and there was potential for charges when narcotics changed hands.

Janis Gallagher reported that the county can:

1. Send a letter to Ayden EMS notifying them that they are in violation of contract.
2. Acknowledge that the State application has been filed
3. Demand that they file Federal application once the State DEA # is obtained, and
4. Keep the process moving as quickly as possible.

Dr. Ferguson reported that the QM committee tabled the issue because they were not clear as to who had the power and authority to address this issue.

Chuck Owens commented that the county is ultimately responsible for providing EMS. David Lusk asked if the county can withhold the money to cover the costs of providing the service.

Motion: Tom Czaplijski made the motion to direct County EMS staff to come up with a solution to assure that the citizens of Ayden have access to paramedic standard of care. Faye Barefoot seconded the motion.

Noel asked if the committee has the authority to enforce the contract? He asked Dr. Ferguson if he was comfortable with Ayden EMS operating under his license at this time. Dr. Ferguson responded that he is not.

Noel reported that he felt it was appropriate for the medical director, county staff and legal to meet on Friday and determine a course of action.

Tom Czaplijski withdrew his motion. Faye Barefoot withdrew her second to the motion. Faye Barefoot asked if the letter will still be sent to Ayden EMS from Legal. That will be up to the group when they meet on Friday.

New Business

Ambulance Bid: Noel reported that \$400,000 has been set aside for the purchase of vehicles. Pitt County would like to piggyback on Lenoir County. Due to the price of the unit, it will allow for the purchase of three vehicles. Noel distributed a memo dated October 8, 2008, from Jack Cote with the following recommendation from him regarding the purchase of new ambulance apparatus:

“At this time I suggest that we bring to the Oversight Committee a question to recommend to the BOCC the use of the Lenoir County Emergency Services Specifications and Bid Request for Class I, Type III Ambulance from Wheeled Coach Industries, Select custom Apparatus of Falkland, NC. These trucks will be 2008 or newer Chevrolet Cutaway Cab Chassis with Ambulance Prep Package with 6.6L Duramax diesel engines, four speed heavy duty automatic transmissions, dual 145 amp alternators, and 4 wheel antilock disc brakes. Total bid price is \$107,688 for each ambulance. The complete specification/bid document is available in both a hard and electronic format upon request.”

Motion: Jimmy Garris made the motion to proceed with the ambulance bid proposal to the County Commissioners. Faye Barefoot seconded the motion. Vote was unanimous.

Local Match Requests

Winterville EMS-Local match from contingency fund \$25,000

Ayden EMS-Local match from contingency fund \$10,700

Falkland EMS-Local match from contingency fund \$8,599

Motion: Kyle Willis made the motion to table the matching grant requests from Winterville, Ayden and Falkland until DOI sends out the letters of acceptance. Faye Barefoot seconded the motion. Vote was unanimous.

Motion: Kyle Willis made the motion to allow Mecie Nichols of Falkland EMS to speak on their need for additional funds. Faye Barefoot seconded the motion. Motion passed.

Mecie Nichols reported that she was not at the meeting requesting monies for a local match, she needs more money to operate. She distributed a handout which showed Falkland EMS began the year \$9,597.67 in the negative. She has \$9,733.42 in outstanding bills that are behind, with a total shortfall this quarter of \$40,684.29. She reported that Falkland EMS had to go into their savings to operate and had to get a loan of \$45,000 for their new truck. She went on to say that Falkland EMS was cut \$15,000 right off the top. Every year the squad has been cut and the squad cannot continue to compensate for the cuts.

Jimmy Garris responded that this news is shocking and asked if Falkland EMS is going to be \$40,000 short next quarter.

Mecie Nichols responded that the squad does not have volunteers anymore and this accounts for the increase in operating expenses. It costs the same amount to operate Falkland as it does any other squad. The fuel costs may be less because Falkland runs less calls.

Jack Cote reported that Falkland's allocation for this year is \$256,700. The previous year's allocation was \$230,000. This is an increase of \$26,700.

Dr. Ferguson commented that if nothing is done Falkland EMS will fail in 3 months.

Motion: Jack Cote made the motion to table the request from Falkland until the committee can research it further. No second. *Motion failed.*

Motion: Faye Barefoot made the motion to send the request to the Board of County Commissioners. No second. *Motion failed.*

Motion: Kyle Willis made the motion to recommend an advance of enough money from Falkland EMS' allocated budget to pay for State and Federal Employment taxes, NC5 taxes and Southern Insurance. No second. *Motion failed.*

Motion: Tom Czaplijski made the motion that Mecie Nichols of Falkland EMS meet with Melonie Bryan, Pitt County Finance Director, regarding the financial request and Melonie determine the course of action. Jack Cote seconded the motion. Vote was unanimous. *Motion Passed.*

Kyle Willis asked if the committee would get a copy of the quarterly financials next month. Noel reported that the committee will get a copy each quarter.

Meeting adjourned at 10:00 p.m.

Respectfully submitted,
Helen Bryant, Secretary