

**Mountain-Valley
Emergency Medical Services Agency
Board of Directors Meeting Minutes
August 12, 2021**

Location: Via Zoom
Time: 9:00 AM
Board Members Present: Gary Tofanelli (Chairperson) – Calaveras County; Jeff Brown (Vice-Chairperson) – Amador County; Terry Woodrow – Alpine County; Miles Menetrey – Mariposa County; Buck Condit – Stanislaus County

Guests: Derek Cole – Agency Counsel; Clint Bray – Stanislaus Consolidated Fire Protection District; Richard Murdock – Stanislaus County Fire Warden; Josh Brace – Modesto Fire Department; Jewel Warr – Stanislaus County; Cindy Woolston, American Medical Response; Mary Ann Lilly - Stanislaus HSA; Alan McNany - American Legion Ambulance; Matt O'Donnell - Ebbetts Pass Fire; Vito Chiesa - Supervisor Stanislaus County; Mary Velasquez - Memorial Medical Center; Thomas Boze, Stanislaus County Counsel

Staff: Cindy Murdaugh – Interim Executive Director; Susan Watson – Executive Secretary / Financial Services Assistant; Jim Whitworth – QI/Trauma Coordinator; Tom Morton – Communications and Data Systems Coordinator; Marilyn Smith – Response and Transport Coordinator; Justin Murdock – EMS Critical Care Coordinator; Mike Vitro – EMS Education and Disaster Coordinator; Brenda Freese – Certifications and Data Registrar; Amy Diaz – Front Office and Certifications

A. Call to Order

The meeting was called to order at 9:00 AM by Chairperson Tofanelli with a quorum of five members present.

B. Pledge of Allegiance

Supervisor Woodrow led the Pledge of Allegiance.

C. Welcome and Introductions

Ms. Watson conducted a roll call of the JPA Board members and introduced the guests on the Zoom call.

D. D. Correspondence

Susan Watson reported one correspondence, letter from Stanislaus County that is attached to Agenda item M.

E. Additions/Deletions, Corrections to Agenda

None.

F. Public Forum

None.

G. Approval of Consent Calendar

Supervisor Condit asked to pull Item #3, Summary Public Response Compliance Report June 2020 thru May 2021.

M/S/C (Woodrow/Brown) To approve the consent calendar except Item #3.

Motion Passed 5-0

Consent Item #3 discussion

Supervisor Condit asked to have a report regarding where we are at with AMR regarding breach of contract and policies developed for BLS tiered response.

Derek Cole stated that working with staff they have reviewed the staff and response times and that we are going to be dealing with AMR and advising them. But other than giving that very brief update we really cannot go into this issue. This is a possible legal issue because there are due process issues, we have to make sure that we follow process. So openly discussing this in a meeting is not appropriate. Cindy can give a very quick overview of the situation and just advise how we are proceeding in a very broad way.

Cindy Murdaugh reported that the Agency, in coordination with counsel, is working with AMR in addressing the contractual requirements. We have met with AMR regarding these issues, and we are working through the process.

In preparation for the addition of a BLS tiered response, we are working with all the Stanislaus stakeholders in regard to policy development and the development of an educational plan for the EMTs who will staff the BLS cars. The Agency Medical Director will be looking at the EMD response determinants, identifying the level of response to low acuity requests. We are putting all these things in place so that we are ready to implement as soon as we have the approval from the county. Prior to implementation a revision to the county ordinance is required. The Agency has provided data to the county in justification for the BLS response tier.

Ms. Murdaugh reported that she is working with Oak Valley Hospital District regarding failure to meet the 90% compliance requirement in January 2021 and May 2021. We will be closely monitoring the next compliance period. Barry Hurd reports that his major concerns are also staffing issues and the use of mutual aid in backing up AMR's district.

Supervisor Condit asked if there is going to be a portion to discuss where we're at legally in closed session.

Derek Cole responded that we have not scheduled a closed session at this stage because a closed session is only when we are anticipating litigation or we are initiating litigation and we're well below that point, we have to go through the process as outlined in the contract. This is an administrative level issue and other than the report that was just provided we can't go any further to address the issues.

Supervisor Condit responded that the JPA Board should be more up to date of the process and where we're at.

Derek Cole stated that he feels that we've provided the appropriate update at this time. That we are aware of the issues and that we're reaching out to AMR to address them. We are starting to go down the road that is provided in contract for breaches of contract. Our hope is that the issues can be addressed and can be addressed quickly so that we don't have to get to that level of potential litigation.

Chairperson Tofanelli requested that Derek Cole, Supervisor Condit, Cindy Murdaugh, and himself have a phone call after the meeting today to have a discussion on this topic.

Chairperson Tofanelli questioned whether the \$265,000 invoiced penalties had been paid. Susan Watson reported that the penalties had been paid and that those are not exclusive to one provider.

Chairperson Tofanelli requested that all future agendas include an itemized list of penalties by provider. Supervisor Condit agreed.

Chairperson Tofanelli invited public comment. No comments were received.

M/S/C (Condit/Brown) To approve Consent Calendar Item #3.
Motion Passed 5-0

H. Further Report from June 10, 2021 Regular Board of Directors Meeting

Chairperson Tofanelli reported that the Board had set the Executive Director compensation at \$126,000, however did not set the effective date. The Board had discussed an effective date of May 14, 2021.

Chairperson Tofanelli invited public comment. No comments were received.

M/S/C (Woodrow/Menetrey) To approve compensation for Executive Director at \$126,000 retro to effective date of May 14, 2021.

Motion Passed 5-0

I. Amendment to Agreement with Copperopolis Fire Protection District

Ms. Murdaugh presented an amendment to the current agreement that would extend the Copperopolis Fire agreement for two months, through October 31, 2021. The Agency is requesting that the Board approve the amendment and authorize the interim executive directors to sign the extension. The extension was sent to Joel Swartz who signed the document with the approval of his Board. Joel met just this week with his Board, they reviewed the new agreement and responded via email requesting changes to some of the language. I'll be reviewing those requests this afternoon or early in the morning and get back to him. This amendment will get us through until we finalize the draft agreement.

Chairperson Tofanelli invited public comment. No comments were received.

M/S/C (Brown/Menetrey) To approve the amendment to the agreement with Copperopolis Fire Protection District and authorize the Interim Executive Director to sign the contract.

Motion Passed 5-0

J. STEMI Center Agreement with Memorial Medical Center

Ms. Murdaugh presented to the Board the STEMI center renewal agreement with Memorial Medical Center. Reporting that there are no substantive changes to the scope of work or to the annual fees that are included in this contract term. The renewal agreement is for October 1, 2021, through September 30, 2026. The agency is requesting the Board approve this agreement and authorize the Interim Executive Director to sign this agreement.

Chairperson Tofanelli invited public comments

Mary Velasquez stated that Memorial Medical Center thanked Agency staff for working with her on the contract and they are happy to continue working together

M/S/C (Condit/Woodrow) To approve the STEMI renewal agreement with Memorial Medical Center and authorize the Interim Executive Director to sign the contract.

Motion Passed 5-0

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K. FY 21/22 Agreement with the Emergency Medical Services Authority

Ms. Murdaugh presented the FY21/22 agreement with the Emergency Medical Services Authority for matching funds from the state general fund. The allocation of \$366,406 which is \$127 more than the allocation for the previous fiscal year and represents 22% of the agencies proposed operating budget for 21/22. These funds are used towards personnel salaries, fringe benefits, a portion of the Medical Director's contract, the annual fiscal audit, and the building lease. We are asking the Board to approve this agreement and authorize the Interim Executive Director to sign this agreement.

Chairperson Tofanelli invited public comments. No comments were received.

Chairperson Tofanelli called for a vote

Motion Passed 5-0

L. FY 21/22 Proposed Final Budget

Susan Watson presented the proposed final budget FY21/22. The income streams remain consistent and include the contractual fee from our two level two Trauma Centers, three STEMI Receiving Centers and three Stroke Centers in Stanislaus County. They include the matching funds from the state general fund, also includes the training fees for the MICN training class, protocol books the agency provides for the MICNs, the local funds which include the county contributions the ambulance provider contractual fees, the field personnel certifications, training program fees and local funds interest. In addition, there is an income stream this year for 21/ 22, Public Health Hospital Preparedness grant, which is above and beyond our operational expenses. Included are the personnel salary and benefits schedules that were in effect as of July 1, 2021, all of our current contractual obligations, insurance premiums, our professional membership dues, our 12-month expense history for most of the operating expenses, completion of our planned equipment the software upgrades and the plans of FCC network engineer projects to support communication. The Agency continues to maintain a conservative and balanced budget approach to our finances.

Chairperson Tofanelli invited public comments. No comments were received.

Chairperson Tofanelli called for a vote

Motion Passed 5-0

M. Update on the Status of Stanislaus County's Membership in the JPA

Chairperson Tofanelli reported that the Board received notification from Stanislaus County of their intent to withdraw from the JPA June 30, 2022. He and Supervisor Woodrow had conversation with Stanislaus County members yesterday on this item. The other committee composed of Supervisor Menetrey and Supervisor Brown was charged with identifying how to proceed without Stanislaus

Supervisor Menetrey reported that he didn't have anything to report since the last meeting. Will have report at the next meeting.

Chairperson Tofanelli responded that we need to start developing a plan to address how to move all the equipment, looking for an office to set up outside of Stanislaus County, and staffing. He reported that he had a conversation with somebody regarding the possibility of El Dorado County

being interested in joining the Agency. You may want to reach out to El Dorado County and talk with one of their supervisors, or their OES manager and have a discussion with them.

Supervisor Woodrow voiced that it's important that we expedite all of this. We don't have that much time since Stanislaus will be definitely pulling out. I think we need to meet more often to get these reports from the different groups and we need to have this as a the top priority in moving forward with our EMS situation.

Chairperson Tofanelli agreed and recommended that the Board meet monthly and also have a special meeting before the end of August.

Supervisor Woodrow and I met with Stanislaus County yesterday and the conversations were regarding how they are preparing to withdraw from the JPA. They have an agenda item on the August 31, 2021, Board of Supervisors meeting concerning this item. Along with discussions of them reaching out to the other four counties and potentially offering an option of contracting with them. Of course, with that contract there would be associated fees.

Mary Ann Lilly shared that she wanted to make sure that we were clarifying where we are and that the JPA Board of Directors is informed about the intended actions and timeline that Stanislaus County is working on. The County amended the earlier decision about terminating by the end of the calendar year and after meeting with that work group the first time. We went back to our Board with the idea that this is going to take a little bit more time to figure out the options and that we would terminate instead on June 30, 2022. This date would give ample time for all of the counties to figure out the go forward strategy. The input that we received from our Supervisors was support about building our own internal EMS agency given our needs being different and the size of our county. But also very concerned to make sure that we weren't just pulling out without having good discussions with the other counties to make sure that there are solutions in place for all the counties. We are committed to going back to the Board of Supervisors with the next step. This will be more detail around the infrastructure, the budget and staffing plan of an internal EMS function within Stanislaus County. We would also be bringing an alternate option, we would be either just a single county function or could offer contracting service to the other JPA counties if the remaining members wanted that rather than maintaining the JPA in another form without Stanislaus County. That's really what our plan is, to go before our Supervisors in a couple of weeks with more information our timeline is such that we talked about this in our group meeting back in April that if we can move toward all the decisions being made by the end of this calendar year so that the beginning of 2022 is really spent with the counties implementing to be ready for that change on July 1. We want to make sure that we have been collaborating and trying to make sure that all the counties needs are met with time to do this and in a responsible way.

Chairperson Tofanelli shared that he has had several conversations and several meetings with Stanislaus County members and respects their decision. They have been very cordial and I truly appreciate that from Stanislaus County and in how they're handling the situation.

Supervisor Woodrow agreed.

Chairperson Tofanelli invited public comments. No comments were received.

N. Agency and County Reports

Agency – Ms. Murdaugh reported the following:

- Amador County - I had reported at the last meeting that we were working with Amador SO and ALA in establishing the FirstWatch data integration between the SO dispatch CAD and FirstWatch. The Agency paid for the data integration however there is work that needs to be done on the Sunridge CAD side by their vendor, at the cost of \$8,950. The Agency submitted a request to the EMCC for Maddy funds. The funds were not approved.
- Calaveras County - I reported on the status of the CFPD new agreement during agenda item I.
- Mariposa County - The Agency continues to work on the CAD data integration, Mariposa dispatch is working on the mutual aid data.
- Stanislaus County - The Agency Medical Director approved BLS units to be dispatched to the hospital to transfer the care of the patient from the ALS units to assist in getting the ALS unit back on the road. For this to occur the patient must have been transported BLS, meaning the EMT rode into the hospital caring for the patient. BLS units will not respond to 911 calls, only assist with the hospital patient off load. We conferenced with AMR and the hospital ED managers to make sure that everyone was aware of the process to ensure we didn't have any conflicts.

Chairperson Tofanelli asked if we are experiencing any wait times for transferring patients to the hospital since they're overloaded from Covid. He heard on the news that patients are sitting for one to three hours waiting in the ambulance before the hospital can take them.

Ms. Murdaugh responded that at times when the system is saturated, both ambulance and the hospitals are saturated, we do have blocks of time that ambulances are experiencing long wait times, taking the unit out of service.

Chairperson Tofanelli asked that the Agency keep an eye on this.

Supervisor Condit asked if we have made contact with the administrators of the facilities to try to come up with some plan to eliminate the wall time in the ED's.

Ms. Murdaugh responded that staff has spoken with the ED managers not the administrators, however they are experiencing the overload just like the ambulance companies are.

Mariposa - Supervisor Menetrey

We are having a surge with Covid, 79 in the last week so the community is on edge. The Park continues to draw thousands through our community daily. School is supposed to start next week, they're trying to figure out how to deal with that amongst this immediate surge. No fires thank goodness. The Fair is supposed to start Labor Day weekend with this surge is that going to be considered a super spreader event?

Alpine - Supervisor Woodrow

Alpine County was hit pretty hard with a 69,000-acre fire. It didn't affect my district, Bear Valley and Kirkwood, but all the other districts were evacuated. The County offices were evacuated, they got the power back on but we are struggling with some county services we don't have Internet yet. Alpine hasn't had an issue with Covid yet but that usually comes a little bit later for us.

Amador – Supervisor Brown

The county is experiencing the same thing as other counties with Covid. We currently have 176 cases with 14 in the hospital.

Stanislaus – Supervisor Condit

Stanislaus County has had some lively meetings lately regarding mask mandates and vaccine mandates, a lot of people are frustrated.

It's rodeo week in Oakdale which is making district one very busy.

Calaveras - Chairperson Tofanelli

On Tuesday our Health Director notified us during our Board meeting that we had 90 cases and 2 were hospitalized. There was a big spike over the course of the last two weeks. I asked if we had the statistics of those 90 that had a positive test whether they had already been vaccinated.

O. Executive Session *PUBLIC EMPLOYEE APPOINTMENT:*

Executive Director

The Board convened executive session at 10:08 AM

P. Results of Executive Session

The Board returned from executive session at 10:38 AM

Derek Cole, Agency Counsel, reported that the Board appointed Cindy Murdaugh as the permanent Executive Director, effective immediately. No changes to salary or benefits.

Chairperson Tofanelli invited public comments. No comments were received.

Q. Next Scheduled Regular Meeting

Chairperson Tofanelli requested to have a Special Meeting before the end of August, in approximately two weeks

Regular meetings may be moving to monthly, the Board will discuss at the Special Meetings.

R. Adjournment

Chairperson Tofanelli adjourned the meeting at 10:34 AM