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Minutes of the Board of County Commissioners Special Meeting held on February 12, 2021 at 10:00 AM in the Commissioners Board Room, 6683 County Rd 13, Conejos, CO. 81129

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**Call the meeting to order**

Chrmn. Jarvies called the meeting to order at 10:00 AM.

Roll call: Mitchell Jarvies-Chrmn- Present  
Carlos Garcia-Vice Chair- Present  
Joseph Baroz-Vice Chair- Present  
Tressesa Martinez-County Admn- Present

Also present were: Nick Sarmiento-County Attorney, Connie Ricci-HR Director, and AnnaBelle Gomez-Deputy Clerk & Recorder.

Ernest Abeyta was present via zoom. Brandon Sowards, Dr. Donna Nelson and Dr. Clint Sowards were also present.

**Pledge of Allegiance:** Chrmn. Jarvies led everyone in the Pledge of Allegiance.

**Prayer:** Comm. Baroz gave the opening prayer.

**Approval of Agenda**

Motion to approve the agenda as amended: Comm. Garcia/Second: Comm. Baroz, all in favor.

3-0 Motion carried.

Comm. Garcia stated that Andrea Trujillo from Conejos Clean Water sent him an email wanting him to sign off on a letter supporting President Biden's initiative to stop oil and gas leasing. It is actually a pause on public lands across the nation. He doesn't know of any oil and gas drills in the county. She will make a presentation on this particular matter; she will contact Tressesa-County Admn.

**Ambulance Discussion**

Chrmn. Jarvies stated that they are here to talk about the ambulance and turned the time over to Tressesa-County Admn.

Tressesa stated that the reason they are here is that they did get some correspondence from the Conejos County Hospital Administrator.

Dr. Donna Nelson stated that her and Ernest met the other day and looked over the budget for January that was produced from here concerning the salaries. She had gone over it and calculated the hours that everybody worked and what they get paid. She included Debra's pay and her pay in there and she came up about 4 or 5,000 less than what the paperwork is showing.

Tressesa stated that those numbers on the payroll that is what they are. Right now they get paid for call times and the numbers that Donna saw they come off the payroll.

Dr. Nelson stated that she added the call hours and the call outs. She also had a question on the other line which probably includes benefits which was almost 24,000.

Chrmn. Jarvies stated that she should include Donna when they meet every month.

Dr. Nelson stated that she is trying to look ahead she doesn't want to wait until April when they might say we don't have any money to pay and then we don't have a crew and no ambulance. This month they had around 156 hours with no secondary coverage and another 60 hours with only one EMT to cover.

Chrmn. Jarvies stated that with that 156 hours with no secondary coverage how many calls did they get for secondary and did they need it.

Dr. Nelson stated that they had like 14 or 16 secondary calls.

Chrmn. Jarvies stated that they should monitor those so they may make a better decision.

Dr. Nelson stated that they have a crew that is very accommodating but there is only so much they can do; they need to get their basic pay.

Connie-HR stated that they did pick up those hours that she is talking about those were hours that they told them not to. She said that they were not getting people on the schedule.

Dr. Nelson stated that they can't do over time.

Dr. Nelson stated that as medical director she wants to be on top of it.

Tressesa stated that they are trying to decrease some of the salaries because that is the bigger part of it; they have different ideas of what they are doing with the secondaries.

Chrmn. Jarvies stated that the main discussion was to watch it more closely this year so we can make a more informed decision on how to move forward.

Tressesa stated with the sales tax not passing there might not be an ambulance or a Sheriff's Dept in the year 2022. That is why they are trying to work with the ambulance.

Chrmn. Jarvies stated that they are working with the Sheriff also. They are having them give them the number of calls and what they are doing and monitoring it as closely as they can.

#### **Executive Session**

Motion to go into executive session 24-6-402 (b) conference with the attorney: Comm. Baroz/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

The board came out of executive session conference with the attorney at 10:27 AM and no decisions were made.

Nick: It is the opinion of the county attorney that the discussion had an executive session constituted an attorney/client privilege therefore no record was kept.

Nick stated that he would like to start with a formal statement that they received an e-mail intimating that there was some kind of patient abandonment. We categorically deny that there was any type of patient abandonment on behalf of our ambulance and on behalf of Conejos County but we are here to discuss improving procedures and how we move forward; outside of that issue it is open for discussion.

Chrmn. Jarvies stated that this was sent to our county administrator on February 08, 2021 at 2:55 PM. It is as follows:

Hi Tressesa. I wanted to bring your attention to below: These are the situations we are running into without a secondary. Earlier today

Conejos County EMS conducted a transfer to Alamosa without a secondary team. This leaves the county uncovered for an extended amount of time. It also creates patients safety concern for our patients being transferred. It was communicated that the team would have to leave our patient in Alamosa at the doctor's office if they were paged out. This could constitute patient abandonment and is a liability to us as well as the county. As such I would respectfully ask for a calendar for when Conejos County EMS will have the secondary team so that we can appropriately care for our transfer patients and ensure safety throughout the county. Last week we encountered another situation where the patient was transferred to Alamosa by Conejos County EMS but we were unaware that there was not a secondary team available. During transfer or shortly thereafter dispatch relayed a patient in distress in Antonito because there was no secondary team it took approximately 45 to 50 minutes for the primary team to respond from Alamosa. Fortunately the patient had a friend administer potentially life-saving medication or else the outcome would have been grim devastating for all. These are the situations that cause concern if there is not a secondary team available. We cannot risk having a primary team assist the transfers to Alamosa. Unfortunately that means that we will have to stand down any Conejos County EMS transfers when there is not a secondary team available. That is permissible and appropriate given the conditions that leaving the county unattended- Zack

Chrmn. Jarvies stated that there is another letter from Amber Marquez which she wrote to Zack the Conejos County Hospital Administrator. Ernest refused to be stood down. He said he can take the patient and if they get a call they will have to leave at our EMC. I am not sure that if he leaves the patient that it may be patient abandonment. He said he will also be taking the patient to their second appointment this afternoon. He refused to be stood down to that appointment as well. I told him that we do not want to leave the district uncovered due to lack of secondary that we would like an EMS to take our patient to his appointments today. Ernest stated that we cannot stand him down once we have called him for a patient transfer for an appointment. He said if they get a call for a patient appointment that they will leave the patient and tend to the call. Amber Marquez- RN Director of Nursing

Chrmn. Jarvies asked Nick Sarmiento to state his legal opinion.

Nick stated that during this episode or what they described Conejos County did not commit a patient abandonment. There does need to be discussion as to what the proper procedure should be but it is not patient abandonment.

Chrmn. Jarvies stated that they need to have a work session so they may address the different ways that they can handle this. The transfers are a good revenue stream for the county and we would hate to lose them.

Dr. Donna Nelson stated that on that day Ernest had a range for Amanda and Brandon.

Brandon stated that there was one other employee to be on back up for secondary. They had a secondary crew available they were just not scheduled.

Nick stated that he talked to Ernest and it is totally incorrect.

Ernest stated that his recollection of what happened that day and the matters which were brought up in the email were incorrect and false. They do take doctor's appointment transfers; they usually turn them over to an RN which is procedure for them no matter what kind of call it is. If we have to leave the hospital they would still take care of them. They do sign for them that they are taking over.

Dr. Nelson asked Ernest if the patient goes for a bone scan or an MRI who do they sign them over to.

Ernest stated that to the receiving RN; as an EMS we are not allowed to monitor them inside their doors. The RN takes over the patient until the procedure is completed; then they transfer them to the floor or to the emergency.

Chrmn. Jarvies asked if we need to respond.

Nick stated that we don't need to respond. We just need to discuss if any procedures need to be tightened up.

Ernest stated that he turned over the resolution and county license to Nick; he wasn't aware of any complaints. EMS is licensed in Conejos County to transport patients to other places. That is why he told Amber that they could not stand them down because they have coverage for that.

Chrmn. Jarvies stated that they need to sit down and have a work session to make sure they are in the same page and that we do have everything in place. We will take a look at it since the allegations

have been made. They might have to have a sit down with Conejos County Hospital to keep everybody safe.

Nick stated that they will meet with the hospital because they are our partner; they do not understand our procedures.

Ernest stated that they have always taken care of our patients in our community. They definitely need to set up a meeting with their administration which would include Alamosa administration and also Roberta who is the boss of Amber.

Dr. Nelson stated that she agrees with Ernest. The meeting is very important especially with Conejos because their Director or Nursing is new in the last year and their administrator is new in the last couple of months so they don't know our history. Maybe Dr. Clint Sowards could be at that meeting so he could facilitate getting it to medical staff which also brings in the physician component also. Donna stated that they don't want to see their staff calling Alamosa ambulance; she can talk to Dr. Chris Keller their medical director of the ER and let him know what their concerns are.

Ernest stated that right now the process of SLV with transfers is we are asked for Conejos County transports to the hospital or the airport. If there is something that we cannot handle then we can ask for mutual aid. They don't understand that is the way that we do things.

Chrmn. Jarvies stated that they will meet within the county and make sure everything is in place then they can set up a meeting with Conejos County Hospital or Rocky Mountain Health.

Chrmn. Jarvies stated that he would hate for people to say that the commissioners are cutting the budgets which is true but we are trying to do the best we can with what we have.

Comm. Baroz stated that if we do hear a lot of negative out in the community it doesn't help the situation any. We should move forward to try to get that sales tax to pass.

Dr. Nelson stated that the newsletter was good maybe it could be put in the newspaper.

Chrmn. Jarvies stated that it was posted on the website as well. We are trying to be open and are not hiding anything; that is what we are faced with.

Dr. Sowards stated that everyone wants an ambulance.

Brandon stated that moving forward they just need to educate the public by getting a lot of information out there.

Dr. Nelson stated that it would be nice to have a copy of that letter to hand out as they are doing vaccines.

Connie-HR stated that they were talking about that yesterday; they handed out folders to everyone that got a vaccine. They can insert them in the folders now that they are preparing more folders.

Dr. Sowards stated that they are having one coming up in Centauri and Sanford School District on the 16<sup>th</sup> and 17<sup>th</sup> .

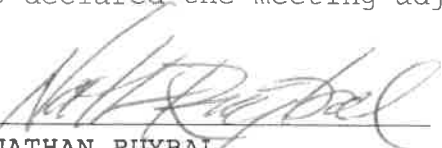
Comm. Baroz stated that they should emphasize to the people that are working that they are not just cutting just educate them; he has heard a few negative statements.


Dr. Sowards stated that they will have to be cut but tell them what they are trying to propose to better serve the guys that are on.

Comm. Garcia stated that he agrees with everything that is being said today. Going back he would be willing to meet with the hospital staff and meet with the Conejos County Hospital staff and SLV Health to try to get the patient abandonment issue resolved. He would like Conejos County to take those transports because we need a revenue stream and our revenue stream is going to be the sales tax issue; the more that flyer gets out to people they will probably support us. He thanked everybody for being here today and given them their input. He equates the ambulance to savings lives.

Ernest stated that he commended the crew yesterday and community members who went out of their way to be with somebody that was at their last breath. Two of their members were already committed to the vaccination clinic and they went to help that person. That is the commitment that they have in this community. He hopes that they can spread as much information to the community concerning the Special District or the Sales Tax.

There being no further business to come before the board; Chrmn. Jarvies declared the meeting adjourned.

ATTET:   
NATHAN RUYBAL  
CLERK OF THE BOARD

  
MITCHELL JARVIES  
CHRMN. BD OF COUNTY COMM.