

**MEETING OF THE TRINIDAD AMBULANCE DISTRICT**  
**BOARD OF DIRECTORS**

DATE: February 27<sup>th</sup>, 2013

Present: Rick Johnson, Kelly Smith, Colleen Williams, Joseph Martinez, & Rob Bukovac

Other Guests: Dan Moynihan, EMS Chief  
Robert Land, Attorney  
Dr. Kevin Weber, Medical Director

<b><u>SUBJECT</u></b>	<b><u>DISCUSSION</u></b>
Call to Order	Meeting was called to order at <b>4:30</b> pm by Rick Johnson. There were no questions at this time.
Roll Call/Proof of Quorum	There was a quorum. Rick Johnson took roll call and states all 5 board members were present which includes Robert Bukovac, Joseph Martinez, Kelly Smith, Colleen Williams, and himself.
Proof of Notice	Notices were posted at the Trinidad Ambulance District Office, Las Animas County Courthouse, City of Trinidad, Justice Center, and the Chronicle News. The Agenda was posted at the Trinidad Ambulance District office at 939 Robinson Ave.
Approval of Minutes	Minutes for the January 30 <sup>th</sup> , 2013 regular board meeting were approved by all board members present. Motion made by Colleen Williams and seconded by Robert Bukovac. Motion passed to approve minutes.
East Building Lease	There was a lengthy discussion regarding the lease for the East building at 2309 E. Main Street Suite A. Bob Land briefly went through the modifications and lease amounts. Colleen Williams moved to accept the lease modification as written for the intergovernmental agreement between Las Animas County and Trinidad Ambulance District. Joe Martinez seconded the motion. All yes.
Roy Fernandez UMWA	Mr. Roy Fernandez, an organizer for the United Mine Workers of America, represents employees in all states west of the Mississippi including Mt. San Rafael Hospital and Las Animas County. He addressed the board stating he was approached by employees from Trinidad Ambulance District stating they would like to form and join the union. Mr. Fernandez states he looked into the Colorado State Statute A-3-101 through A-3-123 which states the employees have the right to join a union. He also states he put a petition together and has fifty plus one percent of the employees who would like to join a union. Mr. Fernandez presented a resolution and the petition to the board and respectfully asked that the board make a decision today to allow the employees to move

maturity date is three years. Rick Johnson thanked Yvonne and Hunan for coming and they would discuss this further and look into it. Matt Duran asked if this follows under Tabor because Trinidad Ambulance District has not debruced. Matt states he is a tax payer and he is looking out for the tax payer money. Robert Land said he would look into this matter. Joe Martinez states the proposal looks good but he would like the board to look into other proposals to keep it fair. All agreed. Jody Stodghill asked Colleen Williams if she will have any gains from this transaction. Colleen Williams states she has recused herself from any vote in this matter. Yvonne Wilder also states that Colleen Williams works for the branch and she works for the Government agency with Bank of the West and if Trinidad Ambulance District did decide to invest with them we would only deal with her. Kelly Smith also states that under Tabor the reserve laws cannot be encumbered in anyway. Yvonne states that the reserve funds would be in a totally separate account.

#### Public Comments

Jody Stodghill believes that Colorado state law was broken after the firing of Dominic "Junie" Verquer. He asked the board to consider terminating Dan Moynihan for breaking state law. Jody also states that Trinidad Ambulance District is all about second chances and from what he understands, there were a minimum of three board members that voted to not give Mr. Verquer a fair hearing and this is why he is asking the board to terminate Mr. Moynihan.

Mr. Roy Fernandez states there is a U.S. Supreme Court decision in a case from Ohio, which requires an employee that has been discharged, be granted a pre-determination hearing. He said the board had apparently been unaware of, or had ignored, that decision when it came to the discharge of Dominic Verquer. Roy Fernandez states that to this day Dominic Verquer has never been given a pre-determination hearing. Mr. Fernandez states this is a basic law under the Supreme Court. Mr. Fernandez also states he deals with a lot of public employees from states west of the Mississippi River all the way to the Navajo Nation. Mr. Fernandez states he checked with some lawyers in Denver, who said because Trinidad Ambulance District is a tax district, and its annual budget is over \$900,000 in public tax funds, Mr. Verquer should have been given such a hearing. Robert Land said he has done research on this issue and he believes that Loudermill does not apply. Loudermill only applies if they have been given a due process right by either a state government under an employee contract. In Colorado they have not been given a due process right or they have not been given a guaranteed right to work, therefore, you have to look at the employment contract. Sometimes that can be created with the employment manual. The employment manual clearly states that this is a right to work entity and can be fired for any reason or no reason at all. Therefore, Loudermill does not apply in this situation. It only applies in those situations where the employee has been given a property interest in their job. This has not occurred in Colorado. It has occurred in other states, not in Colorado. That's why Loudermill does not apply.

reason for the purchase, and the purchase of ambulances. Rick Johnson asked Dan what his suggestion was. Dan states he would like to go with the F150 from Cooke to keep tax dollars in the district. Kelly Smith suggested that Dan research the possibility of a used vehicle before the District makes a purchase decision. The board agreed.

Dan Moynihan informed the board that he has received two quotes for AED's. Foremost gave a quote for \$9500.00. Physio Control gave a quote of \$7800.00 for twelve AED's with a five year warranty. The AED's will be used in sheriff vehicles. Sheriff Casias said once the AED's are received and the training is complete he will have his deputies respond to medical calls. Rick Johnson asked if there were any further questions regarding the AED's. There were no questions at this time. Motion to accept the purchase of twelve AED's was made by Joe Martinez. Rob Bukovac seconded the motion. Motion passed unanimously.

Dan informed the board that he met with Andrea at EMA Consultants to work with them on their reports to better reflect the numbers that he wants to see. After the meeting Dan felt as if they did not want to change their process so he made the decision to look into finding a better billing company. After a brief search he found a company called Enhanced Management Services. Dan had Rick Johnson and Colleen Williams with the finance committee sit in on a presentation with Chuck Humphrey. Dan states the presentation was phenomenal and the company will be able to give us what we are looking for and need. The report system is great. We will be able to generate a report showing us any data we may want to see anytime we choose. Also, the rate is six and a half percent compared to the eight percent that we are paying now, so this will save us money. Dan also states that he would like to bring to the table next month a proposal from the new billing company to do all inclusive billing. Right now all charges are being billed separately. The billing company will bill a base rate and a mileage charge.

Dan Moynihan informed the board of the use of our remote controlled ambulance nicknamed "TAD". It is being utilized at different events within the community and will also be in the Labor Day Parade. Dan informed the board that Mr. Gabriel Martinez has been doing a great job with the PR and is currently at the Middle School.

Dan Moynihan informed the board that the vehicles in the bay have been moved to better accommodate the ambulances.

Dan Moynihan informed the board that we recently had two cardiac arrest saves. He states the crews are doing a great job.

Dan let the board know that he has reviewed several policies and made changes. He sent the policy changes to Bob Land for review and comments.

Customer survey cards will be sent out to all patients by the new billing company beginning April 1<sup>st</sup>, 2013. It consists of five questions. Responses will be tracked for better customer relations.

Public Relations are a main focus point here at Trinidad Ambulance District. Dan states he has met with the Fire Chiefs, Sheriff, Police Chief, and the QRT's to better serve the community. We are also getting involved with the schools. We will be going to the Senior Center and to patient's homes to do blood pressures. The more we get out into the Community and have more involvement there is the better it will be for the District.

Colleen Williams complimented Dan Moynihan on his report and states they have never been informed like this before. The board agreed.

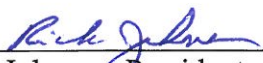
Executive Session                      None

Next Meeting Date                      Rick Johnson states the next meeting will be held on March 27<sup>th</sup>, 2013 at 4:30 p.m. Meeting will be held at the Trinidad Ambulance District office.

Adjournment                              Rick Johnson asked if there was a motion to adjourn. Colleen Williams made the motion to adjourn. Joe Martinez seconded the motion. All yes. Meeting is adjourned at 5:51 p.m.

The minutes for February 27<sup>th</sup>, 2013 were respectfully submitted by April Martinez on March 15<sup>th</sup>, 2013.

Minutes Approved by Trinidad Ambulance District Board.

  
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Rick Johnson, President of the Board of Directors

3/27/13  
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Date