

Date	Parties Involved	Notes
2/2020	Boardman Fire Rescue District	Michael Hughes offered position as BFRD Chief.
3/2020	Boardman Fire Rescue District	BFRD began responding to all EMS calls in Boardman in violation of the approved ASA Plan.
7/13/20	Michael Hughes, BFRD Chief	E-mail sent from Chief Hughes to various community partners introducing himself and providing a PowerPoint presentation about BFRD's bond for a new building.
11/9/20	Bob Houser, MCHD CEO John Murray, MCHD Board Chair	Mr. Houser met with Chief Hughes on 11/9 and reported the meeting went well and BFRD does not want to take over EMS services in Boardman.
12/21/20	Bob Houser, MCHD CEO Rusty Estes, MCHD EMS Director John Murray, MCHD Board Chair	E-mail exchange between Mr. Murray, Mr. Houser, and Mr. Estes regarding medications for BFRD. Per e-mails, Chief Hughes requested to obtain medications through Murray's Pharmacy. Mr. Estes pointed out that BFRD is not part of the ambulance service.
2/24/21	Morrow County Board of Commissioners Meeting Ryan Fowler, MCHD Interim CEO Rusty Estes, MCHD EMS Director John Murray, MCHD Board Chair Michael Hughes, BFRD Chief	Board of Commissioners Meeting Minutes: <u><i>2021 Ambulance Service Area (ASA) Plan from the Morrow County Health District</i></u> <i>Rusty Estes, Emergency Medical Services (EMS) Coordinator</i> <i>Mr. Estes said MCHD's Plan was up for renewal with the State in a few months. He asked if the Board had any questions about the Plan he submitted for their review.</i> <i>Chair Russell turned the floor over to Michael Hughes, Chief of the Boardman Fire Rescue District, whom he said was here for a specific reason.</i> <i>Chief Hughes said he would propose a different ASA model and offered to return at a later date for a more in-depth discussion or he could provide the information today. The Commissioners asked him to provide an overview. Chief Hughes' proposal was to split the County into two different ASAs, with Boardman Fire taking the Boardman-Irrigon area. After a lengthy discussion, it was agreed to discuss this again during a Work Session on March 17th. Commissioner Doherty made a point of asking MCHD and BFRD to return on the 17th "as a united front."</i> Minutes: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/15556/2-24-17_board_minutes.pdf Packet: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/packets/15556/2-24-21_agenda_packet_v3_redacted.pdf
3/17/21	Morrow County Board of Commissioners Work Session Ryan Fowler, MCHD Interim CEO Nicole Mahoney, MCHD CFO Rusty Estes, MCHD EMS Director Michael Hughes, BFRD Chief	Chief Hughes presented his plan for creating a new ASA in Boardman. MCHD presented plan for a single ASA for all of Morrow County. Packet: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/packets/15849/3-17-21_agenda_packet_-_work_session_v3.pdf

4/7/21	Ryan Fowler, MCHD Interim CEO Don Russell, Morrow County Commissioner	E-mail exchange between Mr. Fowler and Mr. Russell confirming that BFRD would not be awarded MCHD's assets if BFRD were awarded an ASA in Morrow County.
4/23/21	Ryan Fowler, MCHD Interim CEO Michael Hughes, BFRD Chief	Mr. Fowler and Chief Hughes met to discuss the Morrow County ASA Plan.
4/28/21	Morrow County Board of Commissioners Meeting Nicole Mahoney, MCHD CFO Kris Jones, MCHD COO Rusty Estes, MCHD EMS Director John Murray, MCHD Board Chair Michael Hughes, BFRD Chief	<p>Board of Commissioners Meeting Minutes:</p> <p><i>At the previous meeting on this topic, there was discussion about BFRD taking over MCHD's ambulance service in Boardman, explained Chair Russell. However, after looking into it, he learned the revenue to MCHD from its levy would stay with MCHD even if BFRD took over that territory. Chief Hughes then asked the County to allow BFRD to apply for an ambulance license for the purpose of MCIs (multi-casualty incidents) so they could respond to calls when the first ambulance was out of position, for whatever reason.</i></p> <p><i>Commissioner Lindsay said she preferred to see an actual proposal through the proper channels to the Board of Commissioners. She asked that today's discussion remain on the scheduled agenda item.</i></p> <p><i>Commissioner Doherty said Chief Hughes' request was separate to this and he could come back to make that pitch. He said the Board approves other contracts for multiple years, pending an annual review, and suggested this be looked at again next year at this same time with the potential to open it back up.</i></p> <p>Commissioner Doherty moved to approve the Morrow County Health District Ambulance Service Area Plan, as it has been in the past, with an annual review to come to the Board of Commissioners and go with the five-year time plan. Commissioner Lindsay seconded. Unanimous approval.</p> <p>Minutes: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/15749/4-28-21_board_minutes.pdf</p> <p>Packet: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/packets/15749/4-28-21_agenda_packet_v4.pdf</p>
5/26/21	Kris Jones, MCHD COO Rusty Estes, MCHD EMS Director Michael Hughes BFRD Chief	Ms. Jones, Mr. Estes, and Mr. Hughes met in Boardman to discuss coordination between MCHD and BFRD.
7/9/21	Emily Roberts, MCHD CEO Nicole Mahoney, MCHD CFO Kris Jones, MCHD COO Rusty Estes, MCHD EMS Director Michael Hughes, BFRD Chief	MCHD and BFRD met to discuss collaboration and concerns of BFRD. E-mail sent on 7/12/21 from Ms. Roberts to group summarizing the meeting and next steps. Agreed to 30-day pilot for MCHD Boardman EMS and BFRD to share a radio frequency.
7/14/21	Michael Hughes, BFRD Chief	Initiation of e-mail exchange between Chief Hughes and Ms. Roberts regarding contracting.

	Emily Roberts, MCHD CEO	
8/30/21	Morrow County Health District Board Meeting John Murray, MCHD Board Chair Carri Grieb, MCHD Board Member Marie Shimer, MCHD Board Member Aaron Palmquist, MCHD Board Member Diane Kilkenny, MCHD Board Member	MCHD's board unanimously approved a proposal to increase EMS staffing over the next three years. EMS Proposal: http://www.morrowcountyhealthdistrict.org/files/f1a6fa412/EMS+Proposal.pdf Minutes: https://www.morrowcountyhealthdistrict.org/files/7e41a7e74/Board-Minutes-August-2021-FINAL.pdf
9/1/21	Emily Roberts, MCHD CEO Nicole Mahoney, MCHD CFO Michael Hughes, BFRD Chief	Sent e-mail to Chief Hughes with MCHD's approved plan to increase EMS staffing over the next three years. Met with Chief Hughes via Zoom. Chief Hughes indicated he had artificially inflated the payment rates he requested in order to "sting" to force MCHD to agree to his partnership plan. Summarized conversation in e-mail dated 9/1/21.
9/27/21	Emily Roberts, MCHD CEO Ken Browne, BFRD Board Chair David Boor, BFRD Board Member Lisa Pratt, BFRD Board Member Don Griggs, BFRD Board Member Loren Dieter, BFRD Board Member	E-mailed BFRD board to express concerns about deteriorating relationship between MCHD and BFRD. No responses received.
10/6/21	Emily Roberts, MCHD CEO Nicole Mahoney, MCHD CFO Rusty Estes, EMS Director Michael Hughes, BFRD Chief	Met with Chief Hughes by Zoom to inform him that MCHD's EMS team in Boardman can no longer operate on BFRD's radio frequency as it has created unanticipated safety issues. All MCHD EMS teams instructed to operate on their standard EMS channels going forward.
2/2/22	Morrow County Board of Commissioners Meeting Nicole Mahoney, MCHD CFO Donna Sherman, MCHD EMS Director Michael Hughes, BFRD Chief	Board of Commissioners Meeting Minutes: <i>Request to Apply for an Ambulance Transport License</i> <i>Chief Mike Hughes, Boardman Fire Rescue District</i> <i>After a lengthy discussion, it was determined the request had not been properly vetted and collaboration needed to take place between all affected parties. It was proposed a work session take place in the near future.</i> Minutes: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/16270/2-2-22_board_minutes.pdf Packet: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/packets/16270/2-2-22_agenda_packet_v8.pdf
2/28/22	John Bowles, Morrow County Undersheriff Kenneth Matlack, Morrow County Sheriff Richard Stokoe, Boardman Police Chief	Received e-mail from Mr. Bowles indicating that the Morrow County Sheriff's office would resume dispatching BFRD to all EMS calls based on legal opinion by Justin Nelson.

	<p>Michael Hughes, BFRD Chief Emily Roberts, MCHD CEO Justin Nelson, DA / Morrow County Counsel Paul Gray, Morrow County Emergency Manager Sarah Baker Kristen Bowles</p>	
3/2/22	<p>John Bowles, Morrow County Undersheriff Kenneth Matlack, Morrow County Sheriff Justin Nelson, DA / Morrow County Counsel Paul Gray, Morrow County Emergency Manager Darrell Green, Morrow County Manager Emily Roberts, MCHD CEO John Murray, MCHD Board Chair Diane Kilkenny, MCHD Board Member Nicole Mahoney, MCHD CFO Donna Sherman, MCHD EMS Director Troy Bundy, MCHD Legal Counsel</p>	<p>E-mail from Ms. Roberts to the group with attachment containing legal opinion by Troy Bundy and current ASA Plan.</p>
3/21/22	<p>Emily Roberts, MCHD CEO Nicole Mahoney, MCHD CFO Donna Sherman, MCHD EMS Director John Murray, MCHD Board Chair Diane Kilkenny, MCHD Board Member Troy Bundy, MCHD Legal Counsel Michael Hughes, BFRD Chief Ken Browne, BFRD Board Chair Lisa Pratt, BFRD Board Member</p>	<p>Met to discuss partnership. BFRD communicated their need for more fire personnel. Ms. Roberts offered to try to incentivize EMS employees to volunteer for BFRD. Ms. Roberts re-iterated MCHD's public records request for BFRD's medical director contract and EMS protocols. Mr. Bundy provided a legal opinion about BFRD's obligation to follow the approved ASA Plan.</p>
3/31/22	<p>EMS Advisory Committee Meeting Kristen Bowles, Judi Gabriel, Adam McCabe, Kathleen Greenup, Eric Chick, Josie Foster, Dr. Berretta, Donna Sherman, Charlie Sumner Non-Members: Emily Roberts, MCHD CEO Diane Kilkenny, MCHD Board Member Troy Bundy, MCHD Legal Counsel Michael Hughes, BFRD Chief Lisa Pratt, BFRD Board Member Mark Keith, Community Member Donna Irons, Community Member</p>	<p>EMS Advisory Committee voted to continue to follow current ASA Plan for all calls in Boardman.</p> <p>Minutes: https://www.morrowcountyhealthdistrict.org/files/1748b3685/EMS+Advisory+Committee+Minutes+-+03-31-22-final.pdf</p>

4/25/22	Morrow County Health District Board Meeting John Murray, Carri Grieb, Aaron Palmquist, Diane Kilkenny, Marie Shimer	MCHD Board of Directors voted to move forward with the EMS Advisory Committee's recommendation not to amend the ASA Plan. Minutes: https://www.morrowcountyhealthdistrict.org/files/dced4a453/Board-Meeting-Minutes-April-2022-FINAL.pdf
4/25/22	Jim Doherty, Morrow County Board of Commissioners Chair Troy Bundy, MCHD Legal Counsel	Letter from Troy Bundy to Commissioner Doherty providing a legal opinion as to the appropriate process for the BOC to consider a new ambulance service provider.
4/27/22	Emily Roberts, MCHD CEO Nicole Mahoney, MCHD COO Donna Sherman, MCHD EMS Director John Murray, MCHD Board Chair Diane Kilkenny, MCHD Board Member Troy Bundy, MCHD Legal Counsel Michael Hughes, BFRD Chief Ken Browne, BFRD Board Chair Lisa Pratt, BFRD Board Member	Provided the EMS Advisory Committee / MCHD Board of Directors joint determination denying the request by BFRD to amend the ASA Plan. Determination: https://www.morrowcountyhealthdistrict.org/files/d984ebefe/EMS+Advisory+Committee+DETERMINATION+-+2022.pdf
5/6/22	Troy Bundy, MCHD Legal Counsel Carolyn Connelly, BFRD Legal Counsel	Letter from Mr. Bundy to Ms. Connelly with legal opinion as to the appropriate process for the BOC to consider a new ambulance service provider.
5/18/22	Morrow County Board of Commissioners Meeting Emily Roberts, MCHD CEO Nicole Mahoney, MCHD CFO Diane Kilkenny, MCHD Board Member Troy Bundy, MCHD Counsel Michael Hughes, BFRD Chief Carolyn Connelly, BFRD Counsel (Zoom)	Board of Commissioners Meeting Minutes: <u><i>Boardman Fire Rescue District (BFRD) Request for Ambulance License</i></u> <i>Carrie Connelly, Attorney for BFRD</i> <i>Troy Bundy, Attorney for Morrow County Health District (MCHD)</i> <i>Ms. Connelly said the request was a simple one – County support for BFRD's application for an ambulance transport license. The Oregon Health Authority (OHA) is the agency vested with the authority to make the determination as to whether BFRD qualified to have that license. BFRD was not asking to modify the existing Ambulance Service Area (ASA) Plan. It's standard in Oregon for County support for licenses in districts not included in an ASA. She referenced the letter submitted by Chief Mike Hughes outlining the rationale behind the request.</i> <i>Commissioner Lindsay welcomed Ms. Connelly's offer to review the request, point by point, which she did. Commissioner Lindsay then referred to the next items in the packet and asked MCHD to address their information.</i> <i>Troy Bundy stated the request by BFRD was for the County to sign a document that says there is a documented need for the ambulance service. He then provided an overview of the ASA Plan and the EMS advisory committee section of the plan.</i> <i>Discussion continued until County Counsel, Justin Nelson, noted further documentation was needed and clarification of what is documented need. He said he was still delving into things with OHA and suggested the item be tabled for a few weeks.</i>

		<p>Commissioner Lindsay moved to table and bring back no later than June 8th, but it could be sooner. Chair Doherty seconded. Vote: Aye: Chair Doherty, Commissioner Lindsay. Nay: Commissioner Russell. Motion carried.</p> <p>Packet: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/packets/16352/5-18-22_agenda_packet_v4.pdf</p> <p>Minutes: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/16352/5-18-22_board_minutes.pdf</p>
7/4/22	Boardman Fire Rescue District	BFRD unveiled two new ambulances in the Boardman Fourth of July parade.
7/18/22	EMS Advisory Committee Meeting	<p>EMS Advisory Committee voted to issue a letter to the Morrow County Sheriff's Office and Boardman Fire Rescue District informing the entities that they are not in compliance with the Morrow County Ambulance Service Area Plan per the problem resolution process outlined in the Morrow County ASA Plan.</p> <p>Minutes: https://www.morrowcountyhealthdistrict.org/files/df0b37aa5/EMS+Advisory+Committee+Minutes+-+07-18-22+-+FINAL.pdf</p>
7/22/22	Emily Roberts, MCHD CEO	<p>E-mailed and sent letter to City of Boardman and Mayor Keefer clarifying that MCHD has not requested or advocated for changes in the manner in which Boardman Police Department responds to calls or the type of calls Boardman Police Department responds to. MCHD has made no requests involving Boardman Police Department.</p> <p>Letter: https://www.morrowcountyhealthdistrict.org/files/154d82f3a/Letter+from+MCHD+to+Boardman+Mayor+-+7-22-22.pdf</p>
7/25/22	Emily Roberts, MCHD CEO	<p>Issued open letter to community regarding EMS situation.</p> <p>Letter: https://www.morrowcountyhealthdistrict.org/files/56fc00c7f/Open+Letter+to+Community+-+07-25-22.pdf</p>
7/26/22	Emily Roberts, MCHD CEO	<p>Letters sent to MCSO and BFRD on behalf of EMS Advisory Committee informing entities of their non-compliance with the current ASA Plan and requesting a written response within 30 days.</p> <p>Letters: https://www.morrowcountyhealthdistrict.org/files/2f2f77e96/Letter+from+EMS+Advisory+Committee+to+MCSO+-+07-26-22.pdf https://www.morrowcountyhealthdistrict.org/files/c1babe2bf/Letter+from+EMS+Advisory+Committee+to+BFRD+-+07-26-22.pdf</p>
8/19/22	Emily Roberts, MCHD CEO	E-mail sent to MCSO and BFRD reminding entities that 30-day response window for EMS Advisory Committee request ends on August 25, 2022.

8/31/22	EMS Advisory Committee Meeting	<p>EMS Advisory Committee voted to send another notice to Boardman Fire Rescue District and Morrow County Sheriff's Office for continued non-compliance with the ASA Plan giving 10 days to respond with a plan to become compliant.</p> <p>Minutes: https://www.morrowcountyhealthdistrict.org/files/ecd7c7a8c/EMS+Advisory+Committee+Minutes+-+08-31-22-final.pdf</p>
9/2/22	Emily Roberts, MCHD CEO	<p>Letters sent to MCSO and BFRD on behalf of EMS Advisory Committee informing entities of their non-compliance with the current ASA Plan and giving 10 days to respond with a plan to become compliant.</p> <p>Letters: https://www.morrowcountyhealthdistrict.org/files/c50ef7034/Letter+from+EMS+Advisory+Committee+to+MCSO+-+09-02-22.pdf https://www.morrowcountyhealthdistrict.org/files/d5fcbaa4d/Letter+from+EMS+Advisory+Committee+to+BFRD+-+09-02-22.pdf</p>
9/23/22	Liz Heckathorn, Mediator MCHD BFRD Public	<p>Ms. Heckathorn conducted a public information session as a precursor to mediation pursuant to a contract between Ms. Heckathorn and Morrow County.</p> <p>Agenda: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/16502/9-23-22_asa_mediation_meeting_agenda_final.pdf</p>
10/3/22	Liz Heckathorn, Mediator Emily Roberts, MCHD CEO Nicole Mahoney, MCHD COO Donna Sherman, MCHD EMS Director Michael Hughes, BFRD Chief Del Turner, BFRD Paramedic Mark Keith, BFRD Paramedic Mark Pratt, Boardman Police Department John Bowles, Morrow County Sheriff's Office Kristen Bowles, Morrow County Sheriff's Office	<p>Ms. Heckathorn conducted a mediation session pursuant to a contract between Ms. Heckathorn and Morrow County.</p>
10/7/22	Marie Shimer, MCHD Board Chair	<p>Letter sent to BOC on behalf of MCHD Board expressing concerns about mediation process.</p> <p>Letter: https://www.morrowcountyhealthdistrict.org/files/448f4aa44/Letter+from+MCHD+Board+Chair+to+BOC+-+10-07-22.pdf</p>
11/29/22	Emily Roberts, MCHD CEO	<p>Issued open letter to community regarding EMS situation.</p> <p>Letter (English & Spanish): https://www.morrowcountyhealthdistrict.org/files/7ff9f9cea/Open+Letter+to+Community+-+11-29-22.pdf</p>

		https://www.morrowcountyhealthdistrict.org/files/973e5c8fa/Open+Letter+to+Community+-+11-29-22+-+Spanish.pdf
12/9/22	Marie Shimer, MCHD Board Chair	<p>Notice of a Hearing to BFRD under the Morrow County Ambulance Service Area Plan Complaint Review Process.</p> <p>Notice: https://www.morrowcountyhealthdistrict.org/files/8cfe8f3a1/Notice+of+Hearing+-+12-09-22.pdf</p>
12/9/22	Morrow County Health District	<p>Distributed informational flyer about the risk to ambulance services in Morrow County if a competing ambulance service is licensed.</p> <p>Flyer: https://www.morrowcountyhealthdistrict.org/files/ce06d8ac2/EMS+Informational+Flyer+-+12-09-22.pdf</p>
12/9/22	Michael Hughes, BFRD Chief Emily Roberts, MCHD CEO Nicole Mahoney, MCHD COO	Chief Hughes called Ms. Roberts to discuss MCHD’s proposed Intergovernmental Agreement, which would allow BFRD to operate ambulances licensed under MCHD. Chief Hughes relayed that the sticking point with the IGA is that BFRD wants to be the ambulance service provider in Boardman and MCHD will not give that up.
12/20/22	Morrow County Health District Boardman Fire Rescue District Troy Bundy, Hart Wagner Jack Caynon, Sussman Shank	MCHD and BFRD agreed to mediate with a mutually agreeable judge mediator through attorney communications (Troy Bundy, Hart Wagner and Jack Caynon, Sussman Shank).
2/20/23	Emily Roberts, MCHD CEO	<p>Letter sent to Morrow County Board of Commissioners expressing concern about Chief Hughes’ request to repeal ordinance MC-C-4-98 appearing on the BOC agenda for 2/22/23.</p> <p>Letter: https://www.morrowcountyhealthdistrict.org/files/25c97232b/Letter+to+BOC+-+02-20-23.pdf</p>
2/22/23	Morrow County Board of Commissioners Meeting	<p>Board of Commissioners Meeting Minutes: <u>Discussion – Request to Repeal Ordinance MC-C-4-98: In the Matter of Regulating Ambulance Service Providers</u> <i>The Board listened to Boardman Fire Rescue District Chief, Mike Hughes’ reasoning as to why the 1998 ordinance should be repealed. Chief Hughes provided a brief overview of Oregon’s statutes and rules that assure ambulance services are provided. He said it appeared Morrow County crafted an Ambulance Service Area Plan (ASA) in 1993 that was approved by OHA, as required by the ordinance and rules. Every five years, OHA must receive an ASA plan from the County. Once a plan, usually submitted in draft form, has gone through the process with OHA, it comes back to the county to be adopted into an ordinance every five years, which is very clear in Oregon Revised Statutes (ORS). In 1998, that plan was not submitted to OHA for approval, as documented in a February 1, 2021 email Morrow County received from OHA requesting an ASA because they hadn’t received one since 1993. Therefore, the process has been missed through the laws for over 24 years. Since this 1998 ordinance didn’t follow a process, it could be argued it’s invalid. He said his recommendations would be to repeal the ordinance and if that</i></p>

		<p><i>happened, temporarily assign an administrator, such as the Public Health Department or County Emergency Manager and let them research and come back to the Board with a permanent solution. Chief Hughes' further recommendation was to have Elizabeth Heckathorn, who was hired by the County to mediate this issue, rewrite a new ASA plan. He provided details on the response models that should go into a new ASA plan. Chief Hughes said if the ordinance was repealed, nothing would change with ambulance services since Morrow County Health District was the only licensed operator in the County.</i></p> <p><i>Emily Roberts, Morrow County Health District, Chief Executive Officer, said she did not agree the County was out of compliance and neither did OHA. She said she provided a letter in the Agenda Packet from OHA that the County was in compliance and OHA had approved the plan. Ms. Heckathorn confirmed that in the public portion of the pre-mediation meeting, she stated. Ms. Roberts said not every county has ASA plans as an ordinance, Morrow County's is, and it's up to the County to determine whether or not it should be...but the County does have to adopt it. She talked about the 10-member EMS (Emergency Medical Services) Committee required by the plan that makes recommendations to the Health District. Ms. Roberts discussed the location of the Health District's ambulances in the County and cited various statistics.</i></p> <p><i>Commissioner Wenzholz said he viewed it as the County submitted a draft to OHA. OHA redlined it and returned it but the Board never had a chance to review it and formally adopt it. He said from his perspective, the County has never accepted the changes required by OHA. Ms. Roberts said that was a valid point, and they did bring that forward to the BOC a few times that it could be readopted or reopened. However, because OHA adopted the plan, they legally consider that to be the County's plan so the County would have to go back to OHA and reopen it, if the County chose to. In the absence of that plan being considered effective, the law says it reverts to the previous plan, which is largely the same except it doesn't have the definitions updated and the items OHA wanted to see, she said.</i></p> <p><i>Chair Sykes said for transparency, the Health District does do business with a business with which he's associated, Sykes Publishing. He said he called the Oregon Government Ethics Commission yesterday and was told he did not have to recuse himself because there was no direct monetary detriment or benefit, either way, on any decision about this. The Ethics Commission representative suggested he announce it for transparency and to be upfront, said Chair Sykes.</i></p> <p><i>Chair Sykes then asked Justin Nelson, County Counsel, for an analysis of what was just presented. Mr. Nelson said when he saw this on the agenda he was surprised because the idea of repealing the ordinance had not come up before. While the ASA plan has been talked about a lot, he said, that aspect has not been looked into. Mr. Nelson asked for more time to come back with an analysis. After discussion, the Board agreed to reschedule Mr. Nelson's analysis of the effects of repealing the ordinance to March 15th.</i></p> <p>Commissioner Wenzholz moved to grant County Counsel, Justin Nelson, time to research Ordinance MC-C-4-98 and the effects of repealing and replacing it. Commissioner Drago seconded. Vote: Unanimous approval.</p>
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3/15/23	Morrow County Board of Commissioners Meeting	<p>Board of Commissioners Meeting Minutes: <u>Status Update from County Counsel. Justin Nelson: Request to Repeal Ordinance MC-C-4-98: In the Matter of Regulating Ambulance Service Providers</u> Chair Sykes said as background, at the February 22nd BOC Meeting, Boardman Fire Rescue District (BFRD) Chief Mike Hughes requested the County repeal the above-named 1998 ordinance. After hearing from Chief Hughes and Emily Roberts, Morrow County Health District (MCHD) Chief Executive Officer, the Board directed County Counsel, Justin Nelson, to prepare an analysis for the March 15th BOC Meeting on the effects of repealing and replacing the ordinance and a motion was made to that end. Chair Sykes said he has since learned Mr. Nelson determined it would be more appropriate to ask an outside legal counsel with expertise in these matters to provide the analysis. Mr. Nelson said he contacted Bob Blackmore, Innova Legal Advisors PC, and forwarded documentation to him from both districts, as well as a list of specific questions from the Board. Mr. Nelson said he did not know the exact timeline, yet, for Mr. Blackmore's availability to provide his analysis. <u>Request for Letter of Support of Ambulance Licensing</u> Chair Sykes said the format for this item would be the same as on Feb. 22nd when Chief Hughes requested to repeal Ordinance MC-C-4-98 - a representative from each district would speak and have the ability to rebut, however, there would be no comments from the public. After Chief Hughes sought confirmation, Chair Sykes agreed comments would be limited to the topic on the agenda, as was the case on the 22nd Chief Hughes said the application process for an ambulance license in the State of Oregon requires a letter of support from the governing body. If BFRD is allowed to go through the estimated 60-day process and becomes licensed, there would be no impact to the County's ambulance system. MCHD would continue to operate as it does because it's clear BFRD is not a transport agency within the Ambulance Service Area (ASA) Plan. BFRD would be able to provide service to partner agencies, such as the Oregon Military Department, Umatilla County Fire District #1, and possibly the Naval Bombing Range. Ms. Roberts said the Agenda Packet included a letter from the Health District's attorney, Troy Bundy, that covered four points: 1.) The definition in Oregon Administrative Rule is at issue. It says what needs to be provided is whether there is a documented need for the service supported by the county government. 2.) Under the current County Ordinance from 1998, no ambulance can operate in the County that is not incorporated into the ASA Plan. 3.) Under the current 1998</p>

		<p>ordinance, it charges the EMS (Emergency Medical Services) Advisory Committee with making the determination to make changes or additions to the ASA Plan. That is the appropriate group to hear the request and no formal request in writing, with explanations, has been brought to them. As the discussion continued, Chair Sykes asked if the request could wait for the legal response from Mr. Blackmore, as discussed earlier. Commissioner Drago said he was not against waiting on Mr. Blackmore's analysis, adding he thought there was a need but they were hearing too many different stories. Chair Sykes encouraged the Commissioners to send their questions to Mr. Blackmore.</p> <p>Commissioner Drago moved to table the letter of support to be readdressed at the April 5th meeting. Commissioner Wenholtz seconded. Vote: Unanimous approval.</p> <p>Minutes: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/packets/16576/4-5-23_agenda_packet_redacted.pdf</p> <p>Packet: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/packets/16573/3-15-23_agenda_packet_v2.pdf</p>
3/20/23	Marie Shimer, MCHD Board Chair	<p>Notice of a Hearing to BFRD under the Morrow County Ambulance Service Area Plan Complaint Review Process.</p> <p>Notice: https://www.morrowcountyhealthdistrict.org/files/95131c5ee/Notice+of+Hearing+-+03-20-23.pdf</p>
3/27/23	Morrow County Health District	<p>Issued mailer to Morrow County residents about the risk to ambulance services in Morrow County if a competing ambulance service is licensed.</p> <p>Mailer: https://www.morrowcountyhealthdistrict.org/files/f957dc653/EMS+Mailer+-+03-27-23.pdf</p>
4/5/23	Morrow County Board of Commissioners Meeting	<p>Three items on the BOC agenda concerning EMS:</p> <ul style="list-style-type: none"> • Update on Outside Legal Counsel's Review of Matters Related to the Morrow County Ambulance Service Area Plan (Chair Sykes) • Review the Motion to Table the Request for a Letter in Support of Ambulance Licensing from Boardman Fire Rescue District • Request to Repeal Ordinance MC-C-4-98: In the Matter of Regulating Ambulance Service Providers (Chief Mike Hughes, Boardman Fire Rescue Dist.) <p>Summary of BOC determinations:</p> <ul style="list-style-type: none"> • Unanimous vote not to repeal MC-C-4-98 • Unanimous vote to accept counsel's opinion that the ASA Plan approved by OHA on March 24, 2022 is not valid and to begin the process of writing a new plan with involvement by Paul Gray, Justin Nelson, Bob Blackmore, Roberta Vanderwall, and input from BFRD and MCHD

		<ul style="list-style-type: none"> 2:1 (Wenholz and Drago v. Sykes) to write a letter of support for BFRD ambulances to be licensed despite legal counsel advice not to do so <p>Packet: https://www.co.morrow.or.us/sites/default/files/fileattachments/board_of_commissioners/meeting/packets/16576/4-5-23_agenda_packet_redacted.pdf</p> <p>Audio Recording: https://drive.google.com/file/d/1rotFWQsjtncwm9TPyuYdurMelferyz7d/view?usp=share_link</p>
4/5/23	<p>Emily Roberts, MCHD CEO Troy Bundy, Hart Wagner Senior Partner André Ourso, OHA Center for Health Protection Administrator Dana Selover, OHA Health Care Regulation and Quality Improvement Section Manager Justin Hardwick, OHA EMS & Trauma Systems Professional Standards</p>	<p>E-mail sent from Ms. Roberts to OHA staff requesting immediate guidance from OHA to clarify which ASA Plan currently controls in Morrow County. No response received.</p>
4/6/23	<p>Emily Roberts, MCHD CEO Troy Bundy, Hart Wagner Senior Partner André Ourso, OHA Center for Health Protection Administrator Dana Selover, OHA Health Care Regulation and Quality Improvement Section Manager Justin Hardwick, OHA EMS & Trauma Systems Professional Standards David Sykes, Morrow County BOC Chair Justin Nelson, Morrow County Counsel Roberta Vanderwall, Interim County Administrator</p>	<p>E-mail sent from Ms. Roberts to OHA and Morrow County staff requesting immediate clarification about which ASA Plan Morrow County Health District is being asked to operate under. Response from Mr. Hardwick stating, <i>“Without having an official record of any decision made by the Board of Commissioners relating to the Ambulance Service Plan, the Authority cannot make any statements or assessments about that. The approved plan on file with the Authority is the plan approved on March 24, 2022. Questions about which plan Morrow County is operating under would need to be addressed to the County.”</i> Response sent from Ms. Roberts to group requesting clarification from Morrow County staff.</p>
4/6/23	<p>Bob Blackmore, Innova Legal Advisors Attorney Troy Bundy, Hart Wagner Senior Partner Justin Nelson, Morrow County Counsel Roberta Vanderwall, Interim County Administrator</p>	<p>Mr. Blackmore clarified via e-mail Morrow County’s stance that, <i>“Ordinance MC-C-98 was duly passed by the BOC in 1998. It is the only ASA Ordinance that has been legally approved by Morrow County. I agree with you that it is old, it is outdated, and based on my information, has never been approved by the OHA. Nevertheless, it is the only ASA Ordinance that has been approved by the county, it has never been repealed, and it is the active ASA Ordinance.”</i> Mr. Blackmore confirmed Morrow County’s intent to proceed with writing a new ASA Plan.</p>
4/6/23	<p>Boardman Fire Rescue District Jack Caynon, Sussman Shank Troy Bundy, Hart Wagner</p>	<p>BFRD communicated through attorney Jack Caynon their intent not to participate in mediation scheduled for 4/17/23 and their intent to not appear for the hearing scheduled for 5/12/23.</p>