

CUMBERLAND COUNTY FIRE CHIEF'S ASSOCIATION  
CUMBERLAND COUNTY, NORTH CAROLINA  
P.O. BOX 2592  
FAYETTEVILLE, N.C. 28302-2592

MONTHLY BUSINESS MEETING  
9-25-95

THE MEETING WAS HOSTED BY COTTON FIRE DEPARTMENT, STATION 4. PRESIDENT JAMES E. HALL CALLED THE MEETING TO ORDER AT 1945 HOURS. CHIEF OWEN HARRIS AND HIS LADIES AUXILIARY WERE THANKED FOR THEIR HOSPITALITY AND MEAL. BRUCE COX WAS GIVEN A PLAQUE BY COTTON FIRE DEPARTMENT FOR HIS YEARS OF HELPING OUT.

ROLL WAS CALLED: 19 DEPARTMENTS WERE REPRESENTED AND 10 ASSOCIATE MEMBERS PRESENT.

SECRETARY AND TREASURER REPORTS WERE APPROVED AS PRESENTED. CHIEF FREDDY JOHNSON, SR. WILL BE INTERIM TREASURER DURING JR.'S ABSENCE.

GUESTS:

MR. VIRGIL E. ONEAL, HYDRANT LOCATOR GAVE A PRESENTATION ON NEW TYPE BAND TO GO AROUND HYDRANTS TO LOCATE SAME.

MR. DAVID GASTIN REPRESENTING 3 M COMPANY, GAVE A PRESENTATION ON SIGNAL LIGHT CHANGING FOR EMERGENCY VEHICLES.

OLD BUSINESS:

PRESIDENT INFORMED ASSOCIATION THAT TWO COUNTIES HAS SIGNED AN AGREEMENT WITH US ON THE FOAM TRAILERS. HARNETT AND HOKE. CHIEF JOHNSON SAID FOAM IN UNIT I HAS BEEN PAID FOR FROM HOPE MILLS DONATION OF MONEY.

NEW BUSINESS:

CHAPLAIN NORMAN E. MITCHELL SPOKE TO ASSOCIATION ABOUT HOW TO GET WITH HIM IF ANYONE IS NEEDING HIS HELP. HE WOULD LIKE ALL DEPARTMENTS TO HAVE THEIR CHAPLAINS TO GET WITH HIM.

AN APPLICATION HAS BEEN SUBMITTED FROM CARL D. SMITH, LAFAYETTE VILLAGE FIRE DEPARTMENT, FOR THE ARSON TASK FORCE.

CUMBERLAND COUNTY RETIRED FIREFIGHTERS ASSOCIATION REQUESTED TO BECOME AN ASSOCIATE MEMBER. APPROVED.

PRESIDENT HALL BROUGHT UP LETTER FROM IAFC ON CHANGING OF OUR RADIO SYSTEM. CHIEF NICHOLS STATED WE NEED TO START WORKING ON A NEW RADIO SYSTEM.

COMMITTEE REPORTS:

NONE

FIRE MARSHALL- MR. STRICKLAND REQUESTED THAT FIRE CONDITION REPORTS BE COMPLETED AND RETURNED TO HIS OFFICE BY SOME STATIONS NOT DOING IT IN TIME.

FTCC- MR. VILE STATED UPDATED CLASSES, THAT WAS TO GIVEN OUT WILL BE DELAYED. WILDLAND FIRE CLASS AT STATION 24, 7PM, 9-26-95. EASTERN FIRE SEMINAR- SO FAR 42 CLASSES HAS BEEN SCHEDULED. IT HAS GONE TO PRINTERS AND WILL PROOF READ WHEN BACK THEN SEND OUT SOMETIME IN NOVEMBER. INFORMED ASSOCIATION OF NEW INSURANCE FOR SEMINAR AT COST APPROX. \$968.00 FROM VIF. IS BEING DISCUSSED AT THIS TIME.

SHERIFF'S OFFICE-ARSON TASK FORCE COMMANDER FREDDY JOHNSON, SR. STATED THAT ARSON TASK FORCE WAS FULL AND ALL APPLICATION WILL BE HELD TILL OPENING. TALKED ABOUT BUS FIRES HAPPENING IN OUR SCHOOL YARDS AND HELP KEEP EYE ON SAME FOR SHERIFF.

ASST. CHIEF TRACY SMITH INFORMED ASSOCIATION OF OPEN HOUSE AT STATION 3, OCT. 7, 1995.

FRED STATION 14, THANKED ALL FOR HELPING OUT DURING WILLIAM CLARK, CHIEF OF MANCHESTER FIRE DEPARTMENT, WIFE PASSING AWAY.

CHIEF JAMES HALL THANKED ALL WHO HELPED OUT DURING PASSING AWAY OF FORMER CHIEF WINSTEAD.

THERE BEING NO FUTHER BUSINESS, THE MEETING WAS AJOURNED AT 2100 HOURS. CUMBERLAND ROAD FIRE DEPARTMENT WILL HOST THE OCTOBER MEETING, DINNER WILL BE SERVED.

RESPECTFULLY,

  
DICK D. DYER  
VICE PRESIDENT



# CUMBERLAND COUNTY FIRE

## DEPARTMENTS

### FIRST RESPONDERS PROGRAM

The purpose of this program is to establish guidelines for all departments which are able and willing to participate. These guidelines are "bare minimums" and in no way dictate the level of service an individual station may render. It will be up to each station's board of directors to determine the amount of service they will be able to provide.

This committee's responsibilities are to establish common goals with the Department of Emergency Services, and to answer the objections of any fire department regarding the role they may have.

#### LEVELS OF SERVICE

As presented to the Fire Chief's Association, the levels of service are as stated below.

- |           |  |
|-----------|--|
| Level "A" | Basic First Aid and C.P.R.   |
| Level "B" | Basic First Responder (40 hour) as specified in the National First Responders Course |
| Level "C" | Basic E.M.T.   |

If your fire department wishes to participate in the First Responders program, you will have to notify E.O.C. in writing regarding the level of service you intend to offer. All departments will not be able to offer the same level of service and are not expected to, but this will help in planning emergency services.

- |           |  |
|-----------|--|
| Level "A" | This level is as it reads. You will only be expected to offer a level of service that will include basic first aid ( the bandaging of cuts and open wounds) and performing C.P.R.                                    |
| Level "B" | This will take a little more time on the part of the participating fire department as they will have to complete the National First Responder 40 hour course and then each must complete a 24 hour refresher yearly. |

Level "C"            The participating fire department will have to ensure that they will provide at least a level of service equal to Basic E.M.T.

In the following pages, we will try to cover as much as possible to answer the questions each department may have.

The minimum level of service any fire department should commit to, if they choose to participate is level "A". This would ensure that at least anyone responding would have at least the 12 hr. Red Cross C.P.R. class and

To the Cumberland County Board of Commissioners, Question?  
Can we as fire departments legally do this with the contracts we now have with the county, and, if so, can we get financial aide to help cover the additional expense we will incur?

These questions are answered with the letter from the office of the County Attorney dated September 22, 1995. Copies attached.

At this time, The Board of Commissioners are not going to take a stand for or against. They feel we as a whole should be able to work with E.M.S. in devising a plan to enhance our operations. By establishing a criteria of minimum response, we should not put an undo burden on the departments with less capabilities, but still offer a level of service the people of our county deserve.



**COUNTY OF CUMBERLAND  
OFFICE OF THE COUNTY ATTORNEY**

**GARRIS NEIL YARBOROUGH**  
County Attorney

P.O. DRAWER 1829  
FAYETTEVILLE, NORTH CAROLINA 28302  
TELEPHONE (910) 678-7762  
FACSIMILE (910) 678-7758

**BRENDA M. FOREMAN**  
Senior Staff Attorney

**ELAINE J. BOWSER**  
Administrative Supervisor

**DANNY G. HIGGINS**  
Staff Attorney

September 22, 1995

**DOUGLAS E. CANDERS**  
Staff Attorney

**MEMORANDUM**

**TO: MARSHALL FAIRCLOTH, COUNTY COMMISSIONER**  
**FROM: GARRIS NEIL YARBOROUGH, COUNTY ATTORNEY**  
**SUBJECT: MEDICAL RESPONSE FROM FIRE DEPARTMENTS**

In response to your memo regarding current contract status of the fire departments providing emergency medical response, the answer is "no they are not legally authorized to provide medical response under our existing fire protection contract." My reasons are as follows:

1. The title of the contract is "Contract for Fire Protection Services". Paragraph 1(a) states "The primary responsibility of the fire department shall be to furnish adequate fire protection ..." it then goes on to give other fire related responsibilities.
2. Under 1(f) Use of Funds Provided, says that the fire department shall ..."solely and exclusively to provide the fire protection services set forth above."
3. Throughout the contract, there are numerous references to fire protection and no reference to medical response.

There is also a subquestion to the first question and that is "can we get financial aide to help cover these additional expense?" I believe the answer to that is also "no." The fire departments' source of funding are their fire protection fire tax district. They are getting all of their fire tax money now; therefore, there is no more money to get.

In response to your second question, as noted above, there is no agreement requiring them to respond; therefore, no obligation for them to respond. However, if they do

voluntarily respond, they could incur liability for any negligence associated with the response.

There are two broader questions that have not been asked, but probably should be addressed. Those are:

1. "Are the fire departments corporate charters sufficiently broad to cover medical response." The answer to this question would require a department-by-department review.
2. "Are the fire departments statutorily allowed to provide medical response." The answer to this question is yes. N.C.G.S. 69-25.4 states "For the purpose of this Article, the term "fire protection" and the levy of a tax for that purpose may include the levy, appropriation, and expenditure of funds for furnishing emergency medical, rescue and ambulance services to protect persons within the district from injury or death; and the levy, appropriation, and expenditure of the tax to provide such services are proper, authorized and lawful."

I hope this response answers the fire departments concerns. However, I will try to attend the next Fire Chief's meeting for further elaboration.

GNY/ejb

J:\CA\CR\BCNYCRFD.9M5

# Volunteer Firemen's Insurance Services of North Carolina

P.O. Box 12825 • Raleigh, North Carolina 27605

919-755-1401  
1-800-726-1228  
FAX 919-755-1125

October 16, 1995

Mr. Lamar Johnson  
P. O. Box 489  
Fayetteville, N. C. 27302

Re: Cumberland County First Responder Program

Dear Lamar:

This letter will summarize our discussions last Monday night concerning the above subject. Please call if there are other questions. I will be happy to attend additional meetings if necessary.

We discussed the insurance coverages needed for those departments that participate in the program. For those that are insured through VFIS there will not be a need to purchase additional coverages and these departments will not see an increase in their insurance cost. Your current policies provide both the medical malpractice and errors and omissions coverage needed.

We discussed whether it was legal to participate with the current county contract. The contract only states what you must do as a department to receive the fire tax. It does not limit your activities. I would, however, suggest that you check your charter and determine if you are limited to fire suppression activities. If so, you should change your charter to allow you to provide "any emergency services as determined by the Board of Directors".

The question was asked about increased exposures. There will be increased exposures. Any time you increase the number of responses you will increase your exposure. Departments all across the state are successfully involved in first responder programs and we have not seen increased claim activity because of this with the exception of auto claims. Of course, this is caused by additional usage. Departments should understand that they will normally answer two to three times the number of first responder calls as they do fire calls.

One department discussed the lack of available members to respond. This is a problem regardless of what type of calls you respond to. Basically, if you cannot do the job do not accept the responsibility. Regardless, the first responder program is a good undertaking and if you are responding to all 10-50s you might be half way there.



Volunteer Firemen's  
Insurance Services, Inc.

A MEMBER OF THE FIREMEN'S INSURANCE GROUP



To our individual insurance companies. Question? Do we have the proper coverage or will we need to increase our coverage, and what will be the cost?

This again would have to be on a one to one basis between the individual fire department and their insurer and to what level of service they intend to offer. As it stands right now, if you have your insurance thru V.F.I.S. Co., you are covered for any medical service you would be able to perform. A letter of explanation from Cloyis Anders of V.F.I.S. Is attached. Again, talk with your individual insurance companies.

# Volunteer Firemen's Insurance Services of North Carolina

P.O. Box 12825 • Raleigh, North Carolina 27605

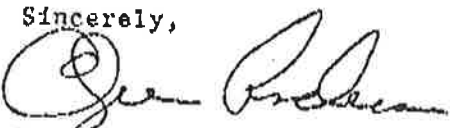
755-1401  
1-800-726-1228  
FAX 919-755-1125

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I informed the group that OEMS has proposed a number of changes that will apply to the first responder programs in the future. First responders will be certified by OEMS and defibrillation will be a standard part of this work. Of course, with certification comes training requirements.

Lamar, thank you for working so hard for the emergency services in your area. We insure 1,249 departments in North Carolina and I know that the departments in your area are very fortunate to have you on their side. Call if you need me.

Sincerely,



W. Cloyce Anders, President  
VFIS of North Carolina



**Volunteer Firemen's  
Insurance Services, Inc.**

Another area you must cover is your individual station's Corporate Charters. You may have to have your board of directors' add an amendment to specify performing medical services.

The county contracts can be amended by the county attorney to authorize medical response.

Below are some of the questions that have been asked of the county attorney.

would we have to define, in our individual contracts, what level of service we could offer? Basic first aid, 1st responder, E.M.T.

Would the county want that many different contracts?.

What if a particular station decides they can not offer any level of service? Should and would the next mutual aid station be called into that area?

Can a fire department request that no mutual aid for a medical call be allowed in their area?

If a station elected to have their contract changed and they missed a fire call because of a medical call, what liability would they incur?

Are or would the fire departments part of the E.M.S. system?