

# **RECORD OF PROCEEDINGS**

## **REGULAR MEETING OF THE SOUTHWEST ADAMS COUNTY FIRE PROTECTION DISTRICT BOARD OF DIRECTORS**

A regular meeting of the Southwest Adams County Fire Protection District Board of Directors was held on August 18, 2011, at 3365 West 65<sup>th</sup> Avenue, Denver, Colorado. Board Members in attendance were: Greg Neal, Ken Ciancio, Harold Lewis and Anthony Spano. Others in attendance were: Chief Ditolla, District Legal Counsel Michelle Ferguson, Andy Neff with Cherry Creek Benefits, Gary Fletcher, Pete Higdon, Mike Tavalez, Thomas Jeffries, Carrie Porter, her husband Shaun, her son and daughter, Doug Schwindt, Joe Nichol, Doug Owens, Matt Leete, Heath Sayers, Larry Gentry, Jim Smith, and Kaye Lombardi.

**CALL TO ORDER** – President Neal called the meeting to order at 7:00 p.m. Director Spano moved to excuse the absence of Randy Ferguson. Director Lewis seconded. Motion passed.

**ADDITIONS OR DELETIONS TO THE AGENDA** – None.

**ANNOUNCEMENTS AND GUESTS** – There were no announcements. Guests in the audience introduced themselves at this time, including Larry Gentry, owner of Softball Country, and Jim Smith, boxing promoter.

**CORRESPONDENCE** – None.

**MINUTES OF THE JULY 21, 2011 BOARD MEETING** – Director Spano moved to approve the minutes of the July 21, 2011 Board meeting as written. Director Ciancio seconded. Motion carried.

**BILLS** – The bills were reviewed and approved by the Board.

**FINANCIAL REPORT** – Director Spano moved to approve the July 21, 2011 financial report. Director Lewis seconded. Motion carried.

**LARRY GENTRY – TELEVISED BOXING MATCH**—Mr. Gentry complained about enforcement actions relating to his plans to hold an internationally-televised boxing match with approximately 3000 people in attendance. He asked why, after he has put on 17 fights, the fire department is now trying to regulate these shows. Mr. Gentry claimed that he had been told by Marty Flaum and Skip Fischer of the "County" that he could do anything he wanted to do, and that he informed Inspector Pete Higdon of that permission. Mr. Gentry further stated that his event only came to the attention of the fire department because he asked at the fire station for permission to fill four ballards with water. He stated that District medics had responded during fights to calls for transports to the hospital and that therefore the District "knew" he was holding fights, and had never previously suggested issues with the fire code.

Mr. Smith also provided insight on his business and operations, and the number of regulations and governing bodies overseeing his events. He is concerned that an additional layer of regulation by the District would mean he could no longer hold fights at Softball Country.

At the end of the discussion, Mr. Gentry and Mr. Smith asked for clarity and direction in holding future events, noting that the previous events have been well-received and well-attended, and are good publicity for the area.

Chief Ditolla's only comment at this time was to respond that the fact the District and some of its personnel provided transports from his events did not mean that the District's Fire Bureau knew about the fights being held at Softball Country.

President Neal thanked the gentlemen for attending, stated that the Board would take the matter under review, and that Mr. Gentry and Mr. Smith would be advised of its findings.

**CHERRY CREEK BENEFITS – INSURANCE OPTIONS** – Andy Neff addressed the Board regarding a 20.7% increase in the Kaiser health insurance premiums for policy year 2011-2012. The total increase would be \$61,000 for medical insurance, which breaks down to a \$49,000/\$12,000 yearly split between the District and its employees.

Mr. Neff reported that he sent employee applications for a quote from Cigna, a partially self-funded carrier which would keep benefits about the same but offer a 3.3% decrease in premiums. Cigna required a full medical underwriting to finalize the rates, which came in \$45,000 less than Kaiser's. Cigna also offers the possibility of the return of funds at year-end, should the group's expenses be less than were projected.

Mr. Neff stated that District personnel should not encounter problems in finding a physician or a hospital as Cigna coverage is accepted by 90% of doctors and the only hospital not covered is Denver Health. He also outlined other advantages of Cigna coverage. Employees in attendance were given an opportunity to make comments and ask questions about the switch.

Director Spano made a motion to move from Kaiser Permanente to a Cigna Health Insurance plan with a \$500 deductible; and to keep the current percentages as they are - the District paying 80% and the employee paying 20%. Director Ciancio seconded. Motion carried.

The new plan will become effective September 1, 2011.

**CARIE PORTER – FIREFIGHTER BADGE** – Chief Ditolla administered the Firefighter Oath of Office to Carie Porter and her husband, Shaun, pinned on her firefighter badge. Those in attendance applauded her and congratulated her on her hard work in earning her new position as firefighter.

**FIRE CHIEF'S REPORT** – Chief Ditolla added the following to his written report:

He brought the Board up-to-date on the repairs at Station 14. He is hoping to have the Station 14 crews back in the station by the first part of next week.

The District has agreed to have a 60-foot Adcom tower installed due to dead-air space at Station 11. Grant funding will pay for the infrastructure required to install the tower. Bill Malone of Adcom is working with the County to determine where the tower can be located. The tower will have a 4 foot base and be 12 feet deep. A total of fifteen sites throughout Adams County will have towers installed.

Director Spano moved for Chief Ditolla to sign the agreement with Adcom, pending County approval, and other changes necessary relating to the construction of the tower. Director Neal seconded. Motion carried.

Linda Carroll, owner of Healthcare Billing, has asked Chief Ditolla if the District has considered offering subscriber service to District residents. Chief Ditolla will invite Ms. Carroll to attend the next Board meeting and provide information regarding this service.

The next regularly-scheduled Board meeting will be canceled as it conflicts with the Special District Association Conference being held the same week. If a meeting is necessary it can be held before or after the Conference.

The Chief asked for an executive session to discuss a personnel issue

President Neal put the other agenda items, starting with "Citizens Input" ahead of the Executive Session.

**ATTORNEYS' REPORT** –Attorney Ferguson had nothing to add to her written report included in the Board packet.

**CITIZENS INPUT**—None.

**EXECUTIVE SESSION** – Director Spano moved to go into executive session at 8:30 p.m., pursuant to C.R.S. § 24-6-402(4) (b) and (f), to receive advice of legal counsel regarding personnel matters. Director Lewis seconded. The motion carried. Attorney Ferguson certified for the record that the Executive Session discussion constituted a privileged attorney-client communication and was not recorded.

Director Spano moved to come out of executive session and return to open session at 8:50 p.m. Director Lewis seconded. Motion carried.

**ADJOURNMENT** – Director Lewis moved to adjourn the meeting at 8:50 p.m. Director Ferguson seconded. Motion carried.

Director Neal adjourned the meeting at 8:50 p.m.

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Anthony Spano, Secretary

I hereby attest that the information communicated during the Executive Session, which was not recorded, constituted privileged attorney-client communications.

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Michelle B. Ferguson, Esq.

I hereby attest that the Executive Session, which was not recorded, was confined to the topics authorized for discussion in Executive Session, pursuant to C.R.S. 24-6-402(4)(b) and (f).

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Greg Neal, President