

Draft Agenda
Estes Park Health Board of Directors' Special Meeting by GoToWebinar
Thursday, March 2, 2023
4:30 pm -5:30 pm
Estes Park Health, 555 Prospect Avenue, Estes Park CO 80517

Regular Session		Mins.	Procedure	Presenter(s)
1	Call to Order and Welcome	1	Action	Dr David Batey
2	Approval of the Agenda	1	Action	Board
3	Public Comments on Items Not on the Agenda	4	Information	Public
4	General Board Member Comments	1	Information	Board
5	Presentations, Discussions, Actions:			
5.1	Shall the following ballot issue be submitted to the voters of the Park Hospital District at the regular Board of Director's election on May 2, 2023: "Without imposing any new tax or increasing any tax rate, shall Park Hospital District, doing business as Estes Park Health, be authorized to enter into one or more agreements, constituting a multiple fiscal year financial obligation within the meaning of Article X, Section 20(4)(b) of the Colorado Constitution, with one or more non-profit health care providers concerning the ownership, operation, and maintenance of all or any portion of the District's hospital and other healthcare and related facilities and assets, including the lease or other conveyance from the District of real and personal property, and to pledge all or any portion of the District's revenues pursuant to such agreements?"	20	Discussion	EPH Board, Senior Leadership Team, Community Members
5.2	Resolution 2023-01:	5	Action	EPH Board
6	Adjournment	1	Action	Board
Estimated Total Special Session Mins.		33		
Next Regular EPH Board Meeting: Monday Mar 27, 2023 5:30 - 7:30 pm				

RESOLUTION 2023-01

**FOR THE REGULAR ELECTION TO BE HELD MAY 2, 2023
BALLOT ISSUE**

WHEREAS, a regular special district biennial election for Board Candidates of the Park Hospital District (“District”) shall be conducted in accordance with Local Government Election Code, Title 1, Article 13.5, C.R.S., and all laws amendatory thereof and supplemental thereto; and

WHEREAS, the terms of office of Directors Alper, Pinkham, and Muno shall expire after their successors are elected at the regular election to be held on May 2, 2023 (“Election”) and take office; and

WHEREAS, pursuant to Article X, Section 20(4)(b) of the Colorado Constitution (“TABOR”), District must have voter approval in advance for the creation of any multiple-fiscal year direct or indirect district debt or other financial obligation whatsoever without adequate present cash reserves pledged irrevocably and held for payments in all future fiscal years, other than refinancing district bonded debt at a lower interest rate or adding new employees to existing district pension plans; and

WHEREAS, TABOR further requires that ballot issues shall be decided in a state general election, biennial local district election, or on the first Tuesday in November of odd-numbered years; and

WHEREAS, in accordance with the provisions of TABOR, the Special District Act (“Act”) and the Uniform Election Code (“Code”), in addition to electing three (3) Directors to serve for terms of four (4) years, the Election shall be conducted to authorize the creation of a multiple-fiscal year financial obligation; and

WHEREAS, the Board of Directors of the District has determined and hereby declares that the interests of the District and the public interest and necessity may require that the District create one or more multiple-fiscal year financial obligations to carry out the objects and purposes of District; and

WHEREAS, the objects and purposes for which the creation of one or more multiple-fiscal year financial obligations is proposed shall be to enable arrangements with one or more non-profit health care organizations to operate all or any portion of the healthcare and related services currently provided by Estes Park Health; and

WHEREAS, the Board of Directors believes that arrangements with one or more nonprofit health care organizations will facilitate the continued availability of local health care services, allow access to commercial payer networks and specialty care to address the health care needs of District residents for many years into the future; and

WHEREAS, it is necessary to submit to the eligible electors of the District the question of

creating one or more multiple-fiscal year financial obligations and the Board hereby determines that such question should be presented to District's eligible electors at the Election, in accordance with the Code and TABOR.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS FOR THE PARK HOSPITAL DISTRICT THAT:

- (1) The ballot title for the question of creating one or more multiple-fiscal year financial obligations shall be in substantially the form shown on Exhibit A attached hereto and incorporated herein by this reference; and
- (2) The Board previously named Sarah Shepherd as Designated Election Official and Rachel Ryan as Deputy Designated Election Official for the regular biennial special district election scheduled for May 2, 2023; and
- (3) The Board hereby authorizes and directs the Designated Election Official to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution, the Act, TABOR, Code, or other applicable laws. The Election shall be conducted in accordance with the Act, Code, TABOR, and other applicable laws. Among other matters, the Designated Election Official shall arrange for the required notices of Election, including the TABOR notice, and direct that all other appropriate actions be accomplished; and
- (4) Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable; and
- (5) Repealer. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with the Resolution are hereby repealed to the extent only of such inconsistency of conflict; and
- (6) Effective Date. The provisions of this Resolution shall take effect _____.

ADOPTED AND APPROVED this ___ day of _____, 2023.

PARK HOSPITAL DISTRICT

By: _____
David M. Batey, Chair

ATTEST:

Diane Munro, Secretary

EXHIBIT A

TO RESOLUTION 2023-01

BALLOT ISSUE

Without imposing any new tax or increasing any tax rate, shall Park Hospital District, doing business as Estes Park Health, be authorized to enter into one or more agreements, constituting a multiple fiscal year financial obligation within the meaning of Article X, Section 20(4)(b) of the Colorado Constitution, with one or more nonprofit health care providers concerning the ownership, operation, and maintenance of all or any portion of the District's hospital and other healthcare and related facilities and assets, including the lease or other conveyance from the District of real and personal property, and to pledge all or any portion of the District's revenues pursuant to such agreements?