

**Ridgway Fire Protection District**  
**Special Meeting**  
**September 9, 2024**

**CALL TO ORDER & ROLL CALL**

Meeting called to order at 5:08 pm by Board Chair Christen Williams, at the Ridgway Fire Department located at 251 N. Railroad Street, Ridgway, Colorado. Also in attendance were board members Pam Kraft, Jamie Gomez, Adam Johnson, and Terry Schuyler; RFPD Chief Chris Miller; RFPD attorney Bo Nerlin; Ouray County Plaindealer reporter Lia Salvatierra; as well as several representatives from other local government agencies.

**CHANGES TO THE AGENDA INCLUDING ADDITIONS & DELETIONS**

❖ MOTION by Schuyler to approve the 9/9/24 agenda as submitted. SECOND by Gomez. ALL IN FAVOR.

**APPROVAL OF 7/22/24 AMENDED SPECIAL MEETING MINUTES**

❖ MOTION by Kraft to approve the 7/22/24 special meeting minutes as amended to include the board's approval to have Williams sign an engagement letter to move forward with Lyons's Gaddis. SECOND by Schuyler. ALL IN FAVOR.

**BUSINESS**

**Presentation by John Chmil of Lyons Gaddis regarding possible consolidation of Ouray County Fire and EMS agencies.**

John Chmil, an attorney with Lyons Gaddis, appeared via video call to provide an initial overview of some of the options to the RFPD and other local government partners to form a single entity to provide emergency services within Ouray County. Mr. Chmil noted that there are two primary options for consolidation; the first being a merger, or statutory consolidation, under Title 32, in which a single special district entity is created from the dissolution and then merging of all the other government entities. There are three types of merger options. For a true statutory consolidation to happen, the board from two or more special districts would have to create and sign resolutions agreeing to go through an election process comprising of the citizens of ALL involved special districts and create a single new special district that overlays the existing service areas of those two or more special districts. In addition, oftentimes, within that vote is the proposition to create a whole new mill levy for that new single special district. However, the mill levy question is not mandatory as the district could decide to simply use the lowest mill levy of the combining districts. Furthermore, if only two districts decide to consolidate, one would be dissolved and included into the other; also called dissolution/inclusion. In that case, only the citizens within the district being dissolved would vote and is not such a major shift. However, the inclusion district would have to decide whether their current mill levy is sufficient and then decide to have the citizens vote on a mill levy increase. A final type of merger is called the Administrative Property Transfer, which is also specific to Fire Protection Districts, and essentially states that a fire protection district may voluntarily exclude all its property in the district if another fire protection district agrees immediately to include it and provide the same service. This seems to make the most sense when the taxes of the district being included will decrease, making it so an election would not be required. Essentially, a merger would happen through resolutions of the board and a boundary change authorized by the court. For all three merger options, the timeline to make it happen is rather long, but there would be a uniform mill levy with potentially more money provided for funding needs.

The second option is the creation of an Authority model under Title 29, that essentially allows for the creation of a new separate local government entity based on a contract between two or more local governments that provide the same services. This new entity would overlay all the service areas and provide fire and

emergency service within the authority area. The combination of municipalities and fire protection districts is a very common authority structure in Colorado. Furthermore, other local governments can be included under the Authority. Basically, the Authority would be the employing entity that would have the personnel and own the infrastructure to provide the service delivery through the combined service area. The unique piece is that the authority is created through a contract between all involved parties. None of the underlying entities would be dissolved. They would stay intact, and because authorities do not have an independent power to tax. Thus, the mill levies in each district/local government would stay the same. The authority model is “the creation of a new entity that’s reliant on pass-through funding.” Yet, the authority would be able to apply for grant funding for the overall service area. Schuyler questioned what the benefit would be for consolidation, whether it be a merger or authority for the residents of the districts. Chmil responded that it really comes down to the economies of scale and efficient use of resources for all the citizens of the service areas with one operational entity running everything.

In Ouray County, there are a mix of emergency government agencies including special districts, municipalities, a city and a county. Thus, there may be the option to “mix” the two approaches where the special districts merge and then create an Authority contract with the City of Ouray and Ouray County.

**Executive Session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice regarding shared services, intergovernmental agreements and District consolidation.**

- ❖ MOTION by Kraft to enter into executive session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice regarding shared services, intergovernmental agreements and District consolidation. SECOND by Schuyler. ALL IN FAVOR.

Executive session conducted from 6:13 pm to 6:47 pm.

**Executive Session pursuant to C.R.S. 24-6-402(4)(a) regarding the purchase, acquisition, lease, transfer or sale of any real property, to discuss the District’s ownership of Lot 26, Trail Town Subdivision.**

MOTION by Johnson to enter into executive session pursuant to C.R.S. 24-6-402(4)(a) regarding the purchase, acquisition, lease, transfer or sale of any real property, to discuss the District’s ownership of Lot 26, Trail Town Subdivision. SECOND by Kraft. ALL IN FAVOR.

Executive session conducted from 6:48 pm to 7:13 pm.

**ADJOURNMENT TO THE 9/16/24 REGULAR MONTHLY MEETING**

- ❖ MOTION by Kraft to Adjourn. Second by Schuyler. ALL IN FAVOR.

Meeting Adjourned at 7:30 pm.

Respectively Submitted,  
-Katy LaSala