

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE COLORADO CENTRE METROPOLITAN DISTRICT  
REGARDING PAYMENT OF INSURANCE DEDUCTIBLE  
FOR CLAIMS AGAINST FIREFIGHTERS OR FIRE DEPARTMENT**

**RESOLUTION No. 2009-07-23.3**

**WHEREAS**, the Colorado Centre Metropolitan District ("the District") is organized pursuant to COLO. REV. STAT. § 32-1-101 *et seq.* ("Special District Act");

**WHEREAS**, on April 23, 2009 the District re-opened the fire station offering firefighting and first responder emergency services to the community;

**WHEREAS**, pursuant to agreements with the firefighters as independent contractors, the District has provided liability insurance for potential claims against the fire department and the individual firefighters;

**WHEREAS**, in the event of any claim for which legal liability is found and damages awarded to the claimant, a deductible of \$2,500 applies before the insurance will cover the claim liability amount, up to the policy limit;

**WHEREAS**, the District Board of Directors has determined it is appropriate for the District to cover the claims deductible in certain circumstances;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

The Board of Directors hereby approves payment of some, or all, of the insurance deductible for claims brought against the District's fire department and/or the firefighters contingent on the following conditions:

1. The claim does not involve an intentional or a grossly negligent act or omission by the firefighter(s);
2. Any deductible payment is made conditional on the liability adjudged against the fire department and/or firefighter(s), if any; and
3. If the fire department and/or firefighter(s) are adjudged liable for an intentional or a grossly negligent act or omission, the District may seek to recover the deductible payment from the firefighter(s) responsible for the liability.

**AND FURTHER RESOLVED**, the District Manager is hereby authorized to take such actions, including the negotiation of additional agreements as he deems reasonably necessary, to carry out the terms of this Resolution, and District staff are directed to assist in and otherwise take all actions necessary to carry out and/or implement the same.

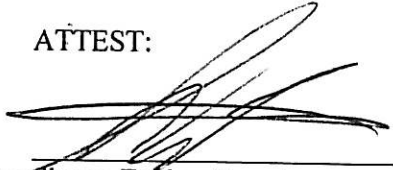
The foregoing is a true copy of a resolution adopted by the Board of Directors of the Colorado Centre Metropolitan District by unanimous vote at a public meeting on the 23<sup>rd</sup> day of July, 2009.



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Michael Cantin, President

ATTEST:



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Shawn Eccles, Secretary