

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, February 5, 2013 at 7:21 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Baca Gonzalez, presiding
	Councilmembers	Bolton, Bonato, Mattie, Miles, Shew, Velasquez
Also present:	Acting City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett

The pledge of allegiance was recited.

APPROVAL OF THE MINUTES. Regular Meeting of January 15, 2013 & Special Meeting of January 22, 29, and February 1, 2013. A motion to approve the minutes as presented was made by Councilmember Bolton and seconded by Councilmember Bonato. The motion carried by a unanimous roll call vote.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. Jenny Vincent addressed Council. She thanked Council for letting her speak and for their service to the City of Trinidad. She said she was addressing them for herself as well as others in attendance tonight. Ms. Vincent told Council that she served as the Assistant Business Office Director at Mt. San Rafael Hospital from April, 2011, until November 1, 2012. Also during her employment she said she served as Interim Business Office Director for over four months. She clarified that she and the other people present are not there as disgruntled former or current hospital employees, but rather they were there as very concerned citizens to ask questions that the hospital owes the community answers to. It is no secret to many in the community and probably to Council members that the hospital has serious issues. Ms. Vincent said she would touch on just a few of the concerns they have and it is only the tip of the iceberg. More questions and information will be forthcoming in the near future. Mt. San Rafael Hospital is a very critical part of the community and a very important element in any further business growth. During the past few years the hospital's financial situation continues to deteriorate. Physicians come and go at a rapid rate – six just in the past two years. It is very troubling to see the trend continue. Ms. Vincent said that QHR has managed the hospital for several years and the hospital stated that when they once again renewed the relationship with QHR at the beginning of 2012, it would be on a limited basis only and QHR would no longer employ the CEO and CFO of the hospital. Since that time the hospital's board of directors hired Bob Quist as CEO, who was a former QHR employee. Then they placed Tim Howard who was a current QHR employee as Interim CFO. Mr. Howard served as Interim CFO for one year with Mt. San Rafael Hospital. Most recently they hired David Rollins who was also a QHR employee. Ms. Vincent continued that it is very disturbing to her and many others that after losing \$171,066 in 2010, \$1,147,624 in 2011 and over \$1.1 million by September of 2012 that the hospital would choose to remain with QHR for a management company. QHR has a history of lawsuits by other hospitals due to financial losses, fraud, etc. She said she was providing copies of information regarding the same as well as documentation to support the other information she was providing. She questioned why the hospital would continue to work with QHR after the large losses it has sustained. They should have ended any relationship with QHR long ago. She also asked why they are now employing a CEO and CFO who are connected to QHR when it was specifically stated they would not. Ms. Vincent opined that the board members either don't care or are ignorant to what is going on at the hospital. She said they all feel the board members should be elected and not appointed. They also feel the board members and hospital administration need to explain to the citizens and hospital employees how they let the hospital get in this position. She further opined that it may be helpful to have an outside audit done. Other hospitals that QHR worked with were more significantly in debt than what was reported due to QHR's mismanagement. Ms. Vincent said having worked in the business office she knows Mt. San Rafael Hospital was averaging \$2 million in revenues per month. The financial problems at the hospital have a lot to do with the spending – not the revenue, which she said was brought to their attention many times. The hospital is paying outrageous salaries to certain employees and making purchases for items they don't have the money to pay for. Another issue she said is the community perception of the hospital. Many people have experienced poor service and substandard care and have thus chosen to go elsewhere. Ms. Vincent said she came here from the mid-west two years ago. She said they knew no one when they came and she accepted the position at the hospital. From their neighbors to the friends they have met she said there is a common thing they say – they go anywhere but Mt. San Rafael Hospital – which is sad because it is a nice hospital and sad because it has gotten in that position. Many people are tired of establishing with a new Primary Care Physician. Some patients have had to do this four times in less than two years. Even more unfortunate is despite the patients' patience with this unacceptable process, their physicians are made to leave or forced to leave. The issue of the hospital's inability to retain physicians is very troubling. Just recently she said the hospital let Dr. Leo Lopez go. Bob Quist stated to Dr. Lopez they needed more internal medicine doctors and not pediatricians. This made no sense since Dr. Lopez is not only board certified in pediatrics but also in internal medicine. He was the only one in the hospital board certified in both specialties. Ms. Vincent said she strongly suspects that Dr. Lopez is being let go because he too brought his concerns to the hospital's administration. It is very troubling to see a great doctor leaving while they choose to retain certain physicians who provide substandard medical care or have had sanctions from the Medical Board of Colorado. She exemplified that Dr. Porterfield is the family practice physician who currently serves as the medical staff liaison to the hospital board. Dr. Porterfield has had past problems with substance abuse with marijuana, cocaine and alcohol, which is stipulated in a Board order. He had lied to the Idaho Medical Board during his license application and has had to surrender his license to practice there. She said she would provide proof to Council that Dr. Porterfield is actually on probation with the Colorado Medical Board due to his past substance abuse. Per Dr. Porterfield's probation, one of the many stipulations is that he cannot take call in the hospital. What this means is that he should not be taking care of patients in the hospital during his probationary period. The hospital administration and worksite monitor, who she assumes is another physician employed at Mt. San Rafael, are aware of this probation yet have knowingly allowed him to take call at the hospital since approximately one week after he was employed. She said she will show that stipulation from the Colorado Medical Board, and the call schedules illustrating that one day after the stipulation was signed is when he began taking call. Why does our hospital have this physician employed and why is he on the hospital board? Why would a doctor with this history be hired and what would citizens of the community do if

they knew the facts? This is all public information on the DORA website. She continued that this negligent action on the part of the administration emphasizes the fact that they don't care for the safety of this community's citizens. They are willing to place the lives of the citizens in the hands of someone who might still be under the influence of illicit substances. Ms. Vincent said another physician of concern is Dr. Ronald Dalton. This physician has been advertised by the hospital as someone who knows cardiology. In a recent article published in the Chronicle News he was described as the one responsible for running the hospital's cardiac or heart programs. She said the facts are that he was trained as an internist in pediatrics, but he never passed the certification exam for internal medicine, meaning he's not officially an adult doctor – he's certified in pediatrics. Obviously, he's not a cardiologist, yet he's the chief medical officer over the cardiac stress lab and being paid over \$400,000 per year – almost twice what other doctors are being paid. EKG and stress test results are being read by Dr. Dalton. She reiterated that he has no certification in internal medicine and no cardiology fellowship training. Ms. Vincent said they have more concerns regarding this that will be discussed at a later date and reiterated that neither she nor anyone with her is a disgruntled former employee. She said she brought concerns to administration while she was an employee and even told them if she lost her job for telling the truth, so be it. Some of the concerns she brought to administration while employed she said included possible fraud and HIPAA violations, as well as other issues. She said she was targeted many times for telling the truth and even told administration that they doesn't seem to want to deal with the truth. She opined that is why the hospital is in the condition that it is. That's why the public is fed up. They all feel that enough is enough and something needs to change in order for our hospital to survive and for the public to feel like they can once again count on Mt. San Rafael Hospital to provide quality care and earn the trust of the community. It is essential that Trinidad can offer great health care to the community to bring other businesses here, to bring teachers here to our schools and so our citizens don't have to travel outside of Trinidad for their healthcare needs. Ms. Vincent provided copies of the documentation to the City Clerk to provide to the City Council. She pointed out that even on Mt. San Rafael's website today it states 'we are a stable organization that is financially sound.' She opined that to not be an accurate depiction of what's going on. Mayor Baca Gonzalez told Ms. Vincent that the City Council and City has no direct control over Mt. San Rafael Hospital. Ms. Vincent said she felt it important because it does affect the City and its citizens. Mayor Baca Gonzalez agreed and added that it affects the City's ability to attract and retain economic development. Councilmember Mattie asked Ms. Vincent her expectations of Council. Ms. Vincent said she wanted to bring it to Council's attention, reiterating that she will have a target on her back. But she said she is not saying anything that's not the truth. She added that while she was employed there she had been disciplined for telling the truth. She reiterated that she is not from here and is appalled at things she saw. Originally she thought citizens were being harsh on the hospital but having been on the inside she said she understands their frustrations and concerns. Upon inquiry she reiterated that she was there from April 2, 2011 until she was laid off on November 1, 2012.

Era McCarthey addressed Council regarding Mt. San Rafael Hospital. She told Council that she has no inside information and the reason she was addressing Council is because Council is their voice. Ms. McCarthey said she has two babies who she takes to Pueblo for medical care. She said she has always gone to Pueblo because everyone told them when they located here that the medical care was so bad. When she was six months pregnant with her son she was involved in a terrible car accident and she couldn't drink or eat. The emergency room couldn't do an ultrasound because she didn't have enough fluids but they couldn't keep her from vomiting and kept trying to give her pills to stop the vomiting for about four hours. She then went to Pueblo where she was given an IV and she and the baby were fine. She went into premature labor and had to go on medication. At that point she vowed to never go back to Mt. San Rafael Hospital. She said she has a newborn son who had a horrible growth out of his belly button. She said they talked to Dr. Lopez who was the only doctor willing to see them right away and without doing the paperwork first just to make sure her son was okay. Her son was taken good care of and it ended up not urgent. Ms. McCarthey said he has been an amazing doctor and not just for her but also for six other families that she is aware of. She said if Dr. Lopez is available and there's an emergency with a child he will treat that child right away. She added that she can't imagine him doing anything that would have caused him to lose his job. All he cares about is his patients and he loves Trinidad and told her he planned on spending a long time here. She said they and others are back to Pueblo now and it is scary with a newborn who can't talk to make that hour and one-half drive. She said she has complete faith in Council in whatever they decide to do. In other places she said she understands that the hospital board is elected and that makes sense. Councilmember Mattie asked if they have spoken to anyone else. Ms. McCarthey said she went to the hospital board. They cited economic reasons. She said if he relocated within driving distance she will keep him for their doctor. Councilmember Mattie asked if she spoke to the County Commissioners. Ms. McCarthey said she has not. She doesn't normally do this but feels it is such a loss for the community. She praised Dr. Lopez's entire family and stated how they love it here. Councilmember Shew recalled another instance when Dr. Carlisle was released. He said Council understands but it is difficult because of how the board is appointed. Ms. McCarthey suggested maybe that could be changed. Councilmember Bonato confirmed that the board has always appointed and verified that they haven't yet spoken to the County Commissioners. Ms. McCarthey said they haven't spoken to the Commissioners and she hadn't planned on speaking tonight but found the situation so sad. Councilmember Bonato said he agrees on a lot of things and knows the hospital is an important asset that is County owned. Everyone needs to voice their opinions to keep the hospital because it affects everyone – City, County, the college, the nursing home, etc. He urged Ms. Vincent and Ms. McCarthey to voice their opinions to the County Commissioners. Perhaps thereafter the City and County can meet regarding the subject. He added that we have to support the hospital and recruit doctors. Ms. McCarthey expressed her appreciation for Council listening. Councilmember Bonato said that he had an MRI at Mt. San Rafael Hospital this morning and was treated very well and had good service. Ms. McCarthey concluded that her husband pointed out that for growth you have to have families and children. If there is no place to take our children (for medical care) how can we grow?

REPORT BY CITY MANAGER. Finance Director. Acting City Manager Acre told Council that the vacancy announcement for the Finance Director position closed last Thursday. Three additional applications were received for a total of 16; however one has been retained by Las Animas County. He said that he and Rose Blatnik will review the applications and interview in the next couple of weeks. The timing will still work well with Ms. Blatnik as she is closing out 2012 and she is willing to help with interviews as well.

Southern District Counties CCI Meeting. Acting City Manager Acre advised Council that he will be attending the Southern District Counties CCI Meeting with County Administrator Leeann Fabec on Friday to talk to CDOT about transportation issues in the area and the proposed resolution to provide greater funding to areas with higher traffic volume.

Coal Bed Methane-Produced Water. Acting City Manager Acre informed Council of a meeting today held at the County Commissioner's Chambers regarding coal bed methane-produced water. He offered to provide the information to

Council. He explained that he had hoped to be able to tie a meeting together with the County in the morning and the Council later that same day but was not able to. The presenters however are willing to come back to provide a presentation to Council at a future work session.

Trinidad Correctional Facility. Acting City Manager Acre noted that there was an article in the newspaper regarding the State looking at potentially reducing prisons. He said he received an e-mail from County Administrator Fabec that was forwarded to Council about a meeting tomorrow at 1:00 p.m. at the County Commissioners' Chambers to discuss that issue. He encouraged Council members to attend. He said he and the Mayor will be late to the meeting because they have a lunch meeting with Colonel Jones from Fort Carson. Councilmember Bolton advised that she had a prior commitment and hoped other Council members could attend. Council members Mattie, Bonato and Miles stated their intent to attend.

CCI Meeting. Acting City Manager Acre reported that a CCI meeting will be held on Thursday in Denver and Public Works Director Jeff Hill will be attending it. He said he can call in to the meeting with County Administrator Leeann Fabec.

Retreat. Acting City Manager Acre told Council that he has a draft agenda and questions for the retreat that he will be getting out to them in the next few days.

Public Works Director. Councilmember Mattie commented that he is happy to see Acting City Manager Acre working with County Administrator Leeann Fabec and building bridges with the County. He asked what is being done to replace PWD Jeff Hill. Acting City Manager Acre said that he has put some feelers out and will be having a discussion with Utilities Supt. Jim Fernandez. He said he wants to get it advertised and in the meantime will be serving as Acting Public Works Director. He noted that he will be relying on other staff to step up and thinks we will not need to hire an interim. Jeff Hill has been very professional about keeping him up to date and up to speed on projects.

REPORT BY CITY ATTORNEY. City Attorney Downs advised that he had nothing to report at this time.

COMMITTEE REPORTS. None.

UNFINISHED BUSINESS. None.

MISCELLANEOUS BUSINESS. Retail liquor store license renewal request by RJ Sales, Inc. d/b/a RJ's Discount Liquor at 2132 Freedom Road. Rianna Rivera presented herself on behalf of the renewal application. She said everything is going great and she appreciated Council letting her start a business here. A motion to approve the license renewal was made by Councilmember Bolton and it was seconded by Councilmember Miles. The motion carried by a unanimous roll call vote.

Appointments to the Parks & Recreation Advisory Committee. Councilmember Mattie moved for the appointment of Greg Calvert and Pat Patrick to the Parks & Recreation Advisory Committee. The motion was seconded by Councilmember Shew. City Clerk Garrett advised that in response to Councilmember Mattie's question from work session, the Parks & Recreation Advisory Committee members' terms are coincident with City Councilmember terms. Roll call was taken on the motion and carried unanimously.

Appointments to the Tourism Board. A motion to accept both applicants, Scott Candland and Cheryl Clark, for re-appoint to the Tourism Board was made by Councilmember Mattie and seconded by Councilmember Bolton. The motion carried by a unanimous roll call vote.

Appointments to the Board of Appeals. Councilmember Bolton made a motion to re-appoint Sam Coker and Wayne Pritchard to the Board of Appeals. Councilmember Velasquez seconded the motion. Roll call was taken on the motion and carried unanimously.

Appointment to the Housing Authority Board. Mayor Baca Gonzalez advised that the appointments to this board are made at the recommendation of the Mayor and approved by Council. She stated that she was pleased to recommend Helen Veltri as her selection to occupy the vacancy, and reminded that she was introduced at the preceding work session. A motion to appoint Helen Veltri to the Housing Authority Board was made by Councilmember Miles and seconded by Councilmember Bonato. The motion carried unanimously.

Consideration of bid results for the purchase of aluminum sulfate for the City of Trinidad Water Treatment Plant. Mayor Baca Gonzalez reminded that at the prior work session staff recommended approval of the low bid received from DCP Industries in the amount of \$32,634. A motion to approve the low bid as recommended was made by Councilmember Bolton. Councilmember Shew seconded the motion which carried by a unanimous roll call vote.

BILLS. Councilmember Bolton questioned why payments to the Chronicle News are for things several months past. Acting City Manager Acre advised that he will get an answer and provide it to all Council members. A motion to approve payment of the bills as presented was made by Councilmember Mattie. The motion was seconded by Councilmember Shew. Roll call was taken on the motion to approve the bills and it carried unanimously.

PAYROLL, January 19, 2013 through February 1, 2013. A motion to approve the payroll was made by Councilmember Bolton and seconded by Councilmember Bonato. The motion carried unanimously.

ADJOURNMENT. There being no further business to come before Council, a motion to adjourn the regular meeting was made by Councilmember Bonato and seconded by Councilmember Bolton. The meeting was adjourned by unanimous voice vote of Council at 8:00 p.m.

ATTEST:

BERNADETTE BACA GONZALEZ,
Mayor

AUDRA GARRETT, City Clerk