

**RESOLUTION  
BOARD OF DIRECTORS OF THE  
EVANS FIRE PROTECTION DISTRICT**

A RESOLUTION ESTABLISHING AN EVANS FIRE PROTECTION DISTRICT 457 DEFERRED COMPENSATION PLAN AND AN EVANS FIRE PROTECTION DISTRICT 401(a) DEFINED CONTRIBUTION PLAN

**WHEREAS**, in July 2010, the City Council of the City of Evans ("**City**") established a project to organize the Evans Fire Protection District ("**Fire District**") pursuant to the Colorado Special District Act ("**Act**"), C.R.S. § 32-1-101 *et seq.*, to provide the fire suppression, fire prevention and public education, rescue, extrication, and emergency medical services (collectively, "**Emergency Services**") that were then being provided by the City's Fire Rescue Department;

**WHEREAS**, at an election held on November 1, 2011, the eligible electors of the Fire District voted to approve the Fire District's organization in accordance with its approved Service Plan, and also voted to approve the Intergovernmental Agreement for the Transfer of Emergency Services ("**IGA**") between the Fire District and the City. The Fire District was legally organized for all purposes under the Act on November 9, 2011;

**WHEREAS**, pursuant to C.R.S. §§ 32-1-1001(1)(h) and (i), the Fire District Board of Directors ("**Board**") has the power to manage, control, and supervise all of the Fire District's business and affairs and to hire and retain employees;

**WHEREAS**, pursuant to the Fire District's Service Plan and the IGA, the Fire District must offer employment to all of the City's paid firefighters, which offer must include, to the extent reasonably practicable and within the Fire District's financial capabilities, substantially the same benefits as the employees receive as a City employees at the time the Fire District makes the offer of employment;

**WHEREAS**, the City sponsors the Section 401(k) City of Evans Savings Plan ("**City 401(k) Plan**") for the purpose of enabling qualified employees to enhance their retirement security by deferring compensation until retirement and by increasing retirement savings. The City 401(k) Plan is administered by Great-West Retirement Services ("**Great-West**");

**WHEREAS**, the Board authorized Chief Staff and the Fire District's consultants to identify a retirement savings plan for the Fire District that provides substantially the same employee benefits as the City 401(k) Plan;

**WHEREAS**, Great-West administers a 457 deferred compensation plan and a 401(a) defined contribution plan, which together would establish a retirement savings plan for the Fire District that would provide substantially the same employee benefits as the City 401(k) Plan. Great-West has prepared and submitted to the Fire District the documents required to establish an Evans Fire Protection District 457 deferred compensation plan ("**457 Plan Documents**") and an Evans Fire Protection District 401(a) defined contribution plan ("**401(a) Plan Documents**"); and

**WHEREAS**, the Board believes it is in the best interests of the Fire District, its employees, and its citizens, and is consistent with the Fire District's obligations pursuant to its Service Plan and the IGA, to approve and establish with Great-West a 457 deferred compensation plan and a 401(a) defined contribution plan, and to authorize Chief Staff and legal counsel to work with Great-West to finalize the 457 Plan Documents and the 401(a) Plan Documents.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EVANS FIRE PROTECTION DISTRICT, WELD COUNTY, COLORADO:**

1. The Board approves, and hereby establishes with Great-West, a 457 deferred compensation plan and a 401(a) defined contribution plan, with an effective date of January 1, 2013.

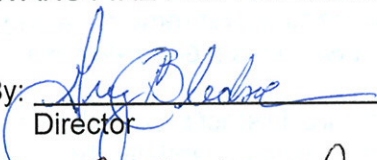
2. The Board authorizes Chief Staff and legal counsel to work with Great-West to finalize the 457 Plan Documents and the 401(a) Plan Documents.

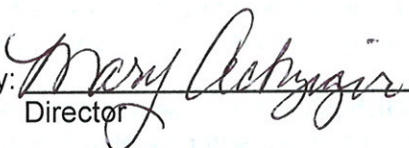
3. The Board President, Mary Achziger, or if the Board President is unavailable, the Board Vice President, David James, is authorized for, on behalf of, and in the name of the Fire District, to execute the 457 Plan Documents and 401(a) Plan Documents, and to take all other actions necessary or appropriate to establish the 457 deferred compensation plan and 401(a) defined contribution plan, all in accordance with the terms of the 457 Plan Documents and 401(a) Plan Documents.

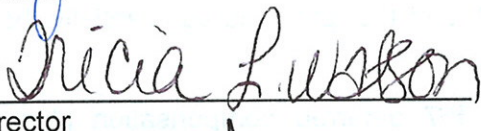
4. The Fire Chief is authorized to coordinate with the Fire District's legal counsel and Great-West, and to take all actions necessary or appropriate, to ensure that all eligible Fire District employees who wish to participate in the 457 deferred compensation plan and 401(a) defined contribution plan are properly enrolled in such plan(s) according to Great-West's requirements.

RESOLVED this 15th day of November, 2012.

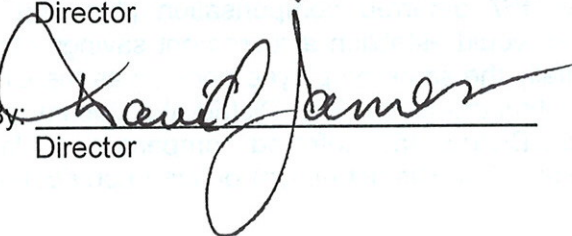
BOARD OF DIRECTORS OF THE  
EVANS FIRE PROTECTION DISTRICT

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Director

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Director

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Director