

CERTIFIED RECORD

OF

PROCEEDINGS RELATING TO

**EVANS FIRE PROTECTION DISTRICT**  
WELD COUNTY, COLORADO

HEARING ON THE SUPPLEMENTAL BUDGET  
REGARDING (1) APPROPRIATION OF MONEYS TO AND  
THE EXPENDITURE OF MONEYS FROM THE GENERAL FUND; (2)  
TRANSFER OF MONEYS FROM THE GENERAL FUND  
TO THE CAPITAL REPLACEMENT FUND; AND (3) ESTABLISHMENT OF THE  
VOLUNTEER PENSION FUND AS A SEPARATE BUDGETARY FUND WITHIN THE  
MEANING OF C.R.S. § 29-1-102(10)

FOR FISCAL YEAR

2013

STATE OF COLORADO )  
 ) ss.  
COUNTY OF WELD )

The Board of Directors ("**Board**") of the Evans Fire Protection District ("**District**"), Weld County, Colorado, held a regular meeting and public hearing at the Evans Community Complex, City Council Chambers, 1100 37th Street, Evans, Colorado 80620, on Monday, April 22, 2013, at the hour of 7:00 p.m. concerning a proposed 2013 Supplemental Budget.

The following members of the Board of Directors were present:

President: Mary Achziger  
Treasurer: Tricia Watson  
Director: Stephen Bernardo  
Absent: David James  
Gregory Bledsoe  
Also Present: Chief Warren Jones  
Dino A. Ross, Attorney

President Achziger reported that, prior to the meeting and public hearing, each Director was notified of the date, time, and place of the meeting and the purpose for which it was called. She further reported that this meeting is a regular meeting of the District Board and that a Notice of the public hearing on the proposed 2013 Supplemental Budget was published in the Greeley Tribune on Monday, April 15, 2013. Notice of the public hearing also was duly posted. Thereupon, Director Watson introduced and moved for the adoption of the following Resolution:

#### **RESOLUTION 2013-5**

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET REGARDING: (1) APPROPRIATION OF MONEYS TO AND THE EXPENDITURE OF MONEYS FROM THE GENERAL FUND; (2) TRANSFER OF MONEYS FROM THE GENERAL FUND TO THE CAPITAL REPLACEMENT FUND; AND (3) ESTABLISHMENT OF THE VOLUNTEER PENSION FUND AS A SEPARATE BUDGETARY FUND WITHIN THE MEANING OF C.R.S. § 29-1-102(10), FOR THE EVANS FIRE PROTECTION DISTRICT, WELD COUNTY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2013 AND ENDING ON THE LAST DAY OF DECEMBER 2013.

WHEREAS, the District Board, after complying with notice and other statutory requirements, duly adopted a budget for fiscal year 2013 ("**2013 Budget**");

WHEREAS, the Evans Fire Protection District Volunteer Firefighter Pension Fund was transferred to the District from the City of Evans ("**City**") on January 1, 2013 pursuant to that certain Intergovernmental Agreement for the Transfer of Emergency Services between the District and the

City. In order to comply with the Local Government Budget Law of Colorado and generally accepted accounting practices for local governments, the District Board wishes to establish a separate Volunteer Firefighter Pension Fund within the meaning of C.R.S. § 29-1-102(10) for budgetary purposes;

WHEREAS, after adopting the 2013 Budget and making appropriations thereunder:

- The District realized a 2012 ending fund balance of \$997,655;
- Of the \$997,655 in 2012 ending fund balance, \$725,000 consists of lease proceeds ("**Lease Proceeds**") received by the District for the purpose of purchasing a new quint, and \$272,655 consists of excess fund balance that was appropriated but unspent in 2012; and
- The District has and will incur legal fees and expenses in excess of the amount appropriated in the 2013 Budget, which could not reasonably be anticipated at the time the 2013 Budget was adopted.

WHEREAS, the District Board deems it necessary to (1) appropriate additional moneys to and to make additional expenditures from the General Fund for the purpose of recognizing the receipt and expenditure of the Lease Proceeds; (2) appropriate and expend additional moneys from the General Fund excess fund balance for the purpose of providing for legal expenses, purchasing equipment for the District's new quint, and providing matching funds for the possible replacement of a light vehicle through a Weld County grant program; and (3) appropriate and transfer additional moneys from the General Fund excess fund balance to the Capital Replacement Fund;

WHEREAS, the District Board authorized its administrative staff and consultants to prepare and submit a proposed 2013 supplemental budget (1) establishing a separate Volunteer Firefighter Pension Fund within the meaning of C.R.S. § 29-1-102(10) for budgetary purposes; (2) reflecting the additional moneys appropriated to and the additional expenditures made from the General Fund excess fund balance; and (3) reflecting the appropriation and transfer of moneys from the General Fund excess fund balance to the Capital Replacement Fund;

WHEREAS, a proposed 2013 Supplemental Budget has been submitted to the District Board for its consideration. A copy of the 2013 Supplemental Budget is attached to this Record of Proceedings;

WHEREAS, due and proper notice, published and posted in accordance with the law, advised the public that (1) the proposed 2013 Supplemental Budget was available for inspection by the public at a designated public office; (2) a public hearing would be held on Monday, April 22, 2013; and (3) interested electors could comment on or file or register objections to the proposed 2013 Supplemental Budget any time before the public hearing; and

WHEREAS, a public hearing was held on Monday, April 22, 2013, and interested electors were given the opportunity to comment on or file or register any objections to the attached proposed 2013 Supplemental Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE

EVANS FIRE PROTECTION DISTRICT, WELD COUNTY, COLORADO:

Section 1. Volunteer Firefighter Pension Fund. The District Board hereby establishes a separate Volunteer Firefighter Pension Fund within the meaning of C.R.S. § 29-1-102(10) for budgetary purposes.

Section 2. Appropriation and Expenditure of Moneys from the General Fund. The District Board hereby approves the appropriation and expenditure in 2013 from the General Fund of:

- \$725,000 from the Lease Proceeds to purchase a quint;
- \$10,000 from the General Fund excess fund balance to provide for legal fees and expenses;
- \$14,432 from the General Fund excess fund balance to purchase equipment for the quint; and
- \$10,000 from General Fund excess fund balance to provide matching funds for the possible replacement of a light vehicle.

Section 3. Transfer of Moneys from the General Fund to the Capital Replacement Fund. The District Board hereby ratifies the transfer in 2013 of \$150,000 from the General Fund excess fund balance to the Capital Replacement Fund.

Section 4. Adoption of Supplemental Budget for 2013. The District Board hereby adopts the 2013 Supplemental Budget in the form attached to this Record of Proceedings.

The foregoing Resolution was seconded by Director Bernardo.

ADOPTED AND APPROVED this 22<sup>nd</sup> day of April, 2013.


Mary Achziger  
Mary Achziger, President

ATTEST: Tricia Watson  
Tricia Watson, Treasurer

STATE OF COLORADO            )  
  ) ss.  
COUNTY OF WELD             )

I, Tricia Watson, Treasurer of the Evans Fire Protection District, Weld County, Colorado, do hereby certify that the foregoing pages numbered 1 through 4, inclusive, constitute a true and accurate copy of the record of proceedings of the District Board, adopted at a regular meeting of the Board at the Evans Community Complex, City Council Chambers, 1100 37th Street, Evans, Colorado 80620, on Monday, the 22<sup>nd</sup> day of April, 2013, at the hour of 7:00 p.m., as recorded in the official record of proceedings, insofar as said proceedings relate to the 2013 Supplemental Budget; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 22<sup>nd</sup> day of April, 2013.

  
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Tricia Watson, Treasurer

