

RESOLUTION  
BOARD OF DIRECTORS  
EVANS FIRE PROTECTION DISTRICT

A RESOLUTION ALLOWING RECOVERY OF COSTS ASSOCIATED WITH HAZARDOUS MATERIAL SPILL RESPONSE

WHEREAS, the Evans Fire Protection District ("*Fire District*") is a political subdivision of the State, organized pursuant to the Special District Act, C.R.S. § 32-1-101, *et seq.*, to provide fire suppression, fire prevention and public education, emergency medical, emergency rescue, and hazardous materials services to the citizens and property within its jurisdiction, and to individuals passing through its jurisdiction;

WHEREAS, pursuant to State statute, the Fire District Board of Directors ("*Board*") is authorized to claim reimbursement from the person or persons who have care, custody, and control of a hazardous substance involved at the time of an incident for the reasonable, necessary, and documented costs resulting from action taken to remove, contain, or otherwise mitigate the effects of the incident (collectively, "*Response Services*"). C.R.S. § 29-22-104; and

WHEREAS, the Fire District's Chief Staff has developed a fee schedule that reflects the costs the Fire District incurs in Response Services ("*Response Services Fee Schedule*"). A copy of the proposed Response Services Fee Schedule is attached to this Resolution. The Board has reviewed the proposed Response Services Fee Schedule and finds that the fees and charges set forth therein are reasonable and necessary to cover the costs that the Fire District incurs in providing Response Services.

NOW THEREFORE, be it resolved by the Board of Directors of the Evans Fire Protection District:

1. Effective October 25, 2016, the attached Response Services Fee Schedule is adopted as the schedule of fees and charges that the Fire District shall charge for Response Services, and shall supersede and render null and void all prior schedules of fees and charges adopted by the Board for such Response Services, if any.
2. The Fire District shall issue invoices for fees and charges assessed in accordance with the Response Services Fee Schedule pursuant to the Fire District's invoicing procedures, as they may be amended from time to time. All fees and charges collected shall be remitted to the Fire District's General Fund.

DATED this 24th day of October, 2016.

BY THE BOARD OF DIRECTORS  
EVANS FIRE PROTECTION DISTRICT

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

**EVANS FIRE PROTECTION DISTRICT  
RESPONSE SERVICES FEE SCHEDULE**

**Effective October 25, 2016**

Equipment will be billed at the hourly rate established by FEMA in their Schedule of Equipment Rates at the time of the incident (<http://www.fema.gov/schedule-equipment-rates>).

Personnel costs will be billed at the hourly rate of the actual personnel working on the incident (including all statutory benefit costs).

Consumable/disposable goods will be billed at the actual cost of replacing the materials (when minimum quantities are required, the minimum quantity will be charged, regardless of the actual quantity used).

A ten (10%) percent administrative overhead surcharge will be added to the reimbursement invoice, additionally, any associated collection costs/expenses will be added.

EFPD will use whatever statutory methods are allowed to recover its costs of mitigating the spill or release of hazardous materials.