

RESOLUTION NO. _____

A RESOLUTION ADOPTING AND ENTERING INTO THE TRUST AGREEMENT FOR THE COLORADO FIREFIGHTER HEART AND CIRCULATORY BENEFITS TRUST AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, under state law, specifically, Part 3 of Article 5 of Title 29, Colorado Revised Statutes (C.R.S.), an employer as defined therein is required to maintain certain firefighter heart and circulatory malfunction benefits in accordance with and subject to the requirements and limitations of said Part 3; and

WHEREAS, in order to provide such benefits, an employer, which includes _____ (the “[District/City/Town/Authority]”) is authorized to participate in a multiple employer health trust; and

WHEREAS, the governing body of the _____ [District/City/Town/Authority] has authority under Article XIV, Section 18(2)(a) of the Colorado Constitution, and Sections 10-3-903.5, 29-1-201, et seq., and 29-5-302, C.R.S., as amended, to participate with other employers in a multiple employer health trust for the provision of such benefits and for related claims handling, risk management, and other functions and services related to such benefits; and

WHEREAS, the governing body has reviewed the Trust Agreement for the Colorado Firefighter Heart and Circulatory Benefits Trust, a copy of which is attached hereto as Exhibit A, by and through which the Members (as defined therein) desire to establish a trust (the “Trust”) and provide a benefit plan that provides firefighter heart and circulatory malfunction benefits consistent with the provisions of Part 3 of Article 5 of Title 29, C.R.S., as specified in the Colorado Firefighter Heart and Circulatory Malfunction Benefits Plan (the “Plan”); and

WHEREAS, the Members intend that the Trust, together with the Plan, shall constitute an irrevocable trust exempt from taxation under Internal Revenue Code Section 115; and

WHEREAS, the governing body finds that membership and participation in the Trust and Plan would be in the best interests of the _____ [District/City/Town/Authority], its employees and its taxpayers; and

WHEREAS, the governing body by this enactment desires to adopt and enter into the Trust Agreement for the Colorado Firefighter Heart and Circulatory Benefits Trust, and to take other actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED that the _____ [governing body] of the _____ [District/City/Town/Authority] hereby:

1. Approves the contract entitled Trust Agreement for the Colorado Firefighter Heart and Circulatory Benefits Trust, a copy of which is attached hereto as Exhibit A and incorporated into this Resolution by this reference (the "Trust Agreement").
2. Authorizes and directs the presiding officer of the governing body to execute the Trust Agreement on behalf of the Evans Fire Protection [District/City/Town/Authority].
3. Directs that staff transmit to the Colorado Firefighter Heart and Circulatory Benefits Trust (the "Trust"), McGriff, Seibels & Williams Inc., PO Box 1539, Portland, OR 97207-1539, an executed and attested copies of this Resolution and such Trust Agreement.
4. Designates Ronald Pristera as its initial Member Representative to the Trust and designates Sharon Bowles as its initial Alternate Representative to the Trust, such persons having the addresses stated below.
5. Representative Mailing Address: 1100 37th Street, Evans Colorado, 80620

- Alternate Representative Mailing Address: 1100 37th Street, Evans, Colorado, 80620

6. Understands that, with the adoption of this Resolution and subject to the terms of the Trust Agreement, the Evans Fire Protection District [District/City/Town/Authority] becomes a Member of the Trust, with its participation to commence effective as of the date determined in accordance with the Trust Agreement.

IN WITNESS WHEREOF, this Resolution was adopted by a majority vote of the Board of Directors _____ [governing body] of the Evans Fire Protection [District/City/Town/Authority] on the 24th day of November, 2014.



Presiding Officer

Mary Achziger

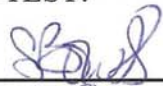
Name in Print

President of the Board

Title

CFHCBT Trust Agreement Resolution
Page 2 |

ATTEST:

Sign: 

Print Name: Sharon Bowles

Title: Admin Assistant
