

# **Elk Creek Fire Protection District Board of Directors**

## **Regular Meeting Agenda**

**Thursday, November 21, 18:00hr**

**In person and Via Zoom**

**(located on ECFPD website)**

Due to the substantive action items and public hearings scheduled for the meeting, the Board has suspended all normal business and will have a limited Agenda as noted below. All normal business will be tabled until the December meeting

I.Call to order

II.Pledge of Allegiance

III.Moment of Silence for Fallen Responders

IV.Roll call of Board members

V.Additions or Deletions to, and Approval of the Agenda

VI 2024-11-21 Resolution Concerning the Adoption of a Budget and Appropriation  
of Funds for Fiscal Year 2025, Budget Hearing

VII 2024-11-21-2 Resolution to set Mill Levies

VIII 2024-11 Resolution Transferring Assets and Delegating Authority

IX 2024-09 Resolution and Order of Exclusion, North Fork Unification Hearing

X Adjournment

|                          | <u>2023 Final</u> | <u>2023 YTD</u> | <u>2024 Revised</u> |   |
|--------------------------|-------------------|-----------------|---------------------|---|
|                          | <u>Budget</u>     | <u>Actuals</u>  | <u>Budget as of</u> | <u>2025 Draft Budget</u>                        |
|                          |                   |                 | <u>10/2024</u>      |   |
| <b>Beginning Balance</b> | \$ 5,803,199      |                 | \$ 5,810,471        | \$ 6,441,382 (starting pt is py bgt ending bal) |

## REVENUES

### Tax Revenue

|                          |                     |                     |                     |                     |
|--------------------------|---------------------|---------------------|---------------------|---------------------|
| Property Taxes           | \$ 3,629,336        | \$ 3,574,658        | \$ 4,545,365        | \$ 4,584,635        |
| Specific Ownership Taxes | \$ 217,845          | \$ 252,848          | \$ 275,000          | \$ 275,000          |
| Delinquent Taxes         |                     |                     | \$ (10,000)         | \$ (10,000)         |
| <b>Total Tax</b>         | <b>\$ 3,847,181</b> | <b>\$ 3,827,506</b> | <b>\$ 4,810,365</b> | <b>\$ 4,849,635</b> |

### Non-Tax Revenue

|                              |            |            |              |              |
|------------------------------|------------|------------|--------------|--------------|
| Net Ambulance Billings       | \$ 380,000 | \$ 395,069 | \$ 395,000   | \$ 395,000   |
| CRRF Wildfire Reimbursements | \$ 925,000 | \$ 875,687 | \$ 1,341,650 | \$ 1,554,356 |
| Grants                       | \$ -       | \$ 105,326 | \$ -         | \$ -         |
| Interest Income              | \$ 30,500  | \$ 274,872 | \$ 369,500   | \$ 369,500   |
| Lease Revenue                | \$ 50,000  | \$ 58,081  | \$ 60,000    | \$ 60,000    |
| Mitigation Contracts         | \$ 123,000 | \$ -       | \$ -         | \$ 50,000    |
| Other Income                 | \$ 32,000  | \$ 47,603  | \$ 25,000    | \$ 257,000   |

**Total Non-Tax Revenue** \$ 1,540,500 \$ 1,756,639 \$ 2,191,150 \$ 2,685,856

**Total Revenue** \$ 5,387,681 \$ 5,584,144 \$ 7,001,515 \$ 7,535,491

## EXPENDITURES

|                               |              |             |            |              |
|-------------------------------|--------------|-------------|------------|--------------|
| Expenses-Administration       | \$ 1,068,300 | \$ 422,020  | \$ 599,450 | \$ 696,073   |
| Admin Labor                   |              | \$ 377,633  | \$ 500,785 | \$ 593,389   |
| Expenses-CRRF                 | \$ 765,142   | \$ 87,248   | \$ 154,024 | \$ 190,725   |
| CRRF Labor                    |              | \$ 525,631  | \$ 926,204 | \$ 1,060,763 |
| Expenses-EMS                  | \$ 881,106   | \$ 238,858  | \$ 256,800 | \$ 293,140   |
| EMS Labor                     |              | \$ 735,442  | \$ 842,736 | \$ 912,161   |
| Expenses-Fire                 | \$ 657,470   | \$ 190,243  | \$ 187,600 | \$ 196,980   |
| Fire Labor                    |              | \$ 469,384  | \$ 601,491 | \$ 599,668   |
| Expenses-Fuels Crew           | \$ 12,200    | \$ 865      | \$ 19,800  | \$ 20,790    |
| Fuels Labor                   |              | \$ (63,633) | \$ -       | \$ 214,155   |
| Expenses-Fire Stations        | \$ 127,330   | \$ 106,312  | \$ 146,930 | \$ 154,277   |
| Expenses-Leases/Capital       | \$ 570,000   | \$ 367,442  | \$ 570,000 | \$ 865,000   |
| Expenses-Maintenance          | \$ 309,968   | \$ 103,705  | \$ 180,000 | \$ 189,000   |
| Maintenance Labor             |              | \$ 93,169   | \$ 176,257 | \$ 219,126   |
| Expenses-Prevention           | \$ 137,954   | \$ 1,721    | \$ 23,350  | \$ 24,518    |
| Prevention Labor              |              | \$ 242,246  | \$ 121,984 | \$ 198,757   |
| Expenses-Training             | \$ 267,494   | \$ 62,020   | \$ 110,700 | \$ 116,235   |
| Training Labor                |              | \$ 140,141  | \$ 178,776 | \$ 187,340   |
| Expenses-Wildland/Suppression | \$ 583,445   | \$ 98,609   | \$ 125,800 | \$ 135,240   |
| Wildland/Suppression Labor    |              | \$ 553,894  | \$ 647,917 | \$ 576,406   |

**Total Expenditures** \$ 5,380,409 \$ 4,752,948 \$ 6,370,604 \$ 7,443,742

**TOTAL REVENUE IN EXCESS OF EXPENDITURES** \$ 7,272 \$ 831,196 \$ 630,911 \$ 91,749

**Available Funds** \$ 5,810,471 \$ 831,196 \$ 6,441,382 \$ 6,533,131

## RESERVES

|                                   |                     |  |                     |                     |
|-----------------------------------|---------------------|--|---------------------|---------------------|
| Tabor Reserves                    | \$ 161,630          |  | \$ 210,045          | \$ 226,065          |
| General Fund (Carryover) Reserves | \$ 500,000          |  | \$ 500,000          | \$ 500,000          |
| Board Designated Reserves         | \$ 100,000          |  | \$ 100,000          | \$ 100,000          |
| Capital Reserve Fund Savings      | \$ 1,000,000        |  | \$ 3,450,000        | \$ 3,450,000        |
| Unrestricted Reserves             | \$ 4,048,841        |  | \$ 2,181,337        | \$ 2,257,067        |
| <b>Total Reserves</b>             | <b>\$ 5,810,471</b> |  | <b>\$ 6,441,382</b> | <b>\$ 6,533,131</b> |

**ELK CREEK FIRE PROTECTION DISTRICT**

**RESOLUTION 2024 – 11-21  
A COMBINED RESOLUTION CONCERNING THE ADOPTION OF A BUDGET AND  
APPROPRIATION OF FUNDS FOR FISCAL YEAR 2025**

**A. A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING THE BUDGET FOR THE ELK CREEK FIRE PROTECTION DISTRICT FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2025 AND ENDING ON THE LAST DAY OF DECEMBER 2025.**

**WHEREAS**, the Board of Directors of the Elk Creek Fire Protection District (District) has appointed the District's Budget Officer and Budget Committee to prepare and submit a proposed budget to said governing body at the proper time; and

**WHEREAS**, the District's Budget Officer and Budget Committee submitted a proposed budget to this governing body on or before October 15, 2024, for its consideration; and

**WHEREAS**, upon due and proper notice, published in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on November 21, 2024 and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

**WHEREAS**, whatever increases may have been made in the expenditure, like increases were added to the revenues or planned to be expended from reserves so that the budgets remain in balance, as required by law.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ELK CREEK FIRE PROTECTION DISTRICT, THAT:**

Section 1. The budget as submitted, and summarized by fund, is approved and adopted as the budget of the District for the year stated above.

Section 2. The budget hereby approved and adopted shall be signed by the President and Secretary and made a part of the public records of the District.

**B. A RESOLUTION APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW FOR THE ELK CREEK FIRE PROTECTION DISTRICT FOR THE 2025 BUDGET YEAR.**

**WHEREAS**, the Board of Directors of the District ("Board") has adopted the District's annual budget in accordance with the Local Government Budget Law; and

**WHEREAS**, the Board has made provision therein for revenues in an amount equal to, or greater than, the total proposed expenditures as set forth in said budget; and

**WHEREAS**, it is not only required by law, but also necessary, to appropriate the revenues and reserves provided in the budgets to and for the purposes described below, so as not to impair the operations of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ELK CREEK FIRE PROTECTION DISTRICT, THAT:**

The following sums are hereby appropriated from the revenue of each Fund, to each Fund, for the purposes stated:

**General Fund:**

|                            |              |
|----------------------------|--------------|
| Current Operating Expenses | \$ 6,578,742 |
| Other Expenditures         | \$ 0         |
| Capital Projects           | \$ 865,000   |
| Debt Service               | \$ 0         |

**ADOPTED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

**ELK CREEK FIRE PROTECTION DISTRICT**

By: \_\_\_\_\_  
President

**ATTEST:**

\_\_\_\_\_  
Secretary

**ELK CREEK FIRE PROTECTION DISTRICT**

**RESOLUTION 2024 – 11-21-2  
RESOLUTION TO SET MILL LEVIES**

**A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE 2024 TAX YEAR  
TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE  
ELK CREEK FIRE PROTECTION DISTRICT,  
FOR THE 2025 BUDGET YEAR.**

**WHEREAS**, on November 21, 2024 the Board of Directors (“Board”) of the Elk Creek Fire Protection District (“District”) adopted the District’s annual budget in accordance with the Local Government Budget Law;

**WHEREAS**, the amount of money necessary to balance the District’s budget for the General Fund and Capital Projects Fund is \$7,443,742, which includes a Mill Levy amount of \$4,570,151;

**WHEREAS**, the amount of money necessary to balance the budget for the District’s budget for the Debt Service Fund is \$0; and,

**WHEREAS**, the valuation for assessment for the District as recently certified by the County Assessor(s) is \$365,612,049;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ELK CREEK FIRE PROTECTION DISTRICT, THAT:**

Section 1. For the purpose of meeting all general operating expenses of the District during the District’s 2025 budget year, there is hereby levied a tax of 12.5 mills upon each dollar of the total valuation for assessment of all taxable property within the District for the previous year (tax year).

Section 2. The District’s Secretary is hereby authorized and directed to certify to the County Commissioners of Jefferson and Park Counties, Colorado, the mill levies for the District as hereinabove determined and set, and to execute such form or forms as may be required by the County Commissioners for such purposes; provided, however, that in the event that the final notice of assessed valuation will cause an adjustment to such mill levy in order to raise the amounts stated to balance the District’s budget, the District’s Budget Officer is authorized to make such adjustment based upon the final assessed valuations received from the County Assessors. In no event shall such adjustments result in any unauthorized non-voter approved increase in the mill levy.

ADOPTED: \_\_\_\_\_, 2024.

**ELK CREEK FIRE PROTECTION DISTRICT**

By: \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

# **ELK CREEK FIRE PROTECTION DISTRICT**

## **RESOLUTION NO. 2024-11**

### **A RESOLUTION TRANSFERRING ASSETS AND PERSONNEL, AND DELEGATING AUTHORITY TO COMPLETE THE UNIFICATION OF INTER-CANYON FIRE PROTECTION DISTRICT, ELK CREEK FIRE PROTECTION DISTRICT, AND NORTH FORK FIRE PROTECTION DISTRICT**

**WHEREAS**, Inter-Canyon Fire Protection District (“Inter-Canyon”), Elk Creek Fire Protection District (“Elk Creek”), and North Fork Fire Protection District (“North Fork”) (Inter-Canyon, Elk Creek, and North Fork jointly the “Districts”) entered into the Pre-Consolidation Intergovernmental Agreement, effective April 12, 2023, as amended by the First Amendment (the “Agreement”), to form a single fire protection district to serve the area currently served by the Districts;

**WHEREAS**, Section 3.1.1.3 of the Agreement calls for Inter-Canyon and Elk Creek to designate the Board of Directors of North Fork, as successor to Inter-Canyon’s and Elk Creek’s jurisdictional territory, service responsibilities, assets, property and personnel, to receive Inter-Canyon’s and Elk Creek’s remaining property tax revenue, to seek the dissolution of Inter-Canyon and Elk Creek, and to do all things necessary to accomplish the terms of the Exclusion Resolutions and Orders and the Agreement; and

**WHEREAS**, Elk Creek wishes to affirm the express and ongoing delegation of authority under the Agreement for the North Fork Board of Directors to do all things necessary to implement the Agreement and the unification of the Districts, including authority to seek administrative dissolution of Elk Creek, confirm the transfer of all assets to North Fork, provide for Elk Creek employees to become employees of North Fork, and receive all Elk Creek tax revenue, and take all other actions necessary to carry out the Agreement and continue the provision of services to the areas currently within Elk Creek.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Elk Creek Fire Protection District that:

1. Transfer of Assets. Effective upon the exclusion of all property from Elk Creek and inclusion of the same into North Fork, Elk Creek hereby transfers legal and equitable title of all assets and property of Elk Creek to North Fork. Assets include but are not limited to: real property, personal property, improvements, buildings, furniture, appliances, supplies, plans, tools, vehicles, apparatus, mobile equipment, machinery, intangible personal property, cash, bank accounts, notes, bonds, insurance policies, leases, accounts receivable, warranties, guarantees, indemnifications, licenses, permits, contracts, and agreements.

2. Transfer of Pension Funds. Effective upon the exclusion of all property from Elk Creek and inclusion of the same into North Fork, Elk Creek hereby transfers all pension funds to North Fork, subject to the statutory requirements and the requirements, authorities, and obligations of the trust or pension agreements, or other documents and agreements establishing and pertaining to such pension funds.

3. Employees. Effective upon the exclusion of all property from Elk Creek and inclusion of the same into North Fork, all employees of Elk Creek shall become employees of North Fork.

4. Delegation to Execute Documents. On behalf of Elk Creek, the Chair of the Board of Directors of North Fork is delegated authority to sign any and all deeds, bills of sale, assignments, or other documents as necessary to confirm and affect the transfer of all assets of Elk Creek to North Fork.

5. Dissolution of Elk Creek. Effective upon the exclusion of all property from Elk Creek and inclusion of the same into North Fork, Elk Creek grants to North Fork all authority and power to act on behalf of Elk Creek to do all things necessary to include all property within Elk Creek into North Fork, to receive Elk Creek's tax revenue including 2024 taxes payable in 2025, to request the dissolution of Elk Creek, and to wind up the business and affairs of Elk Creek.

The foregoing Resolution was adopted by a vote of \_\_\_\_ in favor and \_\_\_\_ against at a meeting of the Board of Directors of Elk Creek Fire Protection District, duly called and held on November 21, 2024.

Elk Creek Fire Protection District

By: \_\_\_\_\_  
Greg Pixley, Chair

ATTEST:

\_\_\_\_\_  
Melissa Baker, Secretary

**ELK CREEK FIRE PROTECTION DISTRICT**

**RESOLUTION NO. 2024- 09**

**RESOLUTION AND ORDER OF EXCLUSION**  
(North Fork Consolidation)

**WHEREAS**, Elk Creek Fire Protection District (“Elk Creek”) presently provides fire protection and emergency medical services to property owners and inhabitants within its boundaries; and

**WHEREAS**, North Fork Fire Protection District (“North Fork” and Elk Creek and North Fork jointly the “Districts”) also presently provides fire protection and emergency medical services to property owners and inhabitants within its boundaries; and

**WHEREAS**, pursuant to the Pre-Consolidation Intergovernmental Agreement between the Districts, effective April 12, 2023, as amended by the First Amendment, Elk Creek wishes to take initial action to begin such consolidation utilizing the procedures available under Section 32-1-501(1.5), C.R.S.; and

**WHEREAS**, the Board of Directors of Elk Creek has determined that it is beneficial to exclude all the real property described on Exhibit A attached hereto and incorporated herein by this reference (“Property”) from Elk Creek pursuant to the provisions of Sections 32-1-501(1.5) and 32-1-501(4), C.R.S., on the condition that the Property thereafter immediately be included within North Fork; and

**WHEREAS**, on initial approval of this Resolution it is anticipated that by resolution, (“Inclusion Resolution”), North Fork will agree to include the Property into North Fork immediately after the effective date of the Court’s Order excluding the Property from Elk Creek, which Inclusion Resolution will be filed with the District Court of Jefferson County, Colorado, as required by Section 32-1-501(4)(a)(II)(B), C.R.S., and thereafter North Fork will provide the same services to the Property as provided by Elk Creek; and upon final approval of this Resolution a copy of the approved Inclusion Resolution will be and is attached hereto as Exhibit B and incorporated herein by this reference; and

**WHEREAS**, the mill levy assessed by North Fork against all property within its boundaries, exclusive of any mill levy for refunds or abatements, is currently 12.000 mills. The mill levy assessed by Elk Creek against all property within its boundaries, exclusive of any mill levy for refunds or abatements, is currently 12.500 mills. North Fork’s mill levy is equal to or less than the mill levy assessed by Elk Creek, and as a result, no election for the exclusion of the Property from Elk Creek and inclusion of the Property into North Fork is required pursuant to Section 32-1-501(4)(c)(I), C.R.S.; and



**WHEREAS**, Elk Creek has no outstanding obligations related to capital improvements which will remain obligations of the property owners within its boundaries until paid; and

**WHEREAS**, the Board of Directors, having reviewed all relevant information related thereto, hereby determines that:

A. The exclusion of the Property will be in the best interests of all of the following: (i) the Property itself; (ii) Elk Creek; and (iii) the counties in which Elk Creek is located;

B. The relative costs and benefits to the Property justify exclusion from Elk Creek and inclusion within North Fork;

C. The ability of Elk Creek to provide economical and sufficient service to both the Property and all of the properties within Elk Creek's boundaries are the same;

D. Elk Creek is able to provide services to the Property, but the costs of providing services by North Fork will be less than the cost of providing services solely by Elk Creek;

E. There will be no effect on employment and other economic conditions in Elk Creek and surrounding area if this Resolution is or is not finally adopted;

F. There will be no economic impact on the region or on Elk Creek, the surrounding area, or the state as a whole if this Resolution is or is not finally adopted;

G. There are no economically feasible alternative services available except from North Fork;

H. There will be no additional cost levied on other property within Elk Creek as a consequence of the exclusion; and

I. Elk Creek currently has no outstanding bonded indebtedness for which the Property is liable.

**WHEREAS**, on initial approval of this Resolution it is anticipated that letter notification of the public hearing of the Board of Directors to consider final adoption of this Resolution will be mailed to the fee owners of 100% of all the real property proposed to be excluded, as listed on the records of the County Assessor, not more than 45 days and no less than 30 days prior to such public hearing, pursuant to Section 32-1-501(1.5)(b)(I), C.R.S.; and upon final approval of this Resolution the Board will confirm and does hereby confirm such notice was provided as anticipated and required, as set forth in Exhibit C; and

**WHEREAS**, upon initial approval of this Resolution it is anticipated that the Board will provide notice of the public hearing to consider final adoption of this Resolution by publication in the Canyon Courier in Jefferson County, a newspaper of general circulation within Elk Creek, pursuant to Section 32-1-501(2), C.R.S.; and upon final approval of this Resolution the Board will confirm and does hereby confirm that such notice was published as anticipated and required and a copy of the notice will be and is attached hereto as Exhibit C and incorporated herein by this reference; and

**WHEREAS**, the exclusion of the Property was initially considered by the Board of Directors at a meeting held September 26, 2024; and

**WHEREAS**, no person has filed a written objection to this exclusion except as will be noted in the minutes of the public meeting and hearing at which this Resolution is considered for final approval, and any written objection will be and as of final approval of this Resolution has been duly considered by the Board; and

**WHEREAS**, the exclusion of the Property is deemed in the best interest of the health and safety, prosperity, security and general welfare of the Property owners and inhabitants of the Property and of Elk Creek, and for the orderly and uniform administration of Elk Creek's affairs.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of Elk Creek Fire Protection District, pursuant to the provisions of Sections 32-1-501(1.5) and 32-1-501(4), C.R.S., hereby approves the exclusion of the Property from the boundaries of Elk Creek Fire Protection District; and

**IT IS THEREFORE ORDERED** that:

1. The Property described in Exhibit A attached hereto and incorporated herein shall be excluded from Elk Creek Fire Protection District.
2. The boundaries of Elk Creek Fire Protection District shall be altered by the exclusion of the Property.
3. Such exclusion shall be contingent upon the District Court of Jefferson County, Colorado, in which Court an Order was entered establishing this District, having entered an Order that such real property be excluded from Elk Creek Fire Protection District, and thereafter the District Court of Jefferson County, Colorado, in which Court an Order was entered establishing North Fork, immediately order the Property included within North Fork Fire Protection District, pursuant to Section 32-1-501(4)(b), C.R.S.

The foregoing Resolution and Order of Exclusion was initially adopted by a vote of 4 in favor and 1 against at a meeting of the Board of Directors of Elk Creek Fire

Protection District, duly called and held on September 26, 2024, at the hour of 6  
p.m.

Elk Creek Fire Protection District

By:   
Greg Pixley, Chair

ATTEST:

  
Melissa Baker, Secretary

The foregoing Resolution and Order of Exclusion was finally adopted by a vote of \_\_\_ in  
favor and \_\_\_ against at a meeting of the Board of Directors of Elk Creek Fire Protection  
District, duly called and held on November 21, 2024, at the hour of \_\_\_\_\_ p.m.

Elk Creek Fire Protection District

By:   
Greg Pixley, Chairman

ATTEST:

  
Melissa Baker, Secretary

**EXHIBIT A TO  
RESOLUTION AND ORDER OF EXCLUSION**

**Description of Property to be Excluded**

All real property located within the boundaries of the Elk Creek Fire Protection District.

**EXHIBIT B TO**  
**RESOLUTION AND ORDER OF EXCLUSION**  
**North Fork Inclusion Resolution**

**EXHIBIT C TO  
RESOLUTION AND ORDER OF EXCLUSION**

**Mailed and Published Notice of Exclusion Hearing, Certificate of Mailing, and  
Certificate of Publication**