

Station 16
8130 3rd Street
Wellington, CO 80549



Station 17
108 E County Road 66
Fort Collins, CO 80524

Wellington Fire Protection District BOARD WORK SESSION AGENDA

A **Work Session** for Board of Directors of the Wellington Fire Protection District will begin at 4:00 PM. The meeting will be held at Station 16 located at 8130 3rd St, Wellington, CO 80549 on February 23, 2022. The work session is open to the public. Please contact our administrative office for social distancing guidelines or additional attendance accommodations.

Call to Order

Work Session Items

1. Fire Chief Selection Process
2. 2022 Budget Amendment Scenarios
 - a. Fund Balance Policy
 - b. Pension Fund Mill dedication 2023
 - c. Volunteer Pension Fund State Match Grant
3. Employee Handbook Updates / Operational Policies
4. Bylaw Updates

Adjourn

Date		2023 WFPD Budget Calendar
Friday, July 15, 2022		Budget Committee Begins
Friday, July 29, 2022		CIP Budget Committee Meeting
Friday, August 5, 2022		CIP Revisions Due
August 15-26, 2022		Operation Budget & Capital Budget Work
Septemebr 1, 2022		Budget Committee Review Budget
Friday, Sepetember 23, 2022		Budget informaiton due for BOD packet
Wednesday, September 28, 2022		Budget Work Session with BOD
Friday, October 7, 2022		Revisions from Work Session Due for Packet
Wednesday, October 12, 2022		Qualified person presents budget to BOD
Wednesday, October 12, 2022		Publish notice of budget hearing
Wednesday, November 9, 2022		Budget Hearing to the Public
Wednesday, December 14, 2022		Adopt budget and appropriate monies
Thursday, December 15, 2022		Certify Mill levy to County Commissioners

Fund Balance Policy



Wellington Fire Protection District

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What is a Fund Balance?

Difference between total assets and total liabilities in each fund and measures the net financial resources available to finance expenditures in future period.

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Why do we have it?

Governments that maintain adequate reserves are better positioned to deal with funding issues in bad times. Or, to be in a position to take advantage of an opportunity.

Fund Balance Policies serve as a plan and guideline for achieving an adequate reserve for the District.

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TABOR Reserve vs. Fund Balance

Tabor Amendment

Requires local governments to establish **emergency reserves to be used for declared emergencies only.**

An emergency, as defined by the Amendment, excludes economic conditions, revenue shortfalls, or salary or fringe benefit increases.

These reserves are required to be 3% or more of fiscal year spending (excluding bonded debt service).

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When is it appropriate to use fund balance aka “reserves”?

- Emergencies
- Economic Downturns
- Capital Purchases
- One-time expenditures – unforeseen event

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Appropriate Level

Fund Balance Factors

- Size of Organization
*Wellington is growing
- Volatility of revenues and expenditures
- Aging Infrastructure
- Credit Rating
- Availability of resources in other funds
*CIP/Pension
- Stable Service Delivery

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How Much?

Government Finance Officers Association (GFOA) recommends.....

at a minimum, that general-purpose governments, regardless of size, maintain unrestricted budgetary fund balance in their general fund of no less than **two months** of regular general fund operating revenues or regular general fund operating expenditures.

The choice of revenues or expenditures as a basis of comparison may be dictated by what is more predictable in a government's particular circumstances.

***predictable and or controllable**

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Recommended Policy

Keep it simple.

2-3 months of operating expenditures
(Establish for the Operating Budget)

OR

110% of debt service / loan covenant
(Establish for CIP Budget)

Which ever is larger.....

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Expenditure Based

WFPD Current monthly expenses are about *\$307,000 per month if we use expense method

Revenue Based

and about *\$370,000 per month if we use the revenue method.

*Presented values are based on the 2021 October PL and could vary slightly

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Expenditure vs. Revenue

	One Month	Two Months	Three Months
Expenditure	\$307,000	\$614,000	\$921,000
Revenue	\$370,000	\$740,000	\$1,110,000

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Replenishment of Funds

The fund balance policy should define conditions warranting the use of reserve funds.

If a fund balance falls below the government's policy level, this policy provides a solid plan to replenish it. In that context, the fund balance policy should:

- ✓ Define the time period within which and contingencies for which fund balances will be used;
- ✓ Describe how the government's expenditure and/or revenue levels will be adjusted to match any new economic realities that are behind the use of fund balance as a financing bridge;
- ✓ Describe the time period over which components of fund balance will be replenished and the means by which they will be replenished.

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Replenishment Strategy

Generally, governments should seek to replenish their fund balances **within one to three years of use**. Specifically, factors influencing the replenishment time horizon include:

- ✓ The budgetary reasons behind the fund balance targets;
- ✓ Recovering from an extreme event;
- ✓ Political continuity;
- ✓ Financial planning time horizons;
- ✓ Long-term forecasts and economic conditions;
- ✓ External financing expectations.

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Replenishment Strategy

Revenue sources that would typically be looked to for replenishment of a fund balance include:

- ✓ nonrecurring revenues,
- ✓ budget surpluses,
- ✓ and excess resources in other funds (if legally permissible and there is a defensible rationale).
- ✓ Year-end surpluses are an appropriate source for replenishing fund balance.

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Next Steps:

1. Review the draft fund balance policy
2. Select funding option
3. Fund Balance Policy delivered to the board through Resolution

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RESOLUTION 20201- xx

Wellington Fire Protection District Fund Balance Policy 2021

November 10th, 2021

Purpose

The Wellington Fire Protection District (District) hereby establishes and will maintain reservations of fund balance as defined herein in accordance with Governmental Accounting Standards Board Statement No. 54 Fund Balance Reporting.

The District Board of Directors recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the District and is fiscally advantageous for both the District and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by the District to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

Minimum Level of Unassigned Fund Balance – General Operating Fund, Capital Improvement Fund and Pension Funds

Unassigned fund balance will be maintained at a level sufficient to provide for the required resources to meet operating cost needs, to allow for unforeseen needs of an emergency nature, and to permit orderly adjustment to changes resulting from fluctuations of revenue sources. *The Wellington Fire Protection District, at a minimum, will maintain unrestricted budgetary fund balance of no less than four month (33%) of regular operating expenditures or 110% of debt service whichever is greater.*

Replenishment Strategy

If the unassigned fund balance at fiscal year-end falls below the goal, the District shall develop a replenishment strategy to achieve and maintain the minimum fund balance within one to three years. Specifically, factors influencing the replenishment time horizon include: the budgetary reasons behind the fund balance targets; recovering from an extreme event; political continuity; financial planning time horizons; long-term forecasts and economic conditions; and external financing expectations.

Revenue sources that would typically be looked to for replenishment of fund balance include nonrecurring revenues, budget surplus, excess resources in other funds (if legally permissible and there is a defensible rationale).

Order of Expenditure of Funds

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When multiple categories of fund balance are available for expenditure (e.g., a project is being funded partly by a grant, funds set aside by the Board, and unassigned fund balance), the District will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

In accordance with governmental accounting standards the District's total fund balance is comprised of five components:

1. *Nonspendable Fund Balance* represents resources that are physically or legally in a nonspendable form such as inventory,
2. *Restricted Fund Balance* represents resources limited by state law or the provider such as grants or resources reported as "Stabilization by State Statute",
3. *Committed Fund Balance* represents resources previously committed by the Board of Directors for a particular purpose such as a project partially funded by grants,
4. *Assigned Fund Balance* represents resources assigned less formally for a particular purpose such as insurance reserves or subsequent year spending, and
5. *Unassigned Fund Balance* represents all remaining resources.

Annual Review and Determination of Fund Balance Reserve Amounts

Compliance with the provisions of this policy shall be reviewed as a part of the annual budget adoption process and amounts of the minimum level of unassigned fund balance shall be determined during this process.



Wellington Fire Protection District

SUBJECT:

Pension Fund Mill Dedication 2023

EXECUTIVE SUMMARY:

Per the Pension Board Bylaws, the Board has the option to fund the Volunteer Pension Fund annually through mill levy dedication.

Property Tax:
§31-30-1110

The Board of Directors of the Fire Protection District may levy and set apart a tax for each year of not more than one mil on the taxable property in the district to be credited to the pension fund.

FINANCIAL IMPACTS:

1 Mill = about \$201,490

STAFF RECOMMENDATION:

ATTACHMENTS:

Year	FPPA COLA**	SS COLA	CPI Index	Avg COLA Increase w/CPI	Avg COLA Increase w/o CPI	Actual Employer Contribution	Actuarial Value	Market Value	Required Contribution	State Match
2014	0.61%	1.50%	1.6%	1.24%	1.06%					
2015	0.60%	1.70%	-0.1%	0.73%	1.15%				\$ 110,541	
2016	0.56%	0.00%	1.4%	0.65%	0.28%	\$ 110,541			\$ 37,077	
2017	0.25%	2.00%	2.5%	1.58%	1.13%	\$ 10,541			\$ 37,077	
2018	0.39%	2.80%	2.1%	1.76%	1.60%				\$ 93,272	
2019	0.39%	1.60%	1.6%	1.20%	1.00%	\$ 40,000	\$1,525,472	\$1,460,614	\$ 93,272	\$ -
2020	0.00%	1.30%	2.5%	1.27%	0.65%	\$ 102,896			\$ 113,437	\$ 10,541
2021	0.50%	5.90%	1.4%	2.60%	3.20%	\$ 113,541	\$1,599,702	\$1,690,206	\$ 113,437	\$ 10,541
2022	0.50%	5.90%	7.5%	4.63%	3.20%	\$ 105,876				\$ 10,541

** Caps at 3%

*Average of the two for suggested increase. Adding the two COLA's equates to two raises.

Actuarial (Value includes statematch).

Actuarial (Value w/o State Match)

Table 12 - Distribution of Membership by Age and Service

Attained Age	Years of Service to Valuation Date							Total
	0-4	5-9	10-14	15-19	20-24	25-29	30 Plus	
Under 20								0
20-29								0
30-39		1	1					2
40-49			1					1
50-59								0
Over 60								0
Totals	0	1	2	0	0	0	0	3

Age	Retirees		Disabled Members		Beneficiaries		All	
	Number	Average Monthly Pension	Number	Average Monthly Pension	Number	Average Monthly Pension	Number	Average Monthly Pension
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Less than 50	0	\$ 0	0	\$ 0	0	\$ 0	0	\$ 0
50-59	7	914	0	0	0	0	7	914
60-69	5	910	0	0	0	0	5	910
70-79	3	567	0	0	0	0	3	567
Greater than 80	0	0	0	0	1	275	1	275
All	15	\$ 843	0	\$ 0	1	\$ 275	16	\$ 808



First name	Last name	Age	Years of Service	Birthdate	Pensionable Date	Begin Date	Amount	COLA AVG Increase 3.2%
David	Pierson	62		8/9/1959	8/9/2009	8/9/2009	\$1,500	\$ 1,548.00
John	Reagan	65		1/1/1957	1/1/2007	1/1/2007	\$1,350	\$ 1,393.20
Kenneth	Betchel Sr	58		10/23/1963	10/23/2013	11/1/2015	\$1,300	\$ 1,341.60
Dean	Delaney	60		8/18/1961	8/18/2011	1/1/2012	\$1,100	\$ 1,135.20
Letitia	Betchel	59		4/19/1962	4/19/2012	4/19/2012	\$1,050	\$ 1,083.60
David	Netik	52		11/21/1969	11/21/2019	11/21/2019	\$1,000	\$ 1,032.00
Craig	Snowden	60		8/2/1961	8/2/2011	1/1/2017	\$900	\$ 928.80
Dan	Gunther	72		2/20/1950	2/20/2000	2/20/2000	\$700	\$ 722.40
Steven	Sarno	68		8/22/1953	8/22/2003	9/1/2003	\$600	\$ 619.20
Michael	Harte	63		2/10/1959	2/10/2009	1/1/2017	\$600	\$ 619.20
Norman	Jones	58		9/5/1963	9/5/2013	9/5/2013	\$550	\$ 567.60
Kenneth	Dillman	78		1/9/1944	1/9/1994	8/31/1995	\$500	\$ 516.00
Susan	Reed	71		9/18/1950	9/18/2000	9/18/2000	\$500	\$ 500.00
James	Boizot	65		11/10/1956	11/10/2006	11/3/2008	\$500	\$ 516.00
Peter	Tyler	56		4/12/1965	4/12/2015	4/12/2015	\$500	\$ 516.00
Steven	Conley	43		4/11/1978	4/11/2028	4/11/2028	\$500	\$ 516.00
Maria	Due	82		4/7/1939	4/7/1989	1/1/2010	\$275	\$ 283.80
June	Steffen	49	13	6/16/1972	6/16/2022		\$650	\$ 670.80
Everitt	Pettit	49	17	2/5/1973	2/5/2023		\$850	\$ 877.20
Jason	Meyers	48	15	7/12/1973	7/12/2023		\$750	\$ 774.00
Scott	Logan	48	10	8/12/1973	8/12/2023		\$500	\$ 516.00
Brian	Tuerffs	47	14	12/14/1974	12/14/2024		\$700	\$ 722.40
Jacen	Kamtz	45	10	11/30/1976	11/30/2026		\$500	\$ 516.00
Richard	Bailey	42	11	4/9/1979	4/9/2029		\$550	\$ 567.60
Patrick	Moranville	38	13	3/14/1983	3/14/2033		\$650	\$ 670.80
Cody	Bettcher	38	10	9/22/1983	9/22/2033		\$500	\$ 516.00
Kenneth	Betchel Jr	37	11	3/30/1984	3/30/2034		\$550	\$ 567.60
Daniel	Dewitt	34	8	4/28/1987	4/28/2037		\$400	\$ 412.80
Adam	Sarno	30	10	2/13/1992	2/13/2042		\$500	\$ 516.00

	Current	w/CPI AVG Increase	w/o CPI AVG Increase
2022		4.63%	3.20%
Year total	\$161,100	\$168,564.30	\$ 173,958.36
Per Month	\$20,525	\$21,475.99	\$ 22,163.22
Average	\$708	\$740.55	\$ 764.25
High	\$1,500	\$1,569.50	\$ 1,619.72
FPPA Retiree			
Average	\$843	\$882.06	\$ 910.28
FPPA All			
Average	\$808	\$845.44	\$ 872.49

Annual Increase w/COLA and CPI

Last name	Years of Service	Pensionable Date	Begin Date	Current Amount	2014	2015	2016	2017	2018	2019	2020	2021	2022
					1.24%	0.73%	0.65%	1.58%	1.76%	1.2%	1.27%	2.60%	4.63%
Pierson		8/9/2009	8/9/2009	\$1,500	\$ 1,518.60	\$ 1,529.69	\$ 1,539.63	\$ 1,563.95	\$ 1,591.48	\$ 1,610.58	\$ 1,631.03	\$ 1,673.44	\$ 1,750.92
Reagan		1/1/2007	1/1/2007	\$1,350	\$ 1,366.74	\$ 1,376.72	\$ 1,385.67	\$ 1,407.56	\$ 1,432.33	\$ 1,449.52	\$ 1,467.93	\$ 1,506.10	\$ 1,575.83
Betchel Sr		10/23/2013	11/1/2015	\$1,300	\$ 1,316.12	\$ 1,325.73	\$ 1,334.34	\$ 1,355.43	\$ 1,379.28	\$ 1,395.83	\$ 1,413.56	\$ 1,450.31	\$ 1,517.46
Delaney		8/18/2011	1/1/2012	\$1,100	\$ 1,113.64	\$ 1,121.77	\$ 1,129.06	\$ 1,146.90	\$ 1,167.09	\$ 1,181.09	\$ 1,196.09	\$ 1,227.19	\$ 1,284.01
Betchel		4/19/2012	4/19/2012	\$1,050	\$ 1,063.02	\$ 1,070.78	\$ 1,077.74	\$ 1,094.77	\$ 1,114.04	\$ 1,127.40	\$ 1,141.72	\$ 1,171.41	\$ 1,225.64
Netik		11/21/2019	11/21/2019	\$1,000	\$ 1,012.40	\$ 1,019.79	\$ 1,026.42	\$ 1,042.64	\$ 1,060.99	\$ 1,073.72	\$ 1,087.36	\$ 1,115.63	\$ 1,167.28
Snowden		8/2/2011	1/1/2017	\$900	\$ 911.16	\$ 917.81	\$ 923.78	\$ 938.37	\$ 954.89	\$ 966.35	\$ 978.62	\$ 1,004.06	\$ 1,050.55
Gunther		2/20/2000	2/20/2000	\$700	\$ 708.68	\$ 713.85	\$ 718.49	\$ 729.85	\$ 742.69	\$ 751.60	\$ 761.15	\$ 780.94	\$ 817.10
Sarno		8/22/2003	9/1/2003	\$600	\$ 607.44	\$ 611.87	\$ 615.85	\$ 625.58	\$ 636.59	\$ 644.23	\$ 652.41	\$ 669.38	\$ 700.37
Harte		2/10/2009	1/1/2017	\$600	\$ 607.44	\$ 611.87	\$ 615.85	\$ 625.58	\$ 636.59	\$ 644.23	\$ 652.41	\$ 669.38	\$ 700.37
Jones		9/5/2013	9/5/2013	\$550	\$ 556.82	\$ 560.88	\$ 564.53	\$ 573.45	\$ 583.54	\$ 590.55	\$ 598.05	\$ 613.59	\$ 642.00
Dillman		1/9/1994	8/31/1995	\$500	\$ 506.20	\$ 509.90	\$ 513.21	\$ 521.32	\$ 530.49	\$ 536.86	\$ 543.68	\$ 557.81	\$ 583.64
Reed		9/18/2000	9/18/2000	\$500	\$ 506.20	\$ 509.90	\$ 513.21	\$ 521.32	\$ 530.49	\$ 536.86	\$ 543.68	\$ 557.81	\$ 583.64
Boizot		11/10/2006	11/3/2008	\$500	\$ 506.20	\$ 509.90	\$ 513.21	\$ 521.32	\$ 530.49	\$ 536.86	\$ 543.68	\$ 557.81	\$ 583.64
Tyler		4/12/2015	4/12/2015	\$500	\$ 506.20	\$ 509.90	\$ 513.21	\$ 521.32	\$ 530.49	\$ 536.86	\$ 543.68	\$ 557.81	\$ 583.64
Conley		4/11/2028	4/11/2028	\$500	\$ 506.20	\$ 509.90	\$ 513.21	\$ 521.32	\$ 530.49	\$ 536.86	\$ 543.68	\$ 557.81	\$ 583.64
Due		4/7/1989	1/1/2010	\$275	\$ 278.41	\$ 280.44	\$ 282.27	\$ 286.73	\$ 291.77	\$ 295.27	\$ 299.02	\$ 306.80	\$ 321.00
Steffen	13	6/16/2022		\$650	\$ 658.06	\$ 662.86	\$ 667.17	\$ 677.71	\$ 689.64	\$ 697.92	\$ 706.78	\$ 725.16	\$ 758.73
Pettit	17	2/5/2023		\$850	\$ 860.54	\$ 866.82	\$ 872.46	\$ 886.24	\$ 901.84	\$ 912.66	\$ 924.25	\$ 948.28	\$ 992.19
Meyers	15	7/12/2023		\$750	\$ 759.30	\$ 764.84	\$ 769.81	\$ 781.98	\$ 795.74	\$ 805.29	\$ 815.52	\$ 836.72	\$ 875.46
Logan	10	8/12/2023		\$500	\$ 506.20	\$ 509.90	\$ 513.21	\$ 521.32	\$ 530.49	\$ 536.86	\$ 543.68	\$ 557.81	\$ 583.64
Tuerffs	14	12/14/2024		\$700	\$ 708.68	\$ 713.85	\$ 718.49	\$ 729.85	\$ 742.69	\$ 751.60	\$ 761.15	\$ 780.94	\$ 817.10
Kamtz	10	11/30/2026		\$500	\$ 506.20	\$ 509.90	\$ 513.21	\$ 521.32	\$ 530.49	\$ 536.86	\$ 543.68	\$ 557.81	\$ 583.64
Bailey	11	4/9/2029		\$550	\$ 556.82	\$ 560.88	\$ 564.53	\$ 573.45	\$ 583.54	\$ 590.55	\$ 598.05	\$ 613.59	\$ 642.00
Moranville	13	3/14/2033		\$650	\$ 658.06	\$ 662.86	\$ 667.17	\$ 677.71	\$ 689.64	\$ 697.92	\$ 706.78	\$ 725.16	\$ 758.73
Bettcher	10	9/22/2033		\$500	\$ 506.20	\$ 509.90	\$ 513.21	\$ 521.32	\$ 530.49	\$ 536.86	\$ 543.68	\$ 557.81	\$ 583.64
Betchel Jr	11	3/30/2034		\$550	\$ 556.82	\$ 560.88	\$ 564.53	\$ 573.45	\$ 583.54	\$ 590.55	\$ 598.05	\$ 613.59	\$ 642.00
Dewitt	8	4/28/2037		\$400	\$ 404.96	\$ 407.92	\$ 410.57	\$ 417.05	\$ 424.39	\$ 429.49	\$ 434.94	\$ 446.25	\$ 466.91
Sarno	10	2/13/2042		\$500	\$ 506.20	\$ 509.90	\$ 513.21	\$ 521.32	\$ 530.49	\$ 536.86	\$ 543.68	\$ 557.81	\$ 583.64
				\$20,525.00	\$ 20,779.51	\$20,931.20	\$21,067.25	\$21,400.12	\$21,776.76	\$22,038.08	\$22,317.96	\$22,898.23	\$23,958.42

Annual Increase w/COLA Avg

First name	Years of Service	Pensionable Begin Date	Current Amount	2014	2015	2016	2017	2018	2019	2020	2021	2022
				1.06%	1.15%	0.28%	1.13%	1.60%	1%	0.65%	3.20%	3.20%
David	8/9/2009	8/9/2009	\$1,500	\$ 1,515.9	\$ 1,533.33	\$ 1,537.63	\$ 1,555.00	\$ 1,579.88	\$ 1,595.68	\$ 1,606.05	\$ 1,657.45	\$ 1,710.48
John	1/1/2007	1/1/2007	\$1,350	\$ 1,364.3	\$ 1,380.00	\$ 1,383.86	\$ 1,399.50	\$ 1,421.89	\$ 1,436.11	\$ 1,445.45	\$ 1,491.70	\$ 1,539.44
Kenneth	10/23/2013	11/1/2015	\$1,300	\$ 1,313.8	\$ 1,328.89	\$ 1,332.61	\$ 1,347.67	\$ 1,369.23	\$ 1,382.92	\$ 1,391.91	\$ 1,436.45	\$ 1,482.42
Dean	8/18/2011	1/1/2012	\$1,100	\$ 1,111.7	\$ 1,124.44	\$ 1,127.59	\$ 1,140.33	\$ 1,158.58	\$ 1,170.17	\$ 1,177.77	\$ 1,215.46	\$ 1,254.35
Letitia	4/19/2012	4/19/2012	\$1,050	\$ 1,061.1	\$ 1,073.33	\$ 1,076.34	\$ 1,088.50	\$ 1,105.92	\$ 1,116.98	\$ 1,124.24	\$ 1,160.21	\$ 1,197.34
David	11/21/2019	11/21/2019	\$1,000	\$ 1,010.6	\$ 1,022.22	\$ 1,025.08	\$ 1,036.67	\$ 1,053.25	\$ 1,063.79	\$ 1,070.70	\$ 1,104.96	\$ 1,140.32
Craig	8/2/2011	1/1/2017	\$900	\$ 909.5	\$ 920.00	\$ 922.58	\$ 933.00	\$ 947.93	\$ 957.41	\$ 963.63	\$ 994.47	\$ 1,026.29
Dan	2/20/2000	2/20/2000	\$700	\$ 707.4	\$ 715.56	\$ 717.56	\$ 725.67	\$ 737.28	\$ 744.65	\$ 749.49	\$ 773.47	\$ 798.23
Steven	8/22/2003	9/1/2003	\$600	\$ 606.4	\$ 613.33	\$ 615.05	\$ 622.00	\$ 631.95	\$ 638.27	\$ 642.42	\$ 662.98	\$ 684.19
Michael	2/10/2009	1/1/2017	\$600	\$ 606.4	\$ 613.33	\$ 615.05	\$ 622.00	\$ 631.95	\$ 638.27	\$ 642.42	\$ 662.98	\$ 684.19
Norman	9/5/2013	9/5/2013	\$550	\$ 555.8	\$ 562.22	\$ 563.80	\$ 570.17	\$ 579.29	\$ 585.08	\$ 588.89	\$ 607.73	\$ 627.18
Kenneth	1/9/1994	8/31/1995	\$500	\$ 505.3	\$ 511.11	\$ 512.54	\$ 518.33	\$ 526.63	\$ 531.89	\$ 535.35	\$ 552.48	\$ 570.16
Susan	9/18/2000	9/18/2000	\$500	\$ 505.3	\$ 511.11	\$ 512.54	\$ 518.33	\$ 526.63	\$ 531.89	\$ 535.35	\$ 552.48	\$ 570.16
James	11/10/2006	11/3/2008	\$500	\$ 505.3	\$ 511.11	\$ 512.54	\$ 518.33	\$ 526.63	\$ 531.89	\$ 535.35	\$ 552.48	\$ 570.16
Peter	4/12/2015	4/12/2015	\$500	\$ 505.3	\$ 511.11	\$ 512.54	\$ 518.33	\$ 526.63	\$ 531.89	\$ 535.35	\$ 552.48	\$ 570.16
Steven	4/11/2028	4/11/2028	\$500	\$ 505.3	\$ 511.11	\$ 512.54	\$ 518.33	\$ 526.63	\$ 531.89	\$ 535.35	\$ 552.48	\$ 570.16
Maria	4/7/1989	1/1/2010	\$275	\$ 277.9	\$ 281.11	\$ 281.90	\$ 285.08	\$ 289.64	\$ 292.54	\$ 294.44	\$ 303.87	\$ 313.59
June	13	6/16/2022	\$650	\$ 656.9	\$ 664.44	\$ 666.30	\$ 673.83	\$ 684.62	\$ 691.46	\$ 695.96	\$ 718.23	\$ 741.21
Everitt	17	2/5/2023	\$850	\$ 859.0	\$ 868.89	\$ 871.32	\$ 881.17	\$ 895.27	\$ 904.22	\$ 910.10	\$ 939.22	\$ 969.27
Jason	15	7/12/2023	\$750	\$ 758.0	\$ 766.67	\$ 768.81	\$ 777.50	\$ 789.94	\$ 797.84	\$ 803.03	\$ 828.72	\$ 855.24
Scott	10	8/12/2023	\$500	\$ 505.3	\$ 511.11	\$ 512.54	\$ 518.33	\$ 526.63	\$ 531.89	\$ 535.35	\$ 552.48	\$ 570.16
Brian	14	12/14/2024	\$700	\$ 707.4	\$ 715.56	\$ 717.56	\$ 725.67	\$ 737.28	\$ 744.65	\$ 749.49	\$ 773.47	\$ 798.23
Jacen	10	11/30/2026	\$500	\$ 505.3	\$ 511.11	\$ 512.54	\$ 518.33	\$ 526.63	\$ 531.89	\$ 535.35	\$ 552.48	\$ 570.16
Richard	11	4/9/2029	\$550	\$ 555.8	\$ 562.22	\$ 563.80	\$ 570.17	\$ 579.29	\$ 585.08	\$ 588.89	\$ 607.73	\$ 627.18
Patrick	13	3/14/2033	\$650	\$ 656.9	\$ 664.44	\$ 666.30	\$ 673.83	\$ 684.62	\$ 691.46	\$ 695.96	\$ 718.23	\$ 741.21
Cody	10	9/22/2033	\$500	\$ 505.3	\$ 511.11	\$ 512.54	\$ 518.33	\$ 526.63	\$ 531.89	\$ 535.35	\$ 552.48	\$ 570.16
Kenneth	11	3/30/2034	\$550	\$ 555.8	\$ 562.22	\$ 563.80	\$ 570.17	\$ 579.29	\$ 585.08	\$ 588.89	\$ 607.73	\$ 627.18
Daniel	8	4/28/2037	\$400	\$ 404.2	\$ 408.89	\$ 410.03	\$ 414.67	\$ 421.30	\$ 425.51	\$ 428.28	\$ 441.99	\$ 456.13
Adam	10	2/13/2042	\$500	\$ 505.3	\$ 511.11	\$ 512.54	\$ 518.33	\$ 526.63	\$ 531.89	\$ 535.35	\$ 552.48	\$ 570.16
			\$20,525.00	\$20,742.57	\$20,981.10	\$21,039.85	\$21,277.60	\$21,618.04	\$21,834.22	\$21,976.15	\$22,679.38	\$23,405.12

2021 VFP Contribution Calculation Report

Applicant:	Wellington Fire Protection District (1084)	Page:	1 of 1
Application ID/Status:	3472, Payment Scheduled	Submitted On:	10/21/2021 08:51:14 AM
Generated By:	KBARGER	Calculated On:	10/21/2021 03:21:14 PM
Reviewed By:	KBARGER	Reviewed On:	10/21/2021 03:24:02 PM

Pension Information for State Contribution Calculation

<u>Fund #/Joint:</u>	<u>Pension Fund Name (ID):</u>	<u>Benefit Level (from Application):</u>	<u>Benefit Level (Verified):</u>	<u>Benefit Level Used for Calculation:</u>
225/N	Wellington (7369) (224)	\$1,000.00	\$1,000.00	\$1,000.00

Pension Calculation Type: B

The pension fund's 2020 monthly benefit of \$1000 per volunteer for retirement is greater than \$300 per month and therefore requires the state contribution be calculated according to C.R.S. 31-30-1112(2)(b).

b1. The state contribution is equal to 90% of the local pension contribution(s):

<u>Local Contrib (from Application):</u>	<u>Local Contrib (Verified):</u>	<u>Local Contribution Used for Calculation:</u>
\$102,896.00	\$102,896.00	\$102,896.00
Total local contribution = b1a.		\$102,896.00
0.9 X b1a. = b1.		\$92,606.40

b2. The state contribution b1. must not be more than the greater of (I) the contribution actuarially required to pay a pension of \$300 dollars per month in the previous year or (II) the highest actual contribution received in 1998, 1999, 2000, or 2001:

(I) 2020 actuarially required contribution (ARC) or	-\$77,082.00	
(II) the 2001 state contribution	\$10,541.00	
	= b2a.	\$10,541.00
The lesser of line b1. or b2a. =		\$10,541.00

State Contribution Limitations for Contributing Local Government:

The total state contribution for all pension funds (a1/b2). shall not exceed one-half mill of previous net assessed value:

<u>Fund #/Joint:</u>	<u>Pension Fund Name (ID):</u>	<u>State Contribution for Pension Fund(s):</u>
225/N	Wellington (7369) (224)	\$10,541.00
Total a1/b2.		\$10,541

<u>LGID/SID:</u>	<u>Subdistrict Name:</u>	<u>County:</u>	<u>2020 Net Assessed Value:</u>
35046/1	Wellington Fire Protection District	Larimer	\$175,116,457
Total 2020 net assessed value =			\$175,116,457
0.0005 X \$175,116,457 =			\$87,558
The Applicant's 2021 State Contribution is the lesser of a1/b2. (\$10,541) or (\$87,558) =			\$10,541



EMPLOYEE HANDBOOK

Effective: August 5, 2021-[Pay Days Updated](#)

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Section 5

EMPLOYEE CLASSIFICATION, COMPENSATION & WORK SCHEDULES

A. Exempt and Non-Exempt FLSA Classifications.

Your FLSA classification as an exempt or non-exempt employee is stated within your job description. If you change positions during your employment as a result of promotion, transfer, or otherwise, the FLSA classification will be stated within the job description for your new position. You must direct any questions regarding your employment classification or exemption status to the Fire Chief, or Chief's designee.

"Exempt employees" are exempt from minimum wage and overtime requirements. "Nonexempt employees" are required to be paid a minimum wage and are eligible to receive overtime pay for all hours worked in excess of 40 hours in a given work week or in the District's designated work period, as is applicable. The Fire Chief may, in their discretion, designate certain groups of non-exempt employees and/or certain types of overtime earned as Comp Time. (See Section 5(F), below).

B. Work Schedules.

Administrative employees' normal work hours are from 8:00 a.m. to 4:00 p.m., Monday through Friday. Nonexempt administrative employees normally receive one unpaid hour allowed for lunch and two paid ten-minute breaks each day. Line employees work the schedules established by the Fire Chief, or Chief's designee. All work schedules are subject to change at any time in the sole discretion of the Fire Chief, or Chief's designee to meet the District's needs.

Full-time shift-based employees typically work a 48-hour shift beginning at 7:00 am on a given day and continuing for 2 (two) consecutive days ending at 7:00 am. Part-time shift-based employees work a 24-hour shift from 7:00 am one day to 7:00 am the following day.

C. Recording Work Hours - Falsification of Time Records Prohibited.

All actual hours worked and leave time taken shall be recorded accurately by each non-exempt employee, in a manner as outlined in district policy, and reported to the Fire Chief, or Chief's designee, or Chief's designees shall verify all hours reported. If an employee separately tracks their time worked through personal electronic, manual, or other means, and the employee believes there is a discrepancy between their personal records and their official time records, the employee must immediately report this information to the Fire Chief, or Chief's designee. Reports of discrepancies will be investigated. If it is determined that the employee's official time records incorrectly reflect their time worked, the employee's pay will be adjusted accordingly.

An employee is prohibited from completing the time record of another employee. Falsification of a time record will not be tolerated.

D. Payroll Procedures.

For the purpose of payroll, timesheets will be due three business days prior to pay date. Please see the payroll schedule for exact dates of when pay periods end, timesheets are due, and pay days.

1. **Pay Days.**

~~For line employees, payroll deposits will be made~~All employees are paid via electronic deposit every ~~13 calendar days~~other Friday. If the regular payday falls on a holiday, or weekend, payroll deposits will be made on the next business day. You are responsible for immediately bringing any concern regarding a paycheck to the attention of the Personnel Services Director.

~~For administration staff, payroll deposits will be on the 5th and 20th of each month. If the regular payday falls on a holiday, or weekend, payroll deposits will be made on the next business day. You are responsible for immediately bringing any concern regarding a paycheck to the attention of the Personnel Services Director.~~

2. **Payroll Deductions.**

a. The District is required by law to make certain deductions from your paycheck, including deductions for Federal, State and local taxes, as well as Social Security or FPPA pension contributions. Other deductions can only be made at your specific request and agreement. Payroll deductions also may be made from non-exempt employee pay pursuant to a separate written agreement with the District for the replacement cost of lost, destroyed or unreturned District property or as otherwise provided in this Handbook.

b. Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a weekly basis. The District is committed to complying with salary basis requirements which allows properly authorized deductions.

An exempt employee's pay may be subject to deductions for absences from work of one or more full days for personal reasons other than sickness or disability; if the deduction is made in accordance with the District's disability benefit plan and sick leave policies; to offset amounts you receive as jury or witness fees, or for military pay; for a fine for violating a major safety rule; or for suspensions without pay of one or more full days for violations of a major safety rule, the District's anti-discrimination/anti-harassment policies, and/or the District's workplace antiviolenace policy. You will only be paid a prorated amount of your salary for the initial or last week of employment if you do not work the entire week.

c. The District prohibits improper deductions from a non-exempt employee's pay or the salary of an exempt employee. If you believe an improper deduction has been made from your salary or pay, you must immediately report it to the Fire Chief, or Chief's designee. Reports of improper deductions will be promptly investigated. If it is determined an improper deduction has occurred, the employee will be reimbursed for any improper deduction made and the District will give assurances that it will not happen again.

E. Overtime.

1. **Working Unscheduled Hours.**

You are expected to work scheduled and unscheduled hours as necessary to meet the District's emergency services needs and maintain the District's efficient and effective administration and operation. The fact that you are asked or required to work additional hours does not mean such hours are automatically overtime.

All non-exempt employees are prohibited from working unscheduled hours, unless documented as the following: a) the Fire Chief, or Chief's designee orders or asks you to work the unscheduled hours; or, b) you ask and receive prior approval from your Fire Chief, or Chief's designee to work the unscheduled hours.

2. Overtime Pay for Non-Exempt Employees.

A non-exempt administrative employee will be paid overtime at 1.5 times your regular hourly rate of pay for all hours actually worked in excess of 40 hours in a workweek. Nonexempt line-employees will be paid overtime at 1.5 times their regular hourly rate of pay for all unscheduled hours actually worked in ~~excess of 197 hours in a 26-day work~~ a 14-day pay period. Wage replacement benefits, such as vacation leave and PTO, are not counted as hours worked for purposes of determining scheduled overtime pay. Only hours actually worked are included in this calculation.

F. Recall of Off-Duty Employees.

The Fire Chief, or Chief's designee, in their discretion, may recall any or all available District employees to meet the District's service needs. You will be notified by the Crew Sense program, Employees on pre-approved vacation or who are off duty due to sickness and/or injury are exempted from recall. A recalled non-exempt employee does not automatically receive overtime pay for being recalled, but may be entitled to overtime pay, depending upon the total hours actually worked in the applicable work week or work period.



Wellington Fire Protection District Bylaws

1. **LEGAL STATUS.** The Wellington Fire Protection District is a fire protection district organized pursuant to Title 32 of the statutes of the State of Colorado, and as such is a political subdivision of the State of Colorado. It is a special district which provides fire protection, emergency medical, and rescue services as provided by law.
2. **BOARD OF DIRECTORS.** All powers, privileges and duties vested in, or imposed upon the Wellington Fire Protection District (hereinafter referred to as "District") by law shall be exercised and performed by and through the Board of Directors (hereinafter referred to as "Board") whether set forth specifically or impliedly in these bylaws.
3. **OFFICES.** The administrative offices of the District shall be at 8130 Third Street, Wellington CO 80549 unless otherwise designated by the Board. The mailing address shall be PO BOX 10, Wellington CO 80549. The Board shall meet at the District's Meeting/Board Room located at the administrative offices, (hereinafter referred to as "District's Board Room"). The Board, by resolution and as may be provided by law, may from time to time, designate, locate, and relocate its administrative and Board meeting locations as in its judgment, may be necessary to conduct the business of the District.
4. **MEETINGS.**
 - 4.1. Regular Meetings. Regular meetings of the Board shall be held on the ~~fourth~~ second Tuesday of each month at ~~7~~4:00 p.m. at the District's Board Room.
 - 4.2. Meetings to be Public. All meetings of the Board, other than executive sessions, shall be open to the public. Upon the affirmative vote of two-thirds of the quorum then present, the Board may hold an executive session only at any regular or special meeting and solely for the purpose of considering any of the following matters, (except that no formal action by way of adoption of any resolution, ~~1~~ rule, regulation or policy position shall occur in executive session):
 - 4.2.1.1. the consideration of real and personal property matters;
 - 4.2.1.2. conferences with legal counsel for the purposes of receiving legal advice on a specific legal question;
 - 4.2.1.3. matters required to be kept confidential by federal or state law;
 - 4.2.1.4. details of security arrangements or investigations;
 - 4.2.1.5. determining positions relative to matters that may be subject to negotiations¹ developing strategy for negotiations, and instructing ~~negotiators;~~ negotiators.

4.2.1.6. personnel matters [except if the employee/member who is the subject of the session has requested an open meeting and further excepting any discussions concerning the appointment of a person to fill the office of director or of an elected official, or any personnel policy that does not involve the discussion of matters personal to particular employees/members.]

4.2.1.7. consideration of documents protected by mandatory nondisclosure provisions of the Colorado Open Records Act; or

4.2.1.8. discussion of individual members where public disclosure would adversely affect the person or persons involved.

4.3. Notice of Meetings. These bylaws shall constitute formal notice of regular meetings to Board members and except for special meetings, no other formal notice of regular meetings shall be required to be given to the directors, other than the permanent and temporary postings as required by law.

4.4. Electronic Notice: The District shall be deemed to have given full and timely notice of a public meeting if the District posts the notice, with specific agenda information if available, no less than 24 hours prior to holding the meeting on the District's public website.

4.4. Special Meetings. Special meetings of the Board may be called by any director with approval from the President upon 72-hour notice which shall be posted in three places within the District and at the offices of the Clerk and Recorder of Larimer County and a nNotice shall be posted twenty-four hours in advance at the Board's Meeting Room at the District's designated posting location, (official website). Each director shall be informed of the date, time and place of the special meeting, together with a statement of the purpose of the special meeting 72no less than-24 hours in advance of the special meeting. A director may waive the three-day notice requirement by his/her attendance at the meeting.

4.5. Telephonic or Electronic Meetings: "Location" means the physical, telephonic, electronic, or other virtual place, or combination of such means, where a meeting can be attended. Special and regular Board meetings can be held in a physical location, or by telephonic or other electronic means. §32-1-903(5), C.R.S.; HB21-1278.

4.5.1. Meetings of the Board that are held telephonically, electronically, or by other means not including physical presence must include the method or procedure, including the conference number or link, by which members of the public can attend the meeting. §32-1-903(3), C.R.S.; HB21-1278.

5. CONDUCT OF BUSINESS



Wellington Fire Protection District Bylaws

5.1. Quorum. All official business of the Board shall be transacted at a regular or special meeting at which a quorum (i.e. ~~1~~ three) of the Directors shall be present, except as provided in Section 5.2. Directors must be physically present for purposes of determining whether a quorum is present; provided, however, that upon advance notice to the Board president, no more than two (2) Board members may participate in any meeting by telephone or conference call, provided that such member must be able to hear all discussion and public comment, if any, on any issue as a condition of voting on such issue.

5.2. Voting Requirements.

5.2.1. Any formal action of the Board shall require the affirmative vote of a majority of the Directors present and voting. When special or emergency circumstances materially affecting the affairs of the District or the health, welfare, and safety of District residents and property owners so dictate, then those Directors available at the time may undertake whatever emergency action is considered necessary and may so instruct the District's employees. Ratification of the action so taken shall be entered on the minutes at the next meeting of the Board.

5.2.2. Votes on motions resolutions, and orders shall be taken by voice vote conducted by the Chairman stating, "All in favor, say Aye" and "All opposed, say No" or other similar language at the discretion of the Chairman and which shall indicate the manner of responding to the question. Roll call votes may be taken at the request of any director, or at the direction of the Chairman. Voting for the election of officers may be conducted by secret ballot at the discretion of the Board.

5.3. Agenda. Order of Business. An agenda for each meeting shall be prepared and posted at least 24 hours prior to the meeting. The business of all regular meetings of the Board shall be transacted, as far as practicable, in the following general order. Minor changes to the order and content of the agenda may be approved by the board without revising these by-laws. Approved revisions to the agenda will be attached to the by-laws as an addendum.

1. Call to Order
2. Roll Call of Board Members
3. Additions/Deletions to Agenda
4. Conflicts of Interest
5. Correspondence
6. Public Comment
7. Guests/Presentations
8. Consent Agenda
 - a. Meeting minutes
 - b. Paid Bills and Reference Check register

- c. Year-to-date Budget
- d. Balance Sheet
- 9. Chief's Report
- 10. District Business
- 11. Executive Session
- 12. Other
- 13. Calendar Items
- 14. Adjourn

5.4. Motions, Resolutions, or Orders. Actions of the Board necessary for the governing and management of the affairs of the District, for the execution of the powers vested in the District, and for carrying into effect the provisions of Article 1 of Title 32~~1~~ C.R.S., as amended, shall be taken by the passage of motions, resolutions, or orders, as may be appropriate. All such formal action shall require the majority vote of the quorum present.

5.4.5.5.. Electronic Signatures. In the event the signature(s) of one or more members of the Board or appointed signatories are required to execute a written document, contract, note, bond, deed, and/or other official papers of the District, and the appropriate individual(s) is unable to be physically present to sign said documentation, such individual or individuals are authorized to execute the documentation electronically via facsimile or e-mail signature, unless said documentation provides otherwise. Any electronic signature so affixed to a document shall carry the full legal force and effect of any original, handwritten signature. Except as approved herein, this provision of these Bylaws shall not be interpreted as establishing District's consent or authorization to bind District to any transaction by the use of electronic records or electronic means. This provision is made pursuant to Article 71.3 of Title 24, C.R.S., also known as the Uniform Electronic Transactions Act.

5.5.5.6. Roberts Rules of Order. Roberts Rules of Order shall be utilized only as a guideline for matters coming before the Board; provided, however, that no action, formal or informal, shall be set aside due to any irregularity or noncompliance with Roberts Rules of Order. The Chairperson shall make all rulings with respect to procedural issues and shall have a vote on each issue coming before the Board.

6. DIRECTORS, OFFICERS AND PERSONNEL.

6.1. Directors. The number of directors of the District shall be five (5).

6.2. Director Qualifications. Directors shall be qualified electors of the District as provided by law. To qualify as a Director of a special district, a person must be an "eligible elector" which is defined as a registered voter of Colorado and either:

6.2.1. A resident of the District, or



Wellington Fire Protection District Bylaws

6.2.2. The owner (or the spouse or civil union partner of the owner) of taxable real or personal property situated in the District.

and

6.3. Terms. ~~Directors shall be qualified electors of the District as provided by law.~~ The term of each Director and elections shall be determined by applicable statutory provisions. with elections held in even-numbered years. The District's electors voted and approved to eliminate term limits in 1998. Even in a district without term limits, incumbents must submit a self-nomination if they wish to retain their seat on the board.

6.1.6.4. Bond. At the expense of the District, each Director shall furnish a faithful performance surety bond. The bond may be a blanket bond. Along with the oath or affirmation, an individual, schedule, or blanket surety bond of not less than \$1,000 must be filed for each Director with the Clerk of the Court and the Division of Local Government, conditioned upon the faithful performance of his/her duties as Director. §32-1-901(2), C.R.S.

6.2.6.5. Oath of Office. Each member of the Board, before assuming the responsibilities of his office, shall take and subscribe to the oath of office as required by state statute. The oath shall be filed with the clerk or the court.

6.3.6.6. Election of Officers. The Board of Directors shall elect from its membership a president who shall also serve as chairman of the board, a vice president, a treasurer, a secretary (who need not be a member of the Board), and such assistant secretaries and assistant treasurers, who shall be the officers of the Board of Directors and of the District, as the Board may determine. The Board may select a secretary who is not a member of the Board. The officers shall be elected by a majority of the Directors voting at the meeting in accordance with the voting procedures set forth in paragraph 5.2. ____. The election of the officers shall be conducted biennially at the first regular meeting of the Board in the month of May following elections. Each officer so elected shall serve at the pleasure of the Board or for a term of one year, which term shall expire upon the election of the officer's successor or upon the officer's reelection to that office.

6.7. Vacancies. Any vacancy occurring in any office on the Board shall be filled for the unexpired term in the same manner as is provided for the election of full-term officers. Any vacancy on the Board shall be filled by appointment within 60 days of the vacancy by the remaining Directors as prescribed by statute, with or without advertisements of the vacancy at the discretion of the Board. All discussion of the selection, and the vote to select, shall be conducted in public session. The person appointed to fill the vacancy on the Board shall serve until the next regular board election. The following events automatically create a vacancy on the board:

6.7.1. No one gets elected to the seat (for example, if an election is cancelled due to an insufficient number of candidates and the open seat thus remains empty);

6.7.2. Failure to complete the required oath and bond within 30 days, except for

good cause;

6.7.3. Written resignation (a resignation by e-mail is sufficient to create a vacancy),

6.7.4. Ceasing to be qualified to serve as a director (this is a matter of legal qualification, such as maintaining your voter registration in Colorado and your nexus to the district through residency within the district and/or ownership of taxable property within the district);

6.7.5. A felony conviction during board tenure;

6.7.6. A valid court order to remove a board member from office or to void an appointment or election;

6.7.7. Excessive absenteeism. The Special District Act provides that a director's seat becomes vacant if he has an unexcused absence at three consecutive regular meetings, and the board does not grant approval for an additional absence or absences, which approval must be reflected in the minutes of the third board meeting. ; and

6.7.8.. Board member dies during term.

6.4-6.8. Resignation and Removal. Directors may be removed from office as prescribed by state statute. Any Director may resign at any time by giving written notice to the Board, and acceptance of such resignation shall not be necessary to make it effective, unless the notice so provides.

6.5-6.9. President and Chairman. The president shall be the president of the District and chairman of the Board and shall preside at all meetings. The president shall sign all contracts, deeds, notes, warrants and other instruments on behalf of the District, and discharge such other duties as may be required or authorized.

6.6-6.10. Vice President. The vice president shall perform the duties of president and chairman in the absence of the president.

6.7-6.11. Secretary. The secretary shall keep or cause to be kept full and accurate records of the District; shall act as secretary at meetings of the Board and record all votes; shall compose a record of the proceedings of the Board in a minute book kept for that purpose (and also kept in a visual text format that may be transmitted electronically such as PDF© or Word© format) which shall be an official record of the Board; and shall perform all duties incident to that office. ~~The official minutes of the District shall also~~ ~~The secretary shall be custodian of the seal of the District and shall have the power to affix such seal to and attest all contracts and instruments authorized to be executed by the Board.~~

6.8-6.12. Treasurer. The treasurer shall keep or cause to be kept strict and accurate accounts of all money received by and disbursed for and on behalf of the District in permanent records. The treasurer shall file with the Clerk of the Court, at the expense of the District, a corporate fidelity bond in an amount determined by the Board of not less than \$5,000 conditioned on the faithful



Wellington Fire Protection District Bylaws

performance of the duties of the office. If a budget or financial committee is established, the treasurer shall chair such committees.

6.9.6.13. Additional Duties.

6.9.1.6.13.1. The officers of the Board shall perform such other duties and functions as may from time to time be required by the Board, by the bylaws or rules and regulations of the District, or by special exigencies, which may later be ratified by the Board; provided, however, that no director shall be employed by the District in any capacity.

6.9.2.6.13.2. Within six months of taking the oath of office, Directors will in good faith will engage in and receive certification from FEMA Emergency Management Institute (EMI) for ICS100, ICS700, ICS400, and ICS800.

6.14. Chief of Department. The Board shall appoint a Chief of the Department, (hereinafter referred to as "Fire Chief") to serve for such term and upon such conditions, including salary, as the Board may establish pursuant to contract. The Fire Chief shall also serve as the Chief Executive Officer of the District and shall have general supervision over the administration of the affairs, employees and business of the District and shall be charged with the hiring and discharging of employees, subject to review by the Board. In addition to all statutorily prescribed duties, the Chief shall perform those duties as may be assigned by the Board and as are set forth in the job description. Job performance will be evaluated by the Board on an annual basis.

6.10.6.15. Official Custodian of Records. The Board shall have the authority to appoint a recording secretary who need not be a member of the Board of Directors, and who shall be responsible for recording all votes and composing a record of the proceedings of the Board which shall be the official record of the Board. The official custodian of records shall not be required to take an oath of office, nor shall he/she/they be required to post a performance bond.

6.16. Selection and Tenure of Consultants. The selection of agents, engineers, architects, accountants, special consultants and attorneys shall be made by the Board and shall be based upon the relative qualifications and capabilities of the applicants and shall not be based on political services or affiliations. Agents and consultants shall serve at the pleasure of the Board. Contracts for professional services may be entered into on such terms and conditions as determined by the Board.

7. Records Management.

6.11.7.1. The District shall comply with and adopt and maintain policies as necessary for compliance with, applicable records retention, destruction, and disclosure requirements, including the Colorado Open Records Act, State Archives and Public Records law, and various consumer

privacy legislation. Unless determined otherwise by the Board of Directors, the Deputy District Manager or designee is hereby designated as the Official Custodian of Records pursuant to the Open Records Act. In the event there is any question as to whether the District is permitted to comply with an Open Records Act request, the Custodian of Records shall forward such request to the District's legal counsel. Copies of records shall be furnished per the District's Open Record Act Policy.

7.8. FINANCIAL ADMINISTRATION.

7.1.8.1. Fiscal Year. The fiscal year of the District shall commence on January 1 and end on December 31 of each year.

7.2.8.2. Budget. On or before October 15 of each year, the Board's designated Budget Officer in conjunction with the Board appointed Budget Committee shall prepare and submit to the Board a proposed budget for the ensuing fiscal year. Such proposed budget shall set forth the aggregate figures of the budget in such manner as to show the balanced relations between the total proposed expenditures and the total anticipated income or other means of financing the proposed budget for the ensuing fiscal year, as contrasted with the corresponding figures for the last completed fiscal year and the current fiscal year. It shall be supported by explanatory schedules or statements classifying the expenditures contained therein by services, subjects, and funds. The anticipated income of the District shall be classified according to the nature of receipts.

7.3.8.3. Notice of Budget. Upon receipt of such proposed budget, the Board shall cause to be published a public notice that the proposed budget is open for inspection by the public at the business office; that the Board will consider the adoption of the proposed budget on a certain date; and that any interested elector may inspect the proposed budget and file or register any objections thereto at any time prior to its final adoption.

7.4.8.4. Adoption of Budget. On the day set for consideration of such proposed budget, the Board shall review the proposed budget and thereafter. revise, alter, increase, or decrease the items as it deems necessary in view of the needs of the District and the probable income of the District. The Board shall thereafter formally adopt the budget setting forth the expenditures to be made in the ensuing fiscal year. The Board shall provide for sufficient revenues to finance budget expenditures.

8.5. Filing of Budget. Within 30 days of adoption of the budget, the Board shall cause a certified copy of such budget to be filed with the Division of Local Government in the Department of Local Affairs.

7.5.8.6. Levy and Collection of Taxes. On or before December 15th of each year, unless an election for an increased operating tax levy is held, the Board shall certify to the Board of County



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Commissioners of the County or Counties in which the District is located the mill levy established for the ensuing fiscal year, in order that, at the time and in the manner required by law for the levying of taxes, such Commissioners shall levy such tax upon the assessed valuation of all taxable property within District.

7.6-8.7. Appropriating Resolution. At a meeting held no later than December 15 each year (to meet the deadline to certify the mill levy), the Board shall enact a resolution making appropriations for the ensuing fiscal year. The amounts appropriated shall not exceed the amounts established in the adopted budget.

7.7-8.8. No Contract to Exceed Appropriation; Contract Authorization.

7.7.1-8.8.1. The Board shall have no authority to enter into any contract, or otherwise bind or obligate the District to any liability for payment of money for any purposes, for which provision is not made in an appropriation resolution, including any legally authorized amendment thereto, in excess of the amount of such appropriation for that fiscal year. Any contract, verbal or written, contrary to the terms of this sub-section shall be void ab initio, and no District funds shall be expended in payment of such contracts, except as provided in the following sub- section.

7.7.2-8.8.2. The Board shall approve all contractual obligations of the District. However, the Board may delegate general purchasing authority for routine supplies and expenditures to the Fire Chief.

7.8-8.9. Contingencies. In cases of emergency caused by a natural disaster or some contingency which could not reasonably have been foreseen at the time of the adoption of the budget, the Board may authorize the expenditure of funds in excess of the budget by resolution duly adopted by a two-thirds vote of the entire membership of the Board, as provided by state statute.

7.9-8.10. Annual Audit. The Board shall cause an annual audit to be made of all financial affairs of the District through December 31st of the prior fiscal year. A copy of the audit report shall be maintained in the District office as a public record for public inspection at all reasonable times. The Treasurer shall forward a copy of the audit report to the State Auditor pursuant to statutory requirements, within thirty days following receipt of the audit.

7.10-8.11. 7.10. Checks. All checks issued on behalf of the District shall be specifically approved by the Board and signed by two authorized signors.

8.9. CORPORATE SEAL. The seal of the District shall be a circle containing the name of the District and shall be used on all documents and in such manner as seals generally are used by public and private corporations. The Secretary shall have or delegate custody of the seal and shall be responsible for its

safe keeping and care.

9.10. CONFLICT OF INTEREST.

9.1.10.1. Disclosure of Conflict of Interest. A potential conflict of interest of any Director shall be disclosed in accordance with State law, particularly Article 18 of Title 24, C.R.S., and Sections 32-1-902(3) and 18-8-308, C.R.S.. Any Director who is present at a meeting at which is discussed any matter in which that Director has, directly or indirectly, a private pecuniary or property interest shall disclose such interest to the Board. Unless such Director has given prior advance written notice to the Colorado Secretary of State and to the Board, in accordance with all statutory requirements, such Director shall refrain from advocating for or against the matter and shall disqualify himself/herself from voting on such matter. The Board may adopt a separate policy specifically regarding ethical standards and practices.

9.2.10.2. Compensation. If the Board consents to and budgets for board compensation, each Director shall receive the maximum compensation authorized by statute. each Director may receive up to \$100.00 per meeting attended up to the statutory maximum of \$11600 per year. No compensation shall be paid for any meeting at which that director was absent regardless of whether such absence was excused. Directors shall not receive any other compensation as an employee of the District except as may be provided by state statute.

9.3.10.3. Disclosure of Gifts, Property, etc. Any director receiving any money or loan with a value of \$25 or more, or any gift or property with a value of \$50 or more, or any payment for a speech, appearance or publication, or any tickets to a sporting, recreational, educational or cultural event with a value of \$50 or more, or the payment of reimbursement for actual and necessary expenses for travel/lodging other than from the District, shall report such money, loan, gift, or reimbursement in accordance with the provisions of the Public Official Disclosure Act, Sec. 24-6-2031 C.R.S.

10.11. INDEMNIFICATION OF DIRECTORS AND EMPLOYEES. To the extent provided by law, the District shall defend, hold harmless and indemnify any Director, officer, agent, or employee, whether elective or appointive, against any tort or liability, claim or demand, whether groundless or otherwise, arising out of any alleged act or omission occurring during the performance of duty. The District may compromise and settle any such claim or suit and/or pay the amount of any settlement or judgment rendered thereon.

10.1.11.1. For the purposes of this Section 10 only, the following definitions shall apply:

10.1.1.11.1.1. "Employee". The term "employee" means a director, officer, employee, or servant (hereinafter collectively referred to as "employee") of the District, whether or not compensated, elected or appointed. The term "employee" specifically excludes any person or organization contracting to perform services or acting for the District as an independent



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contractor.

~~10.1.2.~~11.1.2. "Performance of Duty". The term "performance of duty" shall be interpreted as broadly as possible to include any situation in which a District employee could conceivably be deemed to be acting within the scope of employment. It shall specifically extend to all employees who are providing service on a voluntary basis or otherwise to any private, corporate, or governmental party other than the District, when doing so with the appropriate consent and authorization from the District. The term "Performance of duty" shall not include any act or omission constituting deliberate and intentional tortious or criminal conduct or malfeasance in office¹ or willful or wanton neglect of duty.

~~10.2.~~11.2. The District reserves the right to designate the attorney appointed to defend any employee in any tort or liability action instituted pursuant to Section 10.

~~10.3.~~11.3. All claims to be paid pursuant to Section 10 shall be paid by the District or its insurer. Any judgment or settlement of a claim against the District or its employees shall be paid in accordance with the provisions of said Governmental Immunity Act.

~~10.4.~~11.4. The District may decline to provide a defense or indemnify any employee in any of the following circumstances:

~~10.4.1.~~11.4.1. If the employee willingly and knowingly fails to notify the District, within a reasonable time, of any incident or occurrence which the employee might reasonably expect to result in a claim of tort liability against him or the District.

~~10.4.2.~~11.4.2. If any employee fails to notify the District of any notice of claim or summons and complaint served upon that employee commencing a suit for damages reimbursable pursuant to this Section 10i such notice shall be given to the District within fifteen business days of its service upon the employee.

~~10.4.3.~~11.4.3. If an employee fails to exercise reasonable efforts to notify the District of any claim which is informally asserted against that employee for damages reimbursable pursuant to this Section 10.

~~10.4.4.~~11.4.4. If an employee refuses to cooperate with an investigation or defense of any lawsuit by the District, or its insurer, or by any attorney employed by the District to furnish the defense to said employee, or any private investigator hired by the District to investigate such tort or liability claim.

~~10.5.~~11.5. If the District or the employee against whom a claim reimbursable hereunder is asserted has any other valid insurance, bond or indemnification plan available covering the loss or

damage alleged against him, such insurance, bond or other plan will be first applied to the payment of any claim. In such event, the obligation of the District to indemnify and hold harmless the employee shall exist only for liability incurred in excess of such other coverage.

~~10.6.11.6.~~ In the event of any payment made pursuant to Section 10, the District shall be subrogated to all of the employee's rights of recovery therefore against any person or organization, and the employee shall execute and delivery instruments and papers and do whatever else is necessary to secure such rights of subrogation. The employee shall do nothing to prejudice such rights.

~~10.7.11.7.~~ No assignments of indemnification shall be permitted without the written consent of the District, signed by the President, and no such assignment shall bind the District unless such written consent is given prior to assignment. If, however, the employee shall die, the benefits of this Section 10 shall be available to, and apply fully to, the employee's legal representative, but only while acting within the scope of his duties as such.

~~10.8.11.8.~~ Any defense and indemnification available to an employee under this Section 10 shall continue to be available after the termination of his employment, office or tenure if the act or omission causing such liability occurred during the course of his duties while an employee of the District. Such defense and indemnification shall not be available to a former employee, however, in the event that the tort or liability claim against him is asserted as a counterclaim or set-off in any suit brought by the employee, except the extent that the liability of such employee may exceed the amount of his own claim or suit.

~~10.9.11.9.~~ The provisions of this Section 10 shall be subject to the provisions of the Colorado Governmental Immunity Act, Sec. 24-10-101, et seq., C.R.S., and the Colorado constitution. Nothing herein is to be construed as a waiver of any immunity or defense provided by law.

11.12. BIDDING AND CONTRACTING PROCEDURES. Except in cases in which the District will receive aid from a government agency, or when the Board determines to utilize integrated project delivery contract as provided below, a notice shall be published for bids on all construction contracts for work or material, or both, involving an expense of \$60,000.00 or more. The District may reject ~~any and all~~ bids. If it appears that the District can perform the work or secure material for less than the lowest bid, it may proceed to do so. If possible, at least three quotes shall be obtained for work or material, or both, involving an expense less than \$60,000.00. The purchase of fire equipment, apparatus, and vehicles shall be exempt from these bidding and contracting procedures provided, however, that the Board may adopt specific policies with respect to the purchase of such equipment, apparatus, and vehicles.

~~11.1.12.1.~~ A Notice or Invitation to bid shall be published in a newspaper of general circulation within the District boundaries pursuant to state statute. The Notice will request sealed proposals for the construction to be done¹ or for the materials needed. The specifics of the contract will be stated; where and when the plans and specifications may be examined; and the time and place



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the sealed proposals will be opened and publicly read.

~~11.2.12.2.~~ The Board ~~retains the right at all times~~always retains the right, in its sole discretion, to reject any or all proposals; determine the proposal and subcontractors that will serve the best interests of the District; and determine the proposal and subcontractors which are most responsible to perform the work.

~~11.3.12.3.~~ Bids must be accompanied by an acceptable bidder's bond, or a certified check payable to the District, in an amount equal to 5% of the bid. If within the time designated in the Notice of Award, the Contract is not executed, and, if required, Payment and Performance Bonds and Certificates of Insurance are not provided, the District shall keep the bid bond as liquidated ~~damages, and~~damages and assess such other damages as the District may determine.

~~11.4.12.4.~~ Payment and Performance Bonds are required for all construction contracts over \$501000.00; and shall be discretionary with the Board for contracts which are under that amount.

~~11.5.12.5.~~ As an alternative to hiring an architect or engineer to design a project, if the Board ~~makes a determination~~decides by resolution that an integrated projected delivery ("IDP") contract would represent a timely or cost-effective alternative for a public project, the Board may:

~~11.5.1.12.5.1.~~ Pre-qualify contracting entities by publishing a notice of a "request for qualifications" (RFO) that may ~~includes~~include: a description of project; general budget considerations; specific criteria; evidence of competency/experience and capabilities, evidence of all required registrations/credentials to provide the services; and the criteria for prequalification. If an RFQ is published, then the Board must select and prepare a short list of entities that it considers to be most qualified.

~~11.5.2.12.5.2.~~ A request for proposals (RFP) shall then be sent to those on the short list, or, if no RFQ has been done, then the RFP shall be published/advertised. The RFP may contain: procedures to be followed for submitting proposals; criteria for evaluation of proposals; procedures for making the award; required performance standards; description of the drawings, specs, or other submittals to be provided; relevant budget considerations; proposed schedule; and the stipend, if any, that will be paid to those on the short list who are not selected if an RFQ is utilized.

~~11.5.3.12.5.3.~~ Prequalification is not required, but if an RFO is published, then the Board must select and prepare a short list of entities that it considers to be most qualified. The Board may then select the proposal that is in the best interests of the District.

~~11.5.4.~~12.5.4. Other than the public bid requirement (which the IDP replaces if utilized), all other construction laws are applicable to a district construction project (e.g., performance bonds, notice of final settlement, etc.).

~~11.6.~~12.6. In either process, ten percent of all pay estimates shall be withheld during the construction until 50% of the contract work has been performed; thereafter, no additional sums shall be withheld if satisfactory progress is being made. For any exceeding \$80,000.00, the contractor may deposit acceptable securities in lieu of such retained amounts in accordance with law. (Section 24-91-103, C.R.S.)

12.13. POWERS OF THE BOARD OF DIRECTORS. Without restricting the general powers conferred by law, it is hereby expressly declared that the Board shall have the following power and duties:

~~12.1.~~13.1. To determine and designate, except as otherwise provided by law or these bylaws, who shall be authorized to make purchases, negotiate for the purchase of real estate, negotiate leases, and sign receipts, endorsements, checks, releases, and other documents.

~~12.2.~~13.2. To create standing or special committees and to delegate such power and authority thereto as the Board deems necessary and proper for the performance of such committee's functions and obligations, consistent with statutory powers.

13.14. MODIFICATION OF BYLAWS. These bylaws may be altered, ~~amended~~amended, or repealed at any regular meeting or at any special meeting of the Board called for that purpose after an initial presentation of the proposal at a prior regular meeting of the Board.

14.15. SEVERABILITY. If any provision of these Bylaws or the application thereof is held invalid, such invalidity shall not affect the provisions or applications of these Bylaws which can be given effect without the invalid provision or application. To this end, the provisions of these Bylaws are deemed severable.

Station 16
8130 3rd Street
Wellington, CO 80549



Station 17
108 E County Road 66
Fort Collins, CO 80524

Wellington Fire Protection District Bylaws

ADOPTED this _____ day of _____, 2022 by the Board of Directors of the Wellington Fire Protection District.

WELLINGTON FIRE PROTECTION DISTRICT

President

ATTEST:

Secretary

Revised 2.18.2022