



BLACK FOREST FIRE RESCUE
PROTECTION DISTRICT
MONTHLY REPORT

BFFRPD BOARD OF DIRECTORS & STAFF

NOVEMBER 16TH, 2022

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**BLACK FOREST FIRE RESCUE PROTECTION DISTRICT
BOARD OF DIRECTORS**
11445 Black Forest Road
Colorado Springs, CO 80908
(719) 495-4300



Nate Dowden, Chairman
Jim Abendschan, Vice-Chairman Jack Hinton, Treasurer
Kiersten Tarvainen, Director Chad Behnken, Director

AGENDA
BLACK FOREST FIRE/RESCUE PROTECTION DISTRICT REGULAR BOARD MEETING
11/16/2022

LOCATION: Station 1 Community Room, 11445 Teachout Rd., Colorado Springs, CO 80908

VIRTUAL LOCATION: Zoom Meeting

1. Meeting called to order.
2. Roll call.
3. Oath of Firefighters
4. Introduction of Fire Academy Graduates
5. Minutes approved – October 12, 2022 regular meeting.
6. Financial report - Treasurer Jack Hinton
7. Department report presented by Department Staff
8. Old Business: 2023 Budget- Public Hearing on 2023 Budget
9. New Business: Family and Medical Insurance Leave Program (FAMLI)
10. Board member reports on workshops/meetings attended.
11. Correspondence. Letter and Donation from Evans Family
12. Public comments. **Comments will be limited to 3 minutes per person.**
13. Announcement of future meeting dates.
14. Adjournment.

Action Items:

Subject: _____ **Assignee:** _____

Subject: _____ **Assignee:** _____

Subject: _____ **Assignee:** _____

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BLACK FOREST FIRE/RESCUE PROTECTION DISTRICT

The Board of Directors of the Black Forest Fire/Rescue Protection District held a regular board meeting on October 12, 2022, such meeting duly posted for public notice.

A quorum present, the meeting was called to order at 7:01 p.m. by Chair Dowden.
Directors present: N. Dowden/J. Abendschan/J. Hinton/C. Behnken/K. Tarvainen
Directors absent: None
Also present: J. Rebitski/C. Piepenburg/R. Dunn/D. Arkowski/fire department personnel/community members/and others via Zoom

Roll Call: All directors were present.

Minutes A motion was made and seconded to approve the board meeting minutes for the September 21, 2022 regular board meeting; upon a vote the motion carried unanimously.

Financial Reports Treasurer Hinton reported that the District has assets of \$3.1million, with \$193,276 remaining in Capital Improvements after an \$800,000 balance at the beginning of the year. Personnel have been working on the 2023 budget.

Mr. Hinton spoke to Commissioner Holly Williams about aspects of the planned Flying Horse North (FHN) development, specifically in the area of maintaining the fire department's level of service and financing of a new station. It was noted that so much more is needed beyond a building lot – such as funds to build a station, needed equipment, personnel to man the station, and a water supply. Ms. Williams referred to a water delivery system for the north end of El Paso County that is being considered, and also the possibility of the fire station in Shamrock Ranch, which is owned by the Wescott FPD, being transferred to Black Forest FPD. Chair Dowden advised that the District board may not offer opinions on the FHN project, but must defer to requirements of NFPA standards and response times. BFFPD staff have been meeting with FHN staff and outlining what the needs of the District will be to protect FHN concerning water, whether a cistern or a reservoir. In response, FHN has installed a fire department connection and a hydrant at the club house.

Ms. Williams is requesting a statement of service and response plan from the District. It was suggested that FHN identify their specific needs and criteria for service as balanced against what the District is able to provide. The Fire Marshal will review FHN plans and the District may provide input and request accommodations. If FHN's preliminary plat is approved but not final construction plans, the District will not have sufficient detail to form an opinion on what is needed and whether those needs will fit within the District's budget. **A motion was made and seconded to approve the financial reports; the motion carried unanimously.**

Operations Report A written report was prepared by Chief Langmaid and given to all directors. A copy is attached to the minutes.

Finance and Administrative – Admin. Officer Rachel Dunn:

- Notable revenues last month were ambulance receipts - \$18,123, tax revenues - \$39,563, deployment revenue - \$71,224; grants - \$14,030.
- Notable expenditures – nothing to report.
- Procurement - uniforms.
- Monthly hours worked – 8,614.

Branch II Logistics – Planning and Prevention – Deputy Chief James Rebitski

- Basic maintenance on station alerting system.
- Fleet – routine repairs and maintenance.

Facilities Unit

- Facilities – new phone system installed.

Resources Unit

- Pierce truck had new lights installed and ETA is delayed to January 2023.
- Water leaks were found on the aerial truck and the waterway will be replaced at their cost, delaying the lead time by 12 weeks.

RECORD OF PROCEEDINGS

- Continued build process research for new wildland brush truck.

Inspections Unit

- Routine activity.
- Increase in recreational fire permits.

Fuels Management (Mitigation) Unit

- Launched digital platform to track risk assessments.
- Working on grants to obtain chipper and truck.

Operations – Deputy Chief Piepenburg

- Training hours continue to be significant.
- Three members to special training in Alabama.
- Deployment to southeast Colorado, a Type 3 Engine.
- The wildland pre-plan project is nearing completion, and final product will be able to assist with what is required in FHN.

Command/Strategic – Chief PJ Langmaid

In the Chief's absence, Chair Dowden delivered an overview of his report, focused on strategic planning around the 2023 budget. Budget preparation has been facilitated by section chiefs, has considered dual service area exclusions and staffing needs. It was noted that this budget cycle was more challenging due to the reduced residential assessment rate, the recession, and inflation.

Old Business None.

New Business 2023 Budget – Rachel Dunn. The budget summary has an added column to illustrate budget needs with 8 people per day versus with 9 people per day. If the 9 person budget is chosen, the additional people will be hired in the middle of 2023. Compensation increases were cost-of-living at 3%, D&D increased to 3.4%, and FPPA pension rate increased to 9.5%. Other line items highlighted included increases in training and the capital improvement fund. The District contribution to the volunteer firefighter pension fund was discussed, with a possibility of reducing the historic annual \$10,000 contribution to \$5,000. The amount of \$10,000 enables the District to apply for a matching grant from the state of \$9,000, for a total contribution to the fund of \$19,000. However, if the contribution amount drops below \$10,000, the state will not provide any matching funds, thus diminishing the fund by \$14,000 in 2023. Ms. Arkowski was asked what the final dissolution of the volunteer pension fund would be. She advised that at the point when all pensioned volunteer firefighters have died, and when all of their surviving spouses have died, the remainder of the fund will revert back to the control of the District. She added that this will require multiple decades. The majority of the board indicated they were in favor of fully funding this pension at \$10,000 in 2023. In further consideration of the number of personnel to be budgeted for, and the impacts on other areas of the budget, the board agreed to the 8 people per day budget.

A proposal for wildland deployment vehicles was considered. It was reported that the District can expect deployment revenue of about \$749,000 for 2022. The deployment vehicles currently being used are cramped and uncomfortable for the crews responding. The department has been offered an opportunity to purchase two 2023 Ford F-550 crew cabs and chassis. There is a four-window time period to take advantage of adding the department's name to the list of those who wish to purchase these vehicles. No payment is required until the trucks will be delivered, which will be mid-2023. Greeley Ford is the sole Ford dealership who can handle state pricing of this nature, and the actual cost, as of October 12, 2022, is \$66,647 for one chassis and truck. Greeley Ford will not know the exact price until October 27, 2022, and is estimating the price could rise or fall by about \$1,000. The District may decide to not follow through with the purchase, and will not be penalized. Department personnel would build brush trucks after they are delivered. The trucks are being built in Iowa, and shipping to Colorado would be \$2,450. Chief Rebitski has proposed trailering the trucks here for a cost of about \$950. A lengthy discussion ensued covering the operation of a deployment program, the positive points for purchasing larger vehicles for the personnel to use, the benefits of offering personnel the opportunity to participate in a deployment program, the financial pressures of purchasing more and more vehicles, the positive points of putting the department's name on the Ford F-550 list and the benefit of not being held to any contract requirement if it is decided to not buy the trucks, and the need to move forward on this matter. **A motion was made to proceed with adding the names of the Black Forest Fire Department to the list of organizations wishing to purchase the Ford F-550 trucks and thereby placing an order for the two brush trucks, but maintaining the ability to cancel this purchase without penalty; the motion was seconded; upon a vote the motion was carried unanimously.**

RECORD OF PROCEEDINGS

Chair Dowden asked that any further discussion on this matter be tabled until the November board meeting as old business. Treasurer Hinton advised that all 2023 budget items must be finalized at the public hearing for the budget at the November meeting and certified at the December 7 board meeting. The 2023 budget will recognize the deployment income against the cost of brush trucks. Permission has been given to put the department name on the list for the purchase of two Ford F-550 brush trucks.

Reports on Workshops and Meetings None.

Public Comments None.

Future Meetings The next regular board meeting will be November 16, 2022, at 7 pm and will include a public hearing for the 2023 budget. The December board meeting will be December 7, 2023 at 7:00 pm.

Adjournment There being no further business, the board adjourned at 9:20 p.m.

Respectfully submitted,

Donna Arkowski, Secretary

Black Forest Fire Rescue Protection District Balance Sheet

As of October 31, 2022

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1000 FNB - Operations Checking	1,521,700
1005 MMDA First National Bank	136,309
1010 FNB - Emergency Reserve	236,107
1015 FNB - Capital Improvement	193,276
1020 FNB - Tabor	137,026
Total Bank Accounts	\$2,224,419
Accounts Receivable	
1200 Accounts Receivable	547,865
Total Accounts Receivable	\$547,865
Other Current Assets	
1205 County Taxes Receivable	56,018
Total Other Current Assets	\$56,018
Total Current Assets	\$2,828,302
TOTAL ASSETS	\$2,828,302
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable	15,881
Total Accounts Payable	\$15,881
Credit Cards	
2010 Divvy Payable	915
Total Credit Cards	\$915
Other Current Liabilities	
2015 Colonial Insurance	423
Total Other Current Liabilities	\$423
Total Current Liabilities	\$17,218
Total Liabilities	\$17,218
Equity	
3000 Beginning Fund Balance	1,888,475
Net Income	922,609
Total Equity	\$2,811,084
TOTAL LIABILITIES AND EQUITY	\$2,828,302

Black Forest Fire Rescue Protection District
Budget vs. Actuals
 January – October 2022

		TOTAL	
	ACTUAL	BUDGET	% OF BUDGET
Income			
100 Operating Revenues	951,463	561,104	170.00 %
200 Non-Operating Revenues	4,040,809	3,982,874	101.00 %
Total Income	\$4,992,272	\$4,543,978	110.00 %
GROSS PROFIT	\$4,992,272	\$4,543,978	110.00 %
Expenses			
300 General Finance Branch	225,504	292,328	77.00 %
320 Administrative Branch	30,207	51,183	59.00 %
340 Total Compensation Branch	1,711,020	2,350,236	73.00 %
342 Benefits	444,737	568,287	78.00 %
400 General Logistics Branch	26,742	39,559	68.00 %
420 Information Technology Branch	21,075	37,812	56.00 %
440 Communications Branch	68,199	99,522	69.00 %
460 Fleet Services Branch	79,744	103,040	77.00 %
480 Facilities Branch	78,136	77,377	101.00 %
484 Training Center	7,317	17,828	41.00 %
485 Radio Tower	284	616	46.00 %
486 Communications Center	200		
490 Personal Protective Equipment (PPE) Branch	31,639	51,462	61.00 %
500 Operations Branch	128,441	127,693	101.00 %
520 Training Branch	122,127	163,664	75.00 %
540 Deployment Branch	430,486	376,104	114.00 %
620 Community Risk Branch	11,000	5,975	184.00 %
680 Capital Procurement Branch	618,355	43,029	1,437.00 %
700 Command Sections	34,171	93,762	36.00 %
Total Expenses	\$4,069,383	\$4,499,477	90.00 %
NET OPERATING INCOME	\$922,889	\$44,501	2,074.00 %
Other Expenses			
Reconciliation Discrepancies	280		
Total Other Expenses	\$280	\$0	0%
NET OTHER INCOME	\$ (280)	\$0	0%
NET INCOME	\$922,609	\$44,501	2,073.00 %

Department Report for October 2022

DEPARTMENT SUMMARY

BRIEF OVERVIEW of SEPTEMBER 2022

Fire Calls	EMS Calls	Training Hours	Plans Reviewed
19	32	1492	2
Significant Incidents, Events, & Projects			
Joint Interagency Training Continues Traffic Accident with Entrapment – Pine Cone/Vollmer 400 Acre wildland fire assist to Hanover 4 members graduated CSFD Fire Academy			

We continue to attend and meet with:

- North El Paso County Fire Chief’s
- Pikes Peak Fire Chief’s Council
- Pikes Peak Wildfire Preparedness Group
- Board of County Commissioners (BoCC)
- 9-1-1 Authority
- El Paso County Planning Commission
- El Paso County Land Use
- Pikes Peak Radio Communications Network
- Pikes Peak Area Council of Governments
- Colorado State Fire Chief’s
- Mtn. View Electric
- Cherokee Metropolitan District
- Emergency Services Authority (ESA) Board
- Pikes Peak Regional Office of Emergency Management (PPROEM)

FINANCE & ADMINISTRATIVE SECTION

Administrative Officer Rachel Dunn

Cost Unit

Notable Revenues this month:

- Ambulance Revenue: \$20,836.99
- Total Tax Revenue: \$56,018.44
- Deployment Revenue: \$53,376.17

Notable Expenses this month:

- Nothing new to report

Procurement Unit

- Uniform items

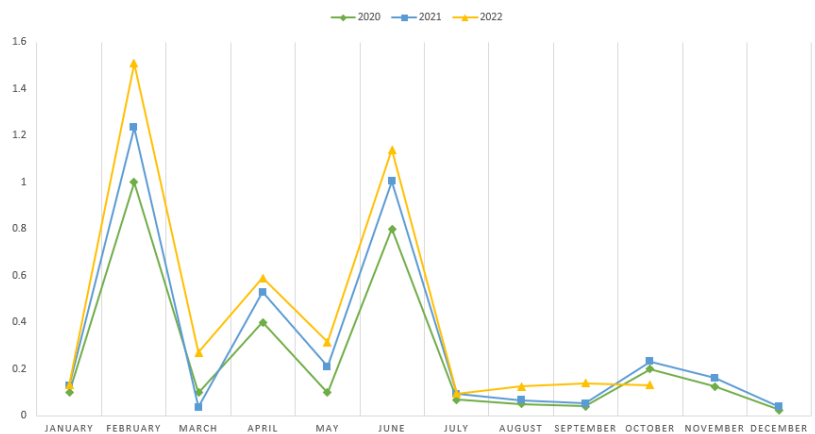
Public Affairs (PIO) Unit

- Nothing new to report

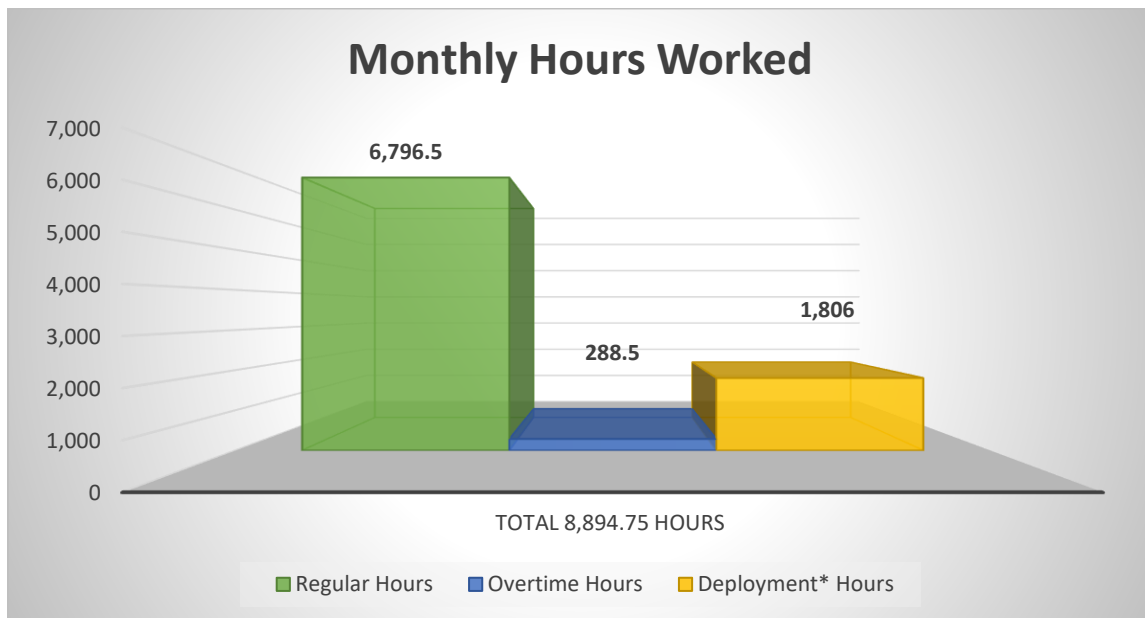
Compensation & Claims Unit

- Nothing new to report

BLACK FOREST FIRE RESCUE PROTECTION DISTRICT THREE YEAR REVENUE HISTORY



Time Unit



* Denotes total deployment and deployment back fills*

LOGISTICS SECTION

Administrative Officer Rachel Dunn & Deputy Chief James Rebitski

Branch I (Rachel Dunn)

IT Unit

- Nothing new to report

Supply Unit

- Nothing new to report

Member Wellness Unit

- Nothing new to report

Branch II (Deputy Chief Rebitski)

Communications Unit (Lt. Jones)

- Nothing new to report

Ground Support (Fleet) Unit (E.V.T. Gavin Smith)

4546: Post and pre deployment inspections, replaced main air line, Replaced antenna for VHF.

7129: Repaired wiring issue.

3341: Replaced master battery switch.

5849: Replaced water line, repaired several discharge handles that had loosened.

7629: Reinstalled primer valve.

7395: Installed chargers.

Facilities Unit

Firehouse 1:

- Nothing new to report.

Firehouse 2:

- Nothing new to report.

Training Complex:

- Began installing heaters.

PLANNING & PREVENTION SECTION

Deputy Chief James Rebitski

Planning Branch

Resources Unit

- The Pierce truck had all emergency lights installed. Waiting on waterway. ETA January 2023.

Situation Unit

- Nothing new to report.

Documentation Unit

- Continued scanning old documentation to add to electronic filing system.

Community Risk Branch

Inspections Unit

- High View Estates (Walker Road) final plat.
- Sterling Ranch North Phase 2 and 3 water plans.
- Continuing to see an increase in recreational fire permits and address sign requests.

Investigations Unit

- Nothing new to report.

Fuels Management (Mitigation) Unit

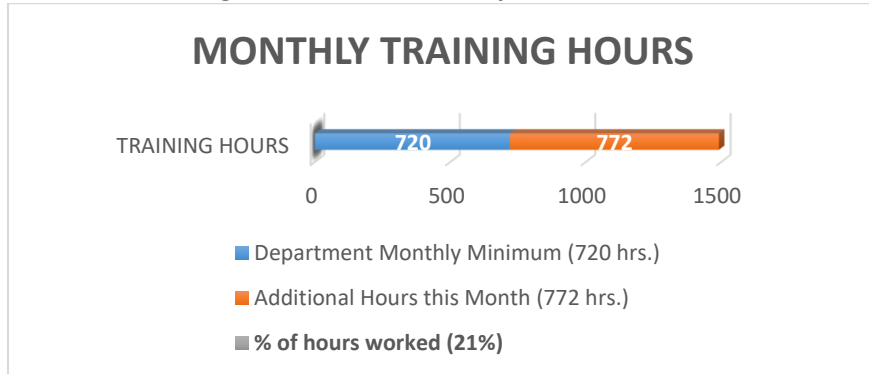
- Still performing risk assessments as personnel are available.
- Continuing to work on grants and local resources to obtain chipper and truck.

BFFRPD is out of FIRE RESTRICTIONS

OPERATIONS SECTION

Deputy Chief Chris Piepenburg

Training Branch – Director: Captain Jason Morrison



Training Branch

Summary of Significant Events:

- 3 members completed structural collapse technician course
- 1 member completed Fire Officer 1
- 4 members graduated from CSFD Fire Academy
- Live Fire Training with CSFD Fire Academy

Deployment Branch

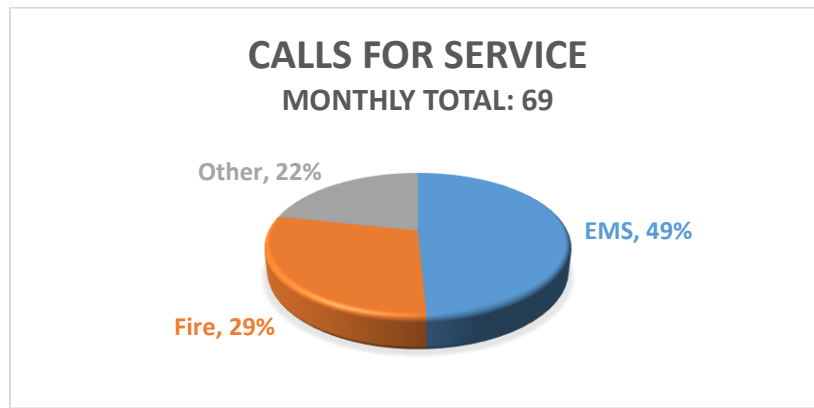
Summary of Significant Events:

- Wildland Engine returned from SE Colorado.

Daily Operations Branch

Summary of Significant Events:

- Traffic Accident with Entrapment – Pine Cone/Vollmer
- 400 Acre wildland fire assist to Hanover



COMMAND/STRATEGIC SUMMARY

Fire Chief PJ Langmaid

Fire Chief's primary focus, and intent continues to be:

- Leadership development and alignment for entire Officer Corps and other interested staff.
- Succession planning and development for continuity of operations and service delivery.
- Strategic planning and alignment for organizational sustainability and stability.
- Building and maintaining relationships with strategic and tactical partners.
- Research and development to increase capacities and capabilities for community services delivery.

In summary, despite the significant daily operational workload, the leadership within your organization is consistently focused on the strategic planning for the next 5, 10, and 20 years of professional and high performing service delivery.

APPENDIX A
OLD BUSINESS DOCUMENTS

ACCOUNT NUMBER	DESCRIPTION	APPROVED 2022	ESTIMATED 2022	PROPOSED 2023
General Fund				
	Total Reserve Funds	1,193,890	1,055,969	482,689
	Total Unreserved Funds (from prior years)	121,179	913,994	-
	Beginning Balance General Fund	1,315,069	1,969,963	706,747
REVENUES				
100	Operating Revenues			
101.000	Ambulance Service Fees	185,000	174,606	175,000
102.000	Colorado Medicaid Supplemental	n/a	0	25,000
103.000	Incident Recoveries	n/a	0	0
104.000	Deployments	376,104	790,731	534,729
105.000	Impact Fees	n/a	n/a	n/a
106.000	Inspection Fees	-	1,000	0
107.000	Community Risk/Prevention	0	0	0
108.000	Training Fees	0	9,300	5,000
	Operating Revenues Total	561,104	975,637	739,729
200	Non-Operating Revenues			
201.000	General Property Tax	3,731,374	3,703,848	3,782,221
202.000	Specific Ownership Tax	250,000	375,460	300,000
203.000	Grants-Federal, State, Local	0	43,246	0
204.000	Interest Earned	500	1,131	1,000
205.000	Donations	500	2,200	500
206.000	Other Non-Operating Revenues	500	760	250
207.000	Sale of Fixed Assets	0	0	0
208.000	Insurance Recoveries	0	0	0
	Non-Operating Revenues Total	3,982,874	4,126,645	4,083,971
	TOTAL REVENUES	4,543,978	5,102,282	4,823,700
	TOTAL FUNDS AVAILABLE (Inc. beginning bal)	5,859,047	7,072,245	5,530,446
EXPENDITURES				
300	FINANCE & ADMINISTRATIVE SECTION			
300.000	General Finance Branch			
301.100	County Treasurer's Fees @ 1.5%	55,143	55,606	55,895
304.100	Election	18,000	137	18,000
305.100	Transfer to Volunteer Pension Fund	10,000	10,000	10,000
306.100	Audit	10,000	9,500	9,500
307.100	Ambulance/Services Billing Fees	11,100	10,476	10,500
308.100	Accounting	28,320	28,320	28,320
309.100	General Liability Insurance	74,057	68,675	69,461
310.100	Workers Compensation	84,968	67,006	44,095
312.100	Bank Fees	500	94	150
313.100	Payroll	0	2,338	2,158
314.100	Postage & Shipping	240	428	240
320.000	Administrative Branch			
321.100	Office Supplies	4,668	3,064	3,000
322.100	Office Equipment	3,700	3,455	3,450
323.100	Recruiting/Hiring	0	0	0
324.100	New Hire Exams	12,000	5,069	6,000
325.100	Medical Exams & Background Verification	10,600	807	0
326.100	Promotional Exams	-	0	0
327.100	Morale and Welfare	10,800	6,932	7,500
328.100	Administrative Software & Programs	8,415	14,153	2,638
329.100	General Expenses	1,000	0	500
	General Finance & Administration Branch Total	343,511	286,060	271,407
340.000	Total Compensation Branch			
341.000	Wages			
341.100	Wages - Regular	2,223,772	1,938,896	2,221,385
341.200	Wages - Department Over Time	75,130	56,901	73,330
341.300	Wages - Deployment	0	0	0
341.400	Wages - Reserves Stipend	18,000	6,200	13,200
341.500	Employee Tax Expense (fica/unemployment)	33,334	50,838	39,520
	Wages Total	2,350,236	2,052,835	2,347,435
342.000	Benefits			
342.100	Pension Benefits - FPPA Employees	200,139	169,167	207,572
	Heart and Cancer Benefit Trust	5,000	5,000	5,000

342.200	Employee Health Insurance	302,943	294,533	294,725
342.300	D&D Insurance	60,205	70,430	83,579
	Benefits Total	568,288	539,130	590,875
	Total Compensation Branch Total	2,918,524	2,591,965	2,938,311
	FINANCE & ADMINISTRATIVE SECTION TOTAL	3,262,035	2,878,025	3,209,718
400	LOGISTICS SECTION			
400.000	General Logistics Branch			
401.100	Equipment Repairs & Maintenance	8,485	0	0
402.100	BioHazard Waste Contract	1,140	1,169	1,176
403.100	Uniforms	21,550	21,550	20,000
404.100	Physical Fitness Supplies	0	199	0
405.100	Physical Fitness Equipment	7,500	7,755	7,000
406.100	General Dues & Subscriptions	884	884	849
	General Logistics Branch Total	39,559	31,557	29,025
420.000	Information Technology Branch			
421.100	Information Technology Supplies	100	285	750
422.100	Information Technology Equipment	10,562	10,363	10,500
423.100	Information Technology Administrative	27,150	26,496	38,208
	Information Technology Branch Total	37,812	37,144	49,458
440.000	Communications Branch			
441.100	Communications Supplies	1,150	272	300
442.100	Communications Equipment	59,850	63,267	25,000
443.100	Communications Equipment Repairs & Maintenance	6,846	6,849	6,960
444.100	Telephone	6,500	6,092	5,928
446.100	Cellular Devices	15,624	11,139	14,112
447.100	Pager Service	66	420	3,024
448.100	Pikes Peak Radio Communication Network	9,486	13,087	13,996
449.100	Radio License Fee	0	155	0
450.100	Station Alerting	0	705	0
	Communications Branch Total	99,522	101,986	69,320
460.000	Fleet Services Branch			
460.100	Fuel and Gasoline	42,600	44,812	57,604
461.200	Fire Apparatus Repairs and Maintenance	33,540	28,564	38,820
462.200	EMS Apparatus Repairs and Maintenance	9,600	8,525	9,660
463.200	Command Apparatus Repairs and Maintenance	15,800	6,002	15,800
464.200	Utility Apparatus Repairs and Maintenance	1,500	1,559	1,500
	Fleet Services Branch Total	103,040	89,462	123,384
480.000	Facilities Branch			
481.000	Station 1			
481.100	Supplies	3,600	5,280	5,750
481.200	Equipment	9,850	6,046	4,800
481.300	Repairs and Maintenance	4,329	9,300	9,000
481.410	Utilities - Trash	780	492	492
481.420	Utilities - Gas	8,820	11,208	11,880
481.430	Utilities - Electricity	12,181	8,605	9,408
481.440	Utilities - Water	2,739	3,249	2,304
481.450	Utilities - Alarm	480	480	480
481.500	Improvements	14,900	8,460	6,400
	Station 1 Total	57,679	53,120	50,514
482.000	Station 2			
482.100	Supplies	1,509	1,725	1,900
482.200	Equipment	2,619	169	2,400
482.300	Repairs and Maintenance	2,184	4,050	5,200
482.410	Utilities - Trash	384	492	492
482.420	Utilities - Gas	3,622	4,034	5,184
482.430	Utilities - Electricity	5,400	4,334	3,564
482.440	Utilities - Alarm	480	480	480
482.500	Improvements	3,500	19,145	6,400
	Station 2 Total	19,698	34,429	25,620
484.000	Training Center			
484.100	Supplies			0
484.200	Equipment			12,000
484.300	Repairs and Maintenance			
484.410	Utilities - Trash		1,989	700
484.420	Utilities - Gas			2,592
484.430	Utilities - Electricity	828	756	1,788
484.500	Improvements	17,000	15,887	15,000

	Training Center Total	17,828	18,632	32,080
485.000	Radio Tower			
485.100	Annual Lease	100	100	100
485.410	Utilites - Electricity	516	426	426
485.500	Improvements			
	Radio Tower Total	616	616	526
486.000	Communications Center			
	Communications Center Total	0	0	
	Facilities Branch Total	95,821	106,797	108,740
490.000	Personal Protective Equipment (PPE) Branch			
490.000	PPE			
491.100	Structural	45,362	51,413	35,585
492.100	Medical	700	660	500
493.100	Wildland	5,400	7,890	5,000
494.100	Rescue	0	584	5,000
495.100	Hazardous Materials	0	0	0
496.100	Ballistic		236	0
	Personal Protective Equipment Branch Total	51,462	60,783	46,085
	LOGISTICS SECTION TOTAL	427,216	427,730	426,012
	OPERATIONS SECTION			
500.000	Operations Branch			
501.100	Firefighting Supplies	3,100	2,312	2,500
502.100	Firefighting Equipment	25,352	47,646	12,000
503.100	Medical Supplies	35,888	26,954	27,000
504.100	Medical Equipment	12,940	17,008	3,500
505.100	Wildland Intermix Supplies	0	970	750
506.100	Wildland Intermix Equipment	1,250	0	1,250
507.100	Rescue Supplies	500	32	500
508.100	Rescue Equipment	35,224	33,721	12,000
509.100	Hazardous Materials Supplies	408	566	500
510.100	Hazardous Materials Equipment	5,032	0	500
511.100	Command and Control Supplies	299	0	299
512.100	Command and Control Equipment	7,700	0	0
	Operations Branch Total	127,693	129,209	60,799
520.000	Training Branch			
520.100	Training Supplies	5,000	8,680	9,600
521.100	Training Equipment	180	155	15,000
522.100	Training Tuition	104,835	103,203	58,000
523.100	Training Travel	47,850	25,983	22,000
524.100	Training Administrative	5,799	6,364	2,500
	Training Branch Total	163,664	144,385	107,100
540.000	Deployment Branch			
540.100	Deployment Supplies	676	403	403
541.100	Deployment Equipment	13,500	4,351	4,351
542.100	Deployment Repairs & Maintenance	5,999	1,339	11,858
543.100	Deployment Travel	54,266	87,283	87,283
544.100	Deployment Base Wages	178,361	157,447	157,447
545.100	Deployment Overtime Wages	123,302	273,387	273,387
	Deployment Branch Total	376,104	524,210	534,729
	OPERATIONS SECTION TOTAL	667,461	797,804	702,628
	PLANNING SECTION			
600	General Planning Branch			
601.100	Transfer to Capital Improvement Fund	0	0	226,464
602.100	Transfer to District Emergency Reserve Fund	0	0	0
603.100	Transfer to TABOR Reserve Fund (Article X)	0	0	0
	General Planning Branch Total	0	0	226,464
620.000	Community Risk Branch			
620.100	Prevention Materials & Education	3,675	2,664	1,673
	Community Risk Branch Total	3,675	2,664	1,673
640.000	Investigations & Inspections Branch			
640.100	Investigations & Inspections	2,300	8,758	1,595
	Investigation & Inspections Branch Total	5,975	8,758	1,595
660.000	Documentation Unit			
660.100	Documentation Unit	0	0	17,815
	Documentation Unit Total	0	0	17,815
680.000	Capital Procurement Branch			

	2022 Pierce Enforcer Engine	43,029	275,000	43,879
	2023 Pierce Tactical Tender	0	0	43,879
	2005 Pierce Tower Ladder		340,883	-
	2023 Ford F-550 Brush Truck (x2)		0	-
	Station 1 Concrete Pad Construction		0	64,000
	Station Alerting Installation		95,764	
	Capital Procurement Branch Total	43,029	711,647	151,758
	PLANNING SECTION TOTAL	52,679	723,069	399,305
700.000	COMMAND SECTION			
701.100	Public Affairs Group	32,000	31,678	32,000
702.100	Safety & Intelligence Group	0	0	0
703.100	Liaison Affairs Group	1,420	1,298	3,600
704.100	Executive Development Group	22,842	0	22,842
705.100	Research & Development Group	12,500	1,437	2,500
706.100	Legal Affairs Group	25,000	17,183	25,000
	COMMAND SECTION TOTAL	93,762	51,596	85,942
	TOTAL EXPENDITURES LESS A/C 510	4,503,153	4,878,224	4,823,605
	Rev. Over (Under) Expenditures	40,825	224,058	95
	ENDING BALANCE - GENERAL FUND	1,355,894	2,194,021	706,842
	Tabor Reserve Fund (Article X)			
	Beginning Balance	136,896	136,896	136,992
	Transfer from General Fund	0	0	0
	ENDING BALANCE - TABOR RESERVE (ARTICLE X)	136,896	136,992	136,992
	District Emergency Reserve Fund			
	Beginning Balance	235,697	235,697	236,048
	Transfer from General Fund	0	0	0
	ENDING BALANCE - DISTRICT EMERGENCY RESERV	235,697	236,048	236,048
	Capital Improvement Fund			
	Beginning Balance	821,296	821,296	109,649
	Transfer from General Fund	0	0	226,464
	Total Expenditures from Capital Improvement		711,647	
	ENDING BALANCE - CAPITAL IMPROVEMENT	821,296	109,649	336,113
	Total Reserve Funds			
	Beginning Balance	1,193,889	1,193,889	482,689
	Transfer from General Fund	0	0	226,464
	Total Deductions from Reserve Funds	274,575		0
	ENDING BALANCE - ALL RESERVE FUNDS	919,314	482,689	709,153

ACCOUNT NUMBER	DESCRIPTION	APPROVED 2022	ESTIMATED 2022	PROPOSED 2023
General Fund				
	Total Reserve Funds			482,689
	Total Unreserved Funds (from prior years)			224,058
	Beginning Balance General Fund	1,315,069	1,969,963	706,747
REVENUES				
100 Operating Revenues				
101.000	Ambulance Service Fees	185,000	174,606	175,000
102.000	Colorado Medicaid Supplemental	n/a	n/a	0
103.000	Incident Recoveries	n/a	n/a	0
104.000	Deployments	376,104	790,731	534,729
105.000	Impact Fees	n/a	n/a	n/a
106.000	Inspection Fees	-	1,000	0
107.000	Community Risk/Prevention	0	0	0
108.000	Training Fees	0	9,300	5,000
	Operating Revenues Total	561,104	975,637	739,729
200 Non-Operating Revenues				
201.000	General Property Tax	3,731,374	3,703,848	3,782,221
202.000	Specific Ownership Tax	250,000	375,460	300,000
203.000	Grants-Federal, State, Local	0	43,246	0
204.000	Interest Earned	500	1,131	1,000
205.000	Donations	500	2,200	500
206.000	Other Non-Operating Revenues	500	760	250
207.000	Sale of Fixed Assets	0	0	0
208.000	Insurance Recoveries	0	0	0
	Non-Operating Revenues Total	3,982,874	4,126,645	4,083,971
	TOTAL REVENUES	4,543,978	5,102,282	4,823,700
	TOTAL FUNDS AVAILABLE (Inc. beginning bal)	5,859,047	7,072,245	5,530,446
EXPENDITURES				
300 FINANCE & ADMINISTRATIVE SECTION				
300.000 General Finance Branch				
301.100	County Treasurer's Fees @ 1.5%	55,143	55,606	55,895
304.100	Election	18,000	137	18,000
305.100	Transfer to Volunteer Pension Fund	10,000	10,000	10,000
306.100	Audit	10,000	9,500	9,500
307.100	Ambulance/Services Billing Fees	11,100	10,476	10,500
308.100	Accounting	28,320	28,320	28,320
309.100	General Liability Insurance	74,057	68,675	69,461
310.100	Workers Compensation	84,968	67,006	44,095
312.100	Bank Fees	500	94	150
313.100	Payroll	0	2,338	2,158
314.100	Postage & Shipping	240	428	240
	Administrative Branch			
	General Finance & Administration Branch Total	343,511	286,060	271,407
340.000 Total Compensation Branch				
341.000	Wages			
	Wages Total	2,350,236	2,052,835	2,347,435
342.000	Benefits			
	Benefits Total	568,288	539,130	590,875
	Total Compensation Branch Total	2,918,524	2,591,965	2,938,311
	FINANCE & ADMINISTRATIVE SECTION TOTAL	3,262,035	2,878,025	3,209,718
400 LOGISTICS SECTION				
400.000 General Logistics Branch				
	General Logistics Branch Total	39,559	31,557	29,025
420.000 Information Technology Branch				
	Information Technology Branch Total	37,812	37,144	49,458
440.000 Communications Branch				
	Communications Branch Total	99,522	101,986	69,320
460.000 Fleet Services Branch				
	Fleet Services Branch Total	103,040	89,462	123,384
480.000 Facilities Branch				
	Facilities Branch Total	95,821	106,797	108,740
490.000 Personal Protective Equipment (PPE) Branch				
	Personal Protective Equipment Branch Total	51,462	60,783	46,085
	LOGISTICS SECTION TOTAL	427,216	427,730	426,012

	OPERATIONS SECTION			
500.000	Operations Branch			
	Operations Branch Total	127,693	129,209	60,799
520.000	Training Branch			
	Training Branch Total	163,664	144,385	107,100
540.000	Deployment Branch			
	Deployment Branch Total	376,104	524,210	534,729
	OPERATIONS SECTION TOTAL	667,461	797,804	702,628
	PLANNING SECTION			
600	General Planning Branch			
	General Planning Branch Total	0	0	226,464
620.000	Community Risk Branch			
	Community Risk Branch Total	3,675	2,664	1,673
640.000	Investigations & Inspections Branch			
	Investigations & Inspections Branch Total	2,300	8,758	1,595
660.000	Documentation Unit			
	Documentation Unit Total	0	0	17,815
680.000	Capital Procurement Branch			
	Capital Procurement Branch Total	43,029	711,647	151,758
	PLANNING SECTION TOTAL	52,679	723,069	399,305
700.000	COMMAND SECTION			
	COMMAND SECTION TOTAL	93,762	51,596	85,942
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	Beginning Balance	1,193,889	1,193,889	482,689
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	Total Deductions from Reserve Funds	274,575	0	0
	ENDING BALANCE - ALL RESERVE FUNDS	919,314	482,689	709,153

CERTIFICATION OF TAX LEVIES FOR NON-SCHOOL GOVERNMENTS

TO: County Commissioners of El Paso County, Colorado.

The Board of Directors of the Black Forest Fire Rescue Protection District hereby certifies the following mill levies to be extended upon the GROSS assessed valuation of \$249,235,880 (general operating levies only). Submitted on December 14, 2022.

PURPOSE	LEVY	REVENUE
1. General operating expenses (including fire pension, if applicable)	14.951 mills	\$3,726,326
2. (MINUS) Temporary property tax credit/ Temporary mill levy rate reduction 39-1-111.5, CRS ‡ IF THE CREDIT DOES NOT APPLY TO THE GENERAL OPERATING EXPENSES LEVY, PLEASE INDICATE HERE THE LEVY TO WHICH THE CREDIT APPLIES: _____	(-0-) mills‡	\$(-0-)
SUBTOTAL	14.951 mills	\$3,726,326
3. General obligation bonds and interest (Special Districts must certify separately for each debt pursuant to 32-1-1603, CRS; see back of this form)		
4. Contractual obligations approved at election	-0- mills	-0-
5. Capital expenditures (These revenues are not subject to the statutory property tax revenue limit if they are approved by counties and municipalities <u>through public hearing</u> pursuant to 29-1-301(1.2) CRS and for special districts <u>through approval from the Division of Local Government</u> pursuant to 29-1-302(1.5) CRS or for any entity if <u>approved at election.</u>)	-0- mills	-0-
6. Refunds/Abatements	-0- mills	-0-
7. Other (specify): _____ (These revenues are for purposes not indicated above in #1 through #6 and are not subject to the statutory property tax revenue limit.)	-0- mills	-0-
TOTAL	<u>14.951 mills</u>	<u>\$3,726,326</u>

NOTE: Certification must be carried to three decimal places only.
 NOTE: If you certify to more than one county, you must certify the same levy to each county.
 NOTE: If your boundaries extend into more than one county, please list all counties here:

Contact person: Rachel Dunn Daytime phone: (719) 495-4300
 Signed: _____ Title: Administrative Officer
 Send a completed copy of this form to the Division of Local Government, Room 521, 1313 Sherman Street, Denver, CO 80203, (303) 866-2156.

CERTIFICATION OF TAX LEVIES, continued

THIS APPLIES ONLY TO SPECIAL DISTRICTS (TITLE 32, ARTICLE 1) WHICH LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 CRS). Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, CRS). Total should be recorded on page 1, line 3.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS:

- 1. Purpose of Issue:
Series:
Date of Issue:
Coupon Rate:
Maturity Date:
Levy:
Revenue:

- 2. Purpose of Issue: N/A
Series:
Date of Issue:
Coupon Rate:
Maturity Date:
Levy:
Revenue:

CONTRACTS

- 3. Purpose of Contract: N/A
Title:
Date:
Principal Amount:
Maturity Date:
Levy:
Revenue:

- 4. Purpose of Contract: N/A
Title:
Date:
Principal Amount:
Maturity Date:
Levy:
Revenue:

BLACK FOREST FIRE RESCUE PROTECTION DISTRICT

RESOLUTION NO. 2022-__

RESOLUTION TO ADOPT 2023 BUDGET

A RESOLUTION ADOPTING A BUDGET, AND SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND, AND APPROPRIATING SUMS OF MONEY, AND SETTING A MILL LEVY FOR THE BLACK FOREST FIRE RESCUE PROTECTION DISTRICT, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2023 AND ENDING ON THE LAST DAY OF DECEMBER 2023.

WHEREAS, the Board of Directors of the Black Forest Fire Rescue Protection District has appointed PJ Langmaid, Fire Chief, to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, Fire Chief PJ Langmaid has submitted a proposed budget to this governing body on October 12, 2022, for its consideration, and;

WHEREAS, upon due and proper notice, published or posted 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 16, 2022, and interested taxpayers were given the opportunity to file or register any objection to said proposed budget, and;

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues or planned to be expended from reserves so that the budget remains in balance, as required by law; and

WHEREAS, for the purpose of meeting general and operations expenses of the Black Forest Fire Rescue Protection District it is necessary to raise by taxation the sum of \$3,782,221 for general operations, when levied upon every dollar of assessed valuation of taxable property within the District will produce said sum is 14.951 mills for general operations;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BLACK FOREST FIRE RESCUE PROTECTION DISTRICT, COLORADO:

1. That the budget as submitted and summarized by fund, hereby is approved, and adopted as the budget of the Black Forest Fire Rescue Protection District for the year stated above.
2. That there is hereby appropriated for the purposes and uses in the amounts set forth in the budget of said District for the year ending December 31, 2023, a total sum of \$5,209,882 including the beginning balance and all anticipated revenues, for general operations, and general obligation bond debt.
3. That the tax levied upon every dollar of assessed valuation for the taxable property within said district for the year 2023 shall be 14.951 mills for general operations, and the Board of County Commissioners, El Paso County, Colorado, shall levy, at the time and in the manner required by law for levy of taxes for government purposes, such taxes upon assessed valuation of all taxable property within the District, and that said mill levy shall be certified to proper taxing authorities of the County of El Paso, State of Colorado, as required by law.

DULY ADOPTED at a regular meeting of the Board of Directors of the Black Forest Fire/Rescue Protection District, El Paso County, Colorado, this 7th day of December 2022.

Nate Dowden, Chair

James Abendschan, Vice Chair

Jack Hinton, Treasurer

Kiersten Tarvainen, Director

Chad Behnken, Director

BLACK FOREST FIRE RESCUE PROTECTION DISTRICT
BOARD OF DIRECTORS
 11445 Black Forest Road
 Colorado Springs, CO 80908
 (719) 495-4300



Nate Dowden, Chairman
 Jim Abendschan, Vice-Chairman Jack Hinton, Treasurer
 Kiersten Tarvainen, Director Chad Behnken, Director

2023 Fee Schedule

SERVICE	FEE
CORA Request-Research and Retrieval -----	\$30/hr. after 1 st hr.
CORA Request Page -----	\$0.25 per page
Postal and Carrier charges (if required) -----	Actual cost
Medical Report Request by Patient (HIPAA Compliant) -----	\$0
Property Inclusion -----	Under Review
Property Exclusion -----	Under Review
Returned Check -----	\$35
Commercial Inspections, plans review and sprinkler systems -----	See CSFD Fee Schedule
Recreational Fire permit -----	\$0
Hot Work Permit (outdoor welding work) -----	\$10 (1 day permit)
Slash Pile Permit -----	\$0 (1 day permit)
Firewise Inspection-----	\$0
Home Safety Inspection -----	\$0
Reflective Address Indicator Post -----	\$35
Fire Protection Report -----	\$750
Fire Commitment Letter -----	\$0
Subdivision Plan Reviews -----	\$500 (<= 10 acres) \$750 (> 10 acres)
Variance Request -----	\$150
APPARATUS STANDBY	
Fire Engine -----	\$175/hr.
Ambulance -----	\$150/hr.
Brush Truck -----	\$150/hr.
Water Tender -----	\$100/hr.
Hazardous Material Mitigation Supplies -----	Replacement Costs
AMBULANCE SERVICE	
BLS -----	\$1616.26/transport
BLS-MVC -----	\$1716.26/transport
ALS-1 -----	\$1919.33/transport
ALS-1 MVC -----	\$2019.33/transport
ALS-2-----	\$2777.94/transport
ALS-2-MVC -----	\$2877.94/transport
LOADED MILEAGE -----	\$31.48 per mile

**BLACK FOREST FIRE RESCUE PROTECTION DISTRICT
BOARD OF DIRECTORS**
11445 Black Forest Road
Colorado Springs, CO 80908
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Nate Dowden, Chairman
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2023 Wage & Leave Schedule

Position	2022 hourly	2023 hourly	2022 annually	2023 annually	BFFR Employed	Certification Maintenance
Wildland Technician:	\$ 19.60	\$ 20.28	\$ 42,806.40	\$ 43,527.12	DOQ/DOE	S130/S190, L180, DO-Tender
Firefighter/EMT 5 th Class:	N/A	\$ 19.60	\$ 58,604.00	\$ 58,604.00	0-11 months	Enrolled in EMT-B & FF Academy
Firefighter/EMT 4 th Class:	\$ 19.60	\$ 20.28	\$ 58,604.00	\$ 60,637.20	12-23 months	FF2/EMT-B
Firefighter/EMT 3 rd Class:	\$ 20.83	\$ 21.46	\$ 62,281.70	\$ 64,165.40	24-35 months	FF2/EMT-B/DOU
Firefighter/EMT 2 nd Class:	\$ 22.06	\$ 22.72	\$ 65,959.40	\$ 67,932.80	36-47 months	FF2/EMT-B/DOP
Firefighter/EMT 1 st Class:	\$ 23.28	\$ 23.98	\$ 69,607.20	\$ 71,700.20	48-59 months	FF2/EMT-B/DOP/DOA
Sergeant:	\$ 24.51	\$ 24.91	\$ 73,284.90	\$ 73,284.90	60+ months	FO1/EMT-B/DOP/DOA
Fire Lieutenant:	\$ 28.18	\$ 29.03	\$ 84,258.20	\$ 86,799.70	DOQ/DOE	FO2/EMT-B/DOP/DOA
Fire Captain:	\$ 31.86	\$ 32.07	\$ 93,078.70	\$ 95,889.30	DOQ/DOE	FO2/EMT-B
Battalion Chief:	N/A	N/A	N/A	N/A	DOQ/DOE	FO2/EMT-B
Deputy Chief:	N/A	N/A	\$ 109,927.35	\$ 113,225.17	DOQ/DOE	
Administrative Assistant:	\$ 17.00	\$ 17.51	\$ 35,360.00	\$ 36,420.80	DOQ/DOE	
Administrative Officer:	\$ 35.38	\$ 36.44	\$ 73,590.40	\$ 75,795.20	DOQ/DOE	
Paramedic Differential	\$ 2.27	\$ 2.27	\$ 6,787.30	\$ 6,787.30	0-12 months	EMT-P w/local endorsement
Health Insurance Differential	\$ 1.27	\$ 1.27	\$ 3,797.30	\$ 3,797.30	N/A	Annual Proof of Insurance
Acting Lieutenant Differential	\$ 1.50	\$ 1.50	\$ 4,485.00	\$ 4,485.00	min. of 8x/mo	Fulfilling role consistently
Leave Type	2022	2022 annual	2023	2023 annual	Maximum Carry-over/Liability	
Vacation Accrual						
Administrative Personnel	6.1538 hrs	160 hours	6.1538 hrs	160 hours	320 hours	
Operations Personnel	7.3846 hrs	192 hours	7.3846 hrs	192 hours	354.46 hours	
Sick Leave Accrual	4.6153 hrs	120 hours	4.6153 hrs	120 hours	1200 hours	

Adopted December 7th, 2022
Effective March 20th, 2023

APPENDIX B
NEW BUSINESS DOCUMENTS



Shareholders

Paul R. Cockrel
Evan D. Ela
Linda M. Glesne
David A. Greher
Matthew P. Ruhland

Associates

Joseph W. Norris
Harley G. Gifford
Madison D. Phillips

Paralegals

Micki Mills
Sarah Luetjen

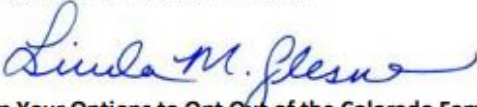
MEMORANDUM

July 27, 2022

**ATTORNEY-CLIENT PRIVILEGED
COMMUNICATION**

VIA EMAIL

TO: PJ Langmaid, Fire Chief
Black Forest Fire Rescue Protection District

FROM: Linda M. Glesne 

RE: **Important Update on Your Options to Opt Out of the Colorado Family and Medical Leave Insurance Program (FAMLI)**

In November 2020, Colorado voters approved Proposition 118 creating a state-run Paid Family and Medical Leave Insurance (FAMLI) program (now codified in Sections 8-13.3-501, C.R.S., *et seq.*). With passage of Proposition 118, Colorado became the ninth state-facilitated paid family medical leave program in the United States. FAMLI will be administered by the Division of Family and Medical Leave Insurance (FAMLI Division). Contributions to the FAMLI Division for employers participating in FAMLI will begin on January 1, 2023, while benefits for employees will become available on January 1, 2024.

The FAMLI program is intended to provide access to paid leave to all eligible employees who receive compensation at or above \$2,500 annually, for any of the following reasons: (a) the birth, adoption or placement through foster care of a child during the first year after the birth, adoption or placement of that child with the employee; (b) an employee caring for a family member with a serious health condition; (c) the employee personally seeking care for a serious health condition; (d) because of any qualifying exigency leave; or (e) the employee has a need for safe leave.

Depending on the employee's income and following a statutory methodology, at the time of paid family leave, an employee will receive between 37% and 90% of their normal

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weekly wages, with the amount capped at \$1,100 per week for up to 12 weeks, (except that benefits are payable up to an additional four weeks to an eligible employee with a serious health condition related to pregnancy complications or childbirth complications). The method by which the FAML I Division will administer payments to employees will be worked out and further guidance provided in 2023, so at this point, the technical details are beyond the scope of this Memorandum. That may make the decision the Board of Directors must make a bit difficult, as it is difficult at this point to fully understand how this will all be administered practically.

LOCAL GOVERNMENT PARTICIPATION

Unlike private businesses in Colorado, special districts have the ability to choose whether to participate in FAML I or not. The options available to the District include: 1) Participate fully in FAML I; 2) Decline all participation in FAML I; or 3) Decline **employer** participation in FAML I only but allow for employees to optionally fund their own FAML I contributions. Each of these options is explained more fully below.

1. **Participate Fully in FAML I.** If the Board of Directors (or "Board") of a District chooses to participate fully in FAML I (to "Opt In"), beginning January 1, 2023, the District will be required to pay a premium for paid leave insurance (similar to unemployment insurance, and like other employers covered by FAML I). If the District employs 10 or more employees, the opting in District will be responsible to pay a minimum of .45% of the employee's annualized wages as the insurance premium. The next .45% of annualized wages will be paid by the employee (an employee "match"), unless the District chooses to also cover the employee portion of the insurance. The District may choose to pay the full .9% premium as a benefit to its employees, however if a District which has opted in chooses not to extend and fully fund on its own the full .9% premium, the District still must collect and shall remit the employee's .45% share of the premium with relevant wage data to the FAML I Division once per quarter, beginning April 1, 2023.

If the District has nine or fewer paid employees, the District is not responsible for contributing premiums at all and shall only remit the employee's premium of .45% of wages.

Beginning January 1, 2024, employees of participating employers would be eligible to apply for paid family leave insurance benefits upon having a qualifying event as defined above.

2. **Decline all Participation in FAML I.** If the District declines to participate fully in FAML I, the Board must vote and give notice of its decision to decline participation to the FAML I Division and to all paid staff. A simple way to document the Board's decision is by resolution which can then be transmitted to the FAML I Division—please see the sample Resolution attached. The decision to decline all participation in FAML I is effective for eight years. In order



to continue declining participation in FAMLII, the Board must vote again at the end of the eight-year time period.

In the event the Board first declines participation, and within the eight year opt-out period chooses to participate, the Board may again opt in to participating but will be required to participate for at least three fiscal years following such decision to opt in.¹

3. **Decline Employer Funding Participation Only.** Individual employees will continue to have the right to personally elect coverage and participate in the FAMLII program, even if the District declines participation.² If the District determines it will not participate as a participating employer, any employee wishing to obtain the benefit of the FAMLII program would only be able to do so by creating a personal account in the FAMLII system, to which the employee would be required to remit the employee's share of the premium and also must submit wage data to the FAMLII Division on a quarterly basis. Employees personally opting in will only be responsible for paying the employee portion of premium (.45% of annual wages) and will not be responsible for picking up the portion the employer would pay if the employer was participating.

If the Board wishes to decline full employer participation in FAMLII and you have employees wishing to personally participate, the District can also assist employees that choose to participate in the FAMLII program by taking a more active role in collecting and remitting the premium and required data on a quarterly basis. For instance, the District could collect individual employee payments through wage deductions and then agree to send the payments and corresponding wage data on behalf of the employee. This would require obtaining employee consent to voluntary wage deductions and further providing written notice of a date corresponding with the beginning of a calendar quarter at which a premium amount will be submitted to the FAMLII Division on the employee's behalf.³

NOTICE AND PROCEDURES FOR HOW TO VOTE

As stated earlier, in order for a District to opt-out of FAMLII, the Board must formally vote to decline participation. Technically the Board does not have to vote to "opt in" to FAMLII fully, as it will automatically be part of the program if the Board does not formally vote to opt out; but if the Board wishes to allow for certain action to be taken by the District on behalf of any opting in employees, it may wish to also memorialize this choice in the form of a formal Resolution. The Board may determine it will decline participation ("opt out" of FAMLII) at any

¹ 7 CCR 1107-2.5(F)(1)

² C.R.S. § 8-13.3-514

³ 7 CCR 1107-2.5(E)



time in 2022; however future years will require at least six months' advance written notice to staff to make any changes.

Public notice of the Agenda item must be given in the same manner as any other business before the Board (so no publication is required); however, there are special rules for how the Board must allow for public employee participation when it will discuss whether or not to opt out or be covered by FAMLI. The District's employees must be notified in writing prior to the meeting at which the matter will be heard by the Board, and provided with information regarding the vote process and opportunity to submit comments to the Board. While the publication requirements of a public hearing are not required by FAMLI, when this Agenda item is reached in the public meeting the Board will take/hear testimony prior to the vote, pursuant to any procedural rules set by the Board.

Further, the decision of the Board must be provided to all employees within 30 days following the meeting at which such decision occurs. If the employer determines it will decline participation, in full or in part, the notice must announce this decision and the impact it will have on employee benefits under FAMLI, and if there are other insurance benefits which may be secured for this purpose or personnel policies which provide for paid family and leave benefits. The written notice, must at a minimum, provide:

1. An explanation of the differences between benefits offered by the FAMLI program and any private plan offered by the District;
2. Which employees, if any, are eligible for job protection under the federal Family and Medical Leave Act (FMLA) benefits or other personnel policies applicable to the District's employees;
3. Information regarding the right of special district employees to voluntarily choose to personally contribute to their own savings for optional FAMLI benefits; and
4. The contact information for the FAMLI Division.⁴

Also, please be aware that the District is required to display a notice containing this same information in a conspicuous and accessible place in each physical location where employees are physically working. If any employee works remotely, notification will be sent via electronic communication or through a conspicuous posting in a web-based or app-based platform.⁵

⁴ 7 CCR 1107-2.6(A)(3-4)

⁵ 7 CCR 1107-2.6(A)(4)



The FAMLI Division will create and make available posters and notices for use by the District; however, it is the responsibility of the District to request printed materials from the FAMLI Division. Please let us know if you need assistance with this requirement.

WHAT IF THE BOARD DOES NOT AFFIRMATIVELY VOTE ON FAMLI?

If the process for considering and determining whether to opt out of FAMLI in whole or in part is not completed by the Board within 2022 the District will automatically be identified as a participant and will be required to provide employer's premium, remit employees' premiums, and provide the first set of wage data by April 1, 2023.

REGISTRATION REQUIRED OF ALL EMPLOYERS

Registration for FAMLI will begin in the fall of 2022 with the FAMLI online employer system. Even if you choose to fully decline participation, the District must register with the FAMLI system.

Once a District has registered with the FAMLI online employer system, if the District has voted to decline participation with the FAMLI Program, it must provide notice by uploading a notification letter to the FAMLI online employer system no later than January 1, 2023. Even if the Board takes official action to opt out, if the notification letter is not uploaded by the deadline, the District will automatically be identified as a participant and will be required to provide employer's premium, remit employees' premium, and provide wage data by April 1, 2023.

The Board may consider and vote on participation annually if it desires, but any change to the initial decision must only become effective after no less than 180 days' (six months) notice to employees of any changes to coverage. The Board could also rely on the eight-year opt out expiration period and simply calendar discussion on the topic again by the Board of Directors in future eight-year cycles if it is determined not to opt back in to the FAMLI program.

SUBSTITUTION OF PRIVATE PLANS

Districts wishing to participate in the benefits offered by the FAMLI program (or who fail to opt out in time) may also apply to the Division for approval to offer a substitute, private insurance benefit plan to meet their obligations for benefits under FAMLI. We are not yet aware of any private plan options but are investigating which agencies may be offering a plan, including whether the Special Districts Property and Liability Pool may offer this type of product. We have been asked whether disability benefits may qualify and our current opinion is that they may not qualify as a substitute for FAMLI coverage, because some of the qualifying events for taking FAMLI protected leave and receiving FAMLI benefits are not typically covered



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by disability insurance policies (such as emergency exigency or safe leave). However, there has not yet been additional guidance from the Division on this topic.

RECOMMENDATIONS

As always with any new legislation, we anticipate that there will be many questions that the FAMLI Division simply can't answer yet about how the FAMLI program will work, the ease of which employers will be able to submit data, and other questions that you may have. The one known bit of information that you may wish to analyze is the cost to the District (and to its employees) to provide either the FAMLI benefit or an alternative plan to its staff, as you can currently calculate what the premium will be per employee.

We have seen some good articles addressing questions about what might be right for the District, and we urge the Board to consider the value of providing paid leave benefits over and above what is already offered to staff through your current policies before making your decision to opt out or remain covered by FAMLI. If the District has sufficient policies in place to allow for paid leave to cover the situations already addressed by FAMLI, for instance, there may not be much use for another supplemental policy of insurance providing the same or similar benefits. If, however, the Board believes the benefits it currently offers are insufficient in any way, the District may benefit from such a program. The Division has a useful website with a presentation on FAMLI and summary of the program requirements for additional reference.

This is a personal decision for you to make but the data should give a good starting point for the pros and cons of either approach. We hope this is useful information. Please advise of your questions or if we can further assist with forms, notices, and similar information.

BLACK FOREST FIRE RESCUE PROTECTION DISTRICT
RESOLUTION DECLINING PARTICIPATION IN THE COLORADO FAMILY AND
MEDICAL LEAVE INSURANCE PROGRAM

WHEREAS, the Black Forest Fire Rescue Protection District (“District”) is a quasi-municipal corporation and political subdivision of the State of Colorado (“State”) and a duly organized and existing special district pursuant to Article 1 of Title 32, C.R.S.; and

WHEREAS, in 2020, Colorado voters approved Proposition 118 creating a state-run paid Family and Medical Leave Insurance (FAMLI) program (now codified in Sections 8-13.3-501, *et seq.*, C.R.S.); and

WHEREAS, participation in FAMLI would require the District to collect and remit a portion of District employees’ salary and further may require the District to pay an additional premium to the State of Colorado to fund paid family leave insurance for up to twelve (12) weeks, with an additional four (4) weeks under specific circumstances; and

WHEREAS, District’s employees were notified in writing of the date, time, and location of this meeting; that participation in FAMLI would be voted upon by the Board; and District employees were provided with information regarding the vote process and opportunity to submit comments to the Board; and

WHEREAS, the Board accepted comments in writing and testimony regarding participation in FAMLI prior to voting on this Resolution, if any were offered; and

WHEREAS, pursuant to Section 8-13.3-522(1), C.R.S., the Board of Directors (“Board”) of the District may decline participation in FAMLI if it finds and determines that participation is not in the interest of the District; and

WHEREAS, a decision to decline participation in FAMLI will be valid for eight (8) years at which point the Board must again decide by resolution whether to continue non-participation; and

WHEREAS, the Board hereby finds and determines that it is in the best interest of the District to decline participation in FAMLI.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Black Forest Fire Rescue Protection District as follows:

1. Non-Participation/Out Out. The District declines participation in the Family and Medical Leave Insurance Program, Sections 8-13.3-501, *et seq.*, C.R.S.

2. Notice to State. Notice of the Board’s decision shall be provided to the Division of Family and Medical Leave Insurance prior to the effective date of FAMLI or within 30 days of the date of this Resolution, or as soon as the FAMLI Division has opened its employer portal.

3. Notice to Employees. Notice of the Board's decision shall be provided to all employees within thirty (30) days from the date of this decision and contain the following information:

a. An explanation of the differences between benefits offered by the FAMILI program and any private plan offered by the District;

b. Which employees, if any, are eligible for job protection under the federal Family and Medical Leave Act (FMLA) benefits or other personnel policies applicable to the District's employees;

c. Information regarding the right of District employees to voluntarily choose to personally contribute to their own savings for optional FAMILI benefits; and

d. The contact information for the FAMILI Division.

4. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

5. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Board.

ADOPTED this ___ day of _____ 2022.

Black Forest Fire Rescue Protection District

By: _____
Nate Dowden, Chair
PJ Langmaid, Fire Chief

Attest:

_____, Secretary