



SOUTH METRO FIRE RESCUE
Special Board of Directors' Meeting
April 18, 2022

Centennial Airport, Administration Building, Room 115,
7565 South Peoria Street, Englewood, CO

I. SPECIAL BOARD MEETING – 6:00 P.M. – Wright Brothers Room

A. MEETING CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. PRESENTATION

1. 401(a) and 457(b) Retirement Plans Annual Update - Miskimins

E. ACTION ITEMS

N/A

F. DISCUSSION ITEMS

1. Centennial Airport
 - a. Airport Overview – Executive Director Michael Fronapfel
 - b. Apparatus Replacement Unit(s) – Richardson/Frank
 - c. Facility and Apparatus Tour – Airport Staff & ARFF Team
2. Pension Board of Trustee Charter - Miskimins

G. INFORMATION ITEMS

N/A

H. EXECUTIVE SESSION (by motion)

I. NEXT MEETING(S)

Regular Board of Directors' Meeting to be held on May 2, 2022, 6:00 p.m. at 9195 E. Mineral Avenue, Centennial, CO.

J. ADJOURNMENT



NOTICE

SPECIAL BOARD MEETING

SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT

Special Board of Directors' Meeting

scheduled for

April 18, 2022 at 6:00 p.m.

9195 East Mineral Avenue, Centennial, CO

Has been moved to

Centennial Airport, Administration Building, Room 115

7565 South Peoria Street, Englewood, CO

SOUTH METRO FIRE RESCUE

BOARD AGENDA

MEETING DATE: 4/18/2022

AGENDA ITEM TYPE: DISCUSSION ITEM

SUBJECT: Apparatus Replacement Unit(s)- ARFF

BACKGROUND: The SMFR Fleet Capital Replacement Schedule (FCRS) reflects budget funding for one (1) aircraft rescue firefighting (ARFF) replacement unit at \$950,000 in 2023 and one (1) unit at \$985,000 in 2024. Based on this schedule, build times, discounts, and the potential for partnering with Centennial Airport, we'd like to propose purchasing both units at the same time. SMFR staff worked closely with Centennial Airport to identify the apparatus needs for the specification process. With cost, operational need and safety at the forefront of the specification, the apparatus replacement committee contacted three ARFF vendors. Of the three, one chose not to respond. The committee worked with two remaining vendors to provide SMFR with proposals. The selected vendor has set their base pricing at \$948,465, before pre-payment & multi-unit discounts. The selected vendor has notified that quoted pricing is set to increase eight percent on May 9th, 2022. The quoted price can be held with contract agreement with build-to-delivery estimated at 350 days for two (2) units.

RECOMMENDATION: As stated above, there is a potential for Centennial Airport to split the replacement cost of two (2) ARFF apparatus replacement units with SMFR, with each party contributing up to \$1M each. Additional information will be provided during the 4/18 discussion. This item is for discussion only.

SUBMITTED BY: John Frank, Fleet Manager
Assistant Chief

APPROVED BY: Kevin Milan,

SOUTH METRO FIRE RESCUE

BOARD AGENDA

MEETING DATE: 4/18/2022

AGENDA ITEM TYPE: DISCUSSION ITEM

SUBJECT: Retirement Plan Board Charter Amendment

BACKGROUND: The Board of Directors delegates authority to administer the District's Money Purchase Pension Plan (401(a) Plan) and its Section 457(b) Deferred Compensation Plan to the Retirement Plan Board of Trustees. The Charter, drafted and approved by resolution of the Board in 2019, formally sets forth the rights and responsibilities of the Retirement Board. This amendment adjusts the Retirement Board's membership requirements so that the majority of trustees are active participants of the District's 401(a) Money Purchase Plan.

All employees are eligible to serve as Retirement Board trustees which governs both the 401(a) and 457(b) plans. Many employees only participate in the 457(b) plans, however, because they contribute to a defined benefit pension administered by the Fire and Police Pension Association (FPPA) instead of the District's 401(a) plan. Given the vast majority of total assets reside in the 401(a) plan, this amendment ensures a majority of the Retirement Board Trustees are active participants in the 401(a) plan while still allowing representation on the Board from employees who only participate in the 457(b) plan.

RECOMMENDATION: Staff recommends that the Board approves the resolution to amend the Retirement Plan Board charter.

SUBMITTED BY: Dillon Miskimins **APPROVED BY:** Bob Baker

**CHARTER OF THE
SOUTH METRO FIRE RESCUE RETIREMENT PLAN
BOARD OF TRUSTEES**

1. Establishment and Amendment. South Metro Fire Rescue Fire Protection District (the “Employer”) sponsors the South Metro Fire Rescue Money Purchase Pension Plan and South Metro Fire Rescue Section 457(b) Deferred Compensation Plan (each a “Plan” and collectively, the “Plans”). The South Metro Fire Rescue Fire Protection District Board of Directors (the “Board of Directors”) previously delegated all authority to administer the Plans to the South Metro Fire Rescue Retirement Plan Board of Trustees (the “Retirement Board”). At its May 2, 2022 meeting, the Board of Directors adopted this revised Charter formally setting forth the rights and responsibilities of the Retirement Board with respect to the Plans.

The Charter may only be revised pursuant to action of the Board of Directors. Any action of the Employer or the Board of Directors with respect to this Charter is binding upon its successor, and any powers of the Employer or Board of Directors will also apply to any successor. The name of the Retirement Board may be modified to reflect future employer name changes, without amendment of this Charter.

2. Membership, Resignation, Removal, Vacancies.

- (a) **Membership.** The Retirement Board consists of two default members and seven elected members, all current employees of the Employer. One of the seven elected members must be a non-line Employee. The Chief Financial Officer and Human Resource Director of the Employer are the two default members. At any point in time, a majority of Retirement Board members must be active participants in the South Metro Fire Rescue Money Purchase Plan. Notwithstanding the foregoing, any individuals currently serving as members as of the date this Charter is adopted will continue to serve their terms.
- (b) **Election.** The elected members are elected by plurality vote of the current, active participants in the Plans voting in an election called for the purpose of electing the members. In order to satisfy the Retirement Board membership requirements outlined under section 2(a) above, if necessary an individual may be selected for membership on the Retirement Board even if such individual did not receive the highest number of votes.
- (c) **Term.** Each elected member will serve staggered two calendar year terms or until the appointment of his or her successor.
- (d) **Resignation.** Any elected member may resign by delivering his or her written resignation to the Employer and the other members. Any resignation of a member shall be effective thirty (30) days after written notice thereof has been delivered, unless otherwise agreed to by the other members.
- (e) **Removal.** Elected members may be removed, with or without cause, by plurality vote of

the current, active participants in the Plans.

- (f) ***Vacancies***. The Retirement Board will fill any member vacancy by appointment, and the member so appointed shall serve until a new member is elected by a plurality vote of the current, active participants in the Plans. The Retirement Board may exercise any and all of the powers, authority, duties and discretion conferred upon the Retirement Board pending the filling of the vacancy.
- (g) ***Voting***. Where any vote by active participants in the Plans is permitted under this Charter, each active participant in the Plans will be permitted a single vote, regardless of whether such participant is an active participant in both Plans.

2. Powers and Duties. Except with respect to any powers and duties retained by the Employer, the Retirement Board has the following powers, rights and duties with respect to each Plan in addition to (i) the powers, rights and duties of an "administrator" or "trustee" under applicable law and those of a "plan administrator" as that term is defined in Section 414(g) of the Internal Revenue Code of 1986, as amended (the "Code"), (ii) the powers, rights and duties set forth in the instrument or document for the Plan, and (iii) the powers, rights and duties provided for elsewhere by law:

- (a) To control and manage the operation and administration of the Plan;
- (b) To select a Chair, Treasurer, Secretary and other officers. The Secretary need not be a member of the Retirement Board;
- (c) To determine the rights of eligibility of an employee to participate in a Plan and the value of a Participant's account;
- (d) To adopt bylaws, rules of procedure and regulations necessary for the proper and efficient administration of a Plan provided the rules are not inconsistent with the terms of this Charter;
- (e) To construe and enforce the terms of a Plan and the bylaws, rules and regulations it adopts, including interpretation of Plan documents and documents related to a Plan's operation;
- (f) To direct the crediting and distribution of a Plan's trust;
- (g) To review and render decisions respecting a claim for (or denial of a claim for) a benefit under a Plan;
- (h) To furnish the Employer with information which the Employer may require for tax or other purposes;
- (i) To engage, modify and/or terminate the service of agents whom the Retirement Board may deem advisable to assist it with the performance of its duties;

- (j) To engage, modify and/or terminate the services of an investment manager or managers, each of whom shall have full power and authority to manage, acquire or dispose of any Plan asset under its control;
- (k) To report to the Board of Directors at least once per year on its activities, including Plan performance, design, and participation.
- (l) To modify any Plan benefit or Plan feature, including, but not limited to, any change to the employee contribution percentage or employee cost with respect to a Plan benefit or feature to the extent such modification does not have an adverse material financial impact on the Employer;
- (m) To establish investment policies, programs and procedures and to monitor and enforce such investment policies, programs and procedures;
- (n) To select, monitor, evaluate and communicate investment options available for participant selection of investments under the Plans. This includes, without limitation, the authority to introduce an investment option, discontinue an investment option, and transfer assets from any discontinued investment option to a replacement option if not otherwise directed by affected participants;
- (o) To establish policies, programs and procedures related to Plan expenses and fees, including, but not limited to, fees charged directly to participant Plan accounts, and to impose such fees;
- (p) To take all actions necessary to ensure that a Plan complies with all applicable governmental rules and regulations, including all applicable rules and regulations of the Internal Revenue Service, Department of Labor and other regulatory agencies;
- (q) Subject to any condition set forth in a Plan document or applicable law, including any participant approval requirements, to adopt amendments to such Plan to ensure the ongoing operational and internal consistency of such Plan and to adopt other amendments to such Plan, including without limitation, such amendments as are required to obtain or maintain the tax qualification of such Plan and the tax exemption of the respective trusts under Code Sections 401(a) and 501(a); provided, however, that the Board of Directors must approve any amendment that (i) has an adverse material financial impact on the Employer, (ii) increases the duties or responsibilities of the Employer or Board of Directors with respect to such Plan, or (iii) decreases the duties or responsibilities of the Retirement Board with respect to such Plan; and
- (r) To perform such other acts and make such other designations or delegations as the Retirement Board deems necessary or desirable to discharge its responsibilities under a Plan.

For purposes of clarity, it is intended that the Retirement Board hold all fiduciary responsibility with respect to the Plans to the extent permitted by law, and that fiduciary responsibility of the Employer and the Board of Directors is limited to their oversight functions.

3. Claims and Appeals. The Retirement Board (or its delegee) is designated to hear and decide participant claims for benefits and appeals of claim denials under the Plans. A claim review determination made by the Retirement Board upon appeal from a claim denial shall be binding and conclusive on all parties.

4. Retirement Board Action.

(a) **Meetings.** The Retirement Board will, from time to time, hold meetings it deems necessary for the proper performance of its duties, but not less frequently than annually. Such meetings may be conducted in person, by telephone, by video conferencing or such similar means by which all members in attendance can communicate with each other. A member of the Retirement Board or other designated employee or service provider shall take minutes of the meeting, recording all the acts and determinations of the Retirement Board at the meetings.

(b) **Action without a Meeting.** The Retirement Board may act without a meeting if all members of the Retirement Board consent to such action in writing and such writing is filed with the minutes of the proceedings of the Retirement Board.

(c) **Action by Meeting; Quorum; Voting.** A majority of the members of the Retirement Board constitutes a quorum at all meetings of the Retirement Board, and any vote of a majority of the voting members present at a meeting at which a quorum is present will be the act of the Retirement Board. In the event of a tie vote (including a tie vote on a motion that would fail for lack of a majority), the Chair will have a second vote that will be controlling. An action of the Retirement Board taken at a meeting will be documented in the minutes or a document signed by a member of the Retirement Board, Chair or Secretary. No member of the Retirement Board may decide or determine any matter concerning the distribution, nature or method of settlement of his or her own benefits under a Plan, except in exercising an election available to that member in his or her capacity as a participant.

6. Non-Discretionary Administration. The appropriate employees of the Employer (e.g., members of the human resources or finance departments) will carry out the day-to-day non-discretionary administrative responsibilities of the Plans and the Retirement Board is entitled to rely upon their activities. Such employees will present to the Retirement Board, at least annually or as reasonably requested by the Retirement Board, such information or regulatory filings as may provide background information regarding Plan administration and operation in order to provide the Retirement Board assistance as to the Retirement Board's overall understanding of the Plan and performance of the Retirement Board's responsibilities with respect thereto. Non-discretionary administrative duties are not fiduciary in nature.

7. Remuneration, Expenses and Indemnification. No separate remuneration shall be paid to a member of the Retirement Board acting solely in his or her capacity as a fiduciary of a Plan; provided that this limitation shall not preclude the Employer from compensating a member of the Retirement Board as an employee or officer of the Employer acting in such capacity. The reasonable expenses incurred by a member of the Retirement Board in carrying out the duties provided herein and properly chargeable to a Plan will be reimbursed by such Plan in accordance with the policies and procedures set forth under such Plan. Such expenses not reimbursed by a Plan will be reimbursed by the Employer in accordance with the policies and procedures prescribed by the Retirement Board, provided that such expenses are approved by the Retirement Board pursuant to Section 4 of this Charter. For example, the Employer will reimburse the reasonable expenses incurred by a member of the Retirement Board for training associated with such member's fiduciary duties under the Plans if such expenses are not properly chargeable to the Plans. The members of the Retirement Board have all of the rights of indemnification provided by law, agreement and under the Employer's governing documents and instruments. In addition, the Employer will satisfy any liability actually and reasonably incurred by a member of the Retirement Board, including attorneys' fees, judgments, fines and amounts paid in settlement in connection with any threatened, pending or completed action, suit or proceeding related to his or her exercise or failure to exercise any of the powers, authority, responsibilities or discretion provided under a Plan, or reasonably believed to be provided thereunder, and any action taken in connection with those matters in good faith and in a manner reasonably believed to be in the best interest of a Plan (with such action presumed to be reasonable), and with respect to any criminal action or proceeding, if a reasonable person had no reason to believe that such conduct was unlawful.

**RESOLUTION
SOUTH METRO FIRE RESCUE FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS**

Revised Charter for the Board of Trustees of the 401(a) and 457(b) Plans

The South Metro Fire Rescue Fire Protection District Board of Directors (the “Board”) duly adopted the following resolution at a meeting of the Board, duly convened and held on May 2, 2022:

WHEREAS, South Metro Fire Rescue Fire Protection District (the “Employer”) sponsors the South Metro Fire Rescue Money Purchase Pension Plan (the “401(a) Plan”) and the South Metro Fire Rescue Section 457(b) Deferred Compensation Plan (the “457(b) Plan”) (collectively, the “Plans”) for the benefit of certain eligible employees;

WHEREAS, the Board previously delegated all plan administration responsibility and authority for the Plans to the Employer’s Retirement Plan Board of Trustees (the “Trustees”);

WHEREAS, the Board previously adopted a charter for the Trustees effective August 5, 2019;

WHEREAS, the Board desires to revise the Trustees’ charter to require that a majority of the members of the Trustees be active participants in the 401(a) Plan, and to make certain other miscellaneous revisions; and

WHEREAS, the Board desires to formally approve and ratify a revised charter for the Trustees in the form attached hereto as Exhibit A (the “Revised Charter”).

NOW THEREFORE, BE IT RESOLVED, that the Board hereby approves and ratifies the Revised Charter.

FURTHER RESOLVED, that one or more officers of the Employer (or its successor) and, where appropriate, other employees of the Employer (or its successor), are further authorized to execute such documents and instruments, and to take such other actions as are necessary or advisable to: (1) effectuate the adoption of this resolution; (2) implement the provisions of this resolution; and (3) maintain compliance of the Plans with all applicable laws and regulations including any filings with state or federal government agencies; and further, that such officers and, where appropriate, other employees of the Employer (or its successor) are specifically authorized to make all modifications to the Plans as they, in their sole judgment, may deem necessary or advisable to comply with this resolution and to carry out the purposes of the resolution, and the Employer hereby authorizes, approves, adopts and ratifies the acts of said officers and employees in carrying out the purposes of this resolution.

**SOUTH METRO FIRE RESCUE FIRE PROTECTION
DISTRICT BOARD OF DIRECTORS:**

By: _____
Jim Albee, Chair

Date: _____

ATTEST:

By: _____
Hank Eng, Secretary

Date: _____

From: Brad Gleason
Sent: Wednesday, April 13, 2022 12:17 PM
To: Miranda Jones
Cc: Rich Conroy
Subject: Resident Compliment

Miranda,

I just spoke with Alma Bergmann, a homeowner at 5200 Lakeshore Dr in Bow Mar. She mentioned that you were a huge help in walking her through the permit submittal process for a propane tank installation, and that she was very appreciative of the help she received. While she did not find the Accela portal to be very user-friendly, she said your help made all the difference in successfully navigating our process.

Thanks for making such a great first impression! Also, it turns out Mrs. Bergmann was the former Town Mayor, so you never know you might be talking to 😊

Respectfully,



SOUTH METRO FIRE RESCUE

Fire Marshal's Office

Brad Gleason
Plan Reviewer

T 720.989.2251

C 720.355.1721

E brad.gleason@southmetro.org

9195 E Mineral Avenue, Centennial, Colorado 80112





LOUISVILLE FIRE
PROTECTION DISTRICT



"OUR FAMILY SERVING YOUR FAMILY"

895 VIA APPIA WAY LOUISVILLE, CO 80027
HEADQUARTERS: 303.666.6595 | FAX: 303.666.7659
LOUISVILLEFIRE.COM

March 30, 2022

Dear Fire Chief, Law Enforcement Chief, EMS Chief, or Agency Head,

On behalf of the Louisville Fire Protection District and myself, we would like to thank your agency, especially those who responded to our immediate assistance during Dec 30 – Jan 7 Marshall Fire. Your crews' level of compassion and commitment to service our community was outstanding, especially under the circumstances that we faced those days.

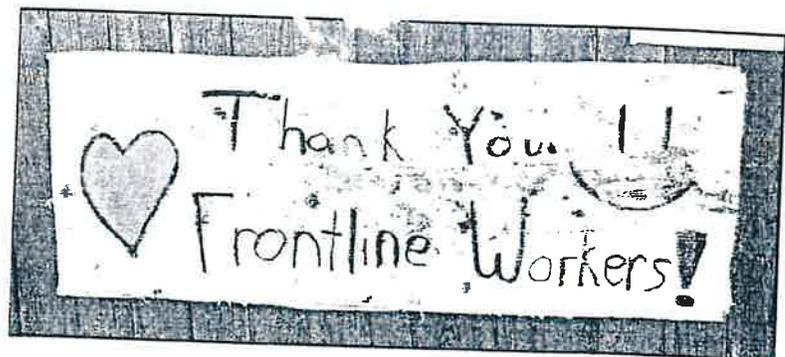
The immediate response and support from our partner agencies across the state were incredible, and we are in debt to you for saving so many lives and property. We are humbled by your agency's overwhelming response, support, and care when we requested help.

With our deepest gratitude and respect, we thank you for a great job. We, too, look forward to opportunities in the future to work, train, and respond to you whenever the call arises.

Sincerely



John Willson
Fire Chief



Handmade sign on a fence at Pine Street & Via Appia, photographed on 1/12/22.