

ELK CREEK FIRE PROTECTION DISTRICT

RESOLUTION 2023 – 5-1

A RESOLUTION PROPOSING THE CONSOLIDATION OF ELK CREEK FIRE PROTECTION DISTRICT, INTER-CANYON FIRE PROTECTION DISTRICT, AND NORTH FORK FIRE PROTECTION DISTRICT INTO A SINGLE FIRE PROTECTION DISTRICT

WHEREAS, the Elk Creek Fire Protection District ("Elk Creek") is organized and operating as a fire protection district and political subdivision of the State of Colorado; and

WHEREAS, the Elk Creek currently serves an area of approximately 98 square miles in western Jefferson County and eastern Park County, providing all legally authorized services as a fire protection district in the State of Colorado; and

WHEREAS, pursuant to §32-1-601(1), C.R.S., two or more special districts may be consolidated into a single consolidated district, and such consolidation may occur between or among such districts whether or not they were originally organized for the same purpose and whether or not such districts are contiguous; and

WHEREAS, Elk Creek has reviewed and discussed the proposed consolidation with two (2) neighboring districts, Inter-Canyon Fire Protection District, covering 52 square miles in western Jefferson County ("Inter-Canyon"), and North Fork Fire Protection District, covering 240 square miles in southern Jefferson County and northwest Douglas County ("North Fork"), (Elk Creek, Inter-Canyon, and North Fork collectively referred to as the "Districts"), along with the citizens of each of the Districts; and

WHEREAS, pursuant to §32-1-602(2)(a), C.R.S., Elk Creek may propose, through the approval of a resolution, the consolidation of the Districts to provide services effectively and economically as a single, consolidated district; and

WHEREAS, Elk Creek has received feedback from its citizens that suggests support for pursuing a possible consolidation, subject to voter approval; and

WHEREAS, Elk Creek has considered and approved that certain Pre-Consolidation Intergovernmental Agreement between the Districts, effective as of April 12, 2023 ("IGA") that establishes a procedure consistent with the laws of the State of Colorado to propose a consolidation of the Districts to the citizens of each district as part of the coordinated election in November 2023; and

WHEREAS, the Board of Directors of Elk Creek ("Board") finds that Elk Creek, Inter-Canyon, and North Fork may be operated effectively and economically as a single, consolidated district, providing all legally authorized services of a fire protection district in the State of Colorado, and that the public health, safety, prosperity, and general welfare of the inhabitants of Elk Creek will be better served by the consolidation of the Districts into a single fire protection district.

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

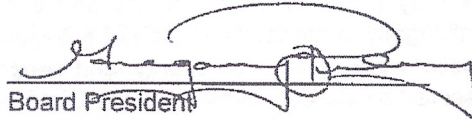
1. Elk Creek, Inter-Canyon, and North Fork may be operated effectively and economically as a single, consolidated district, providing all legally authorized services of a fire protection district in the State of Colorado, and that the public health, safety, prosperity, and general welfare of the

inhabitants of Elk Creek will be better served by the consolidation of the Districts into a single fire protection district (the "Consolidated District").

2. The proposed name of the Consolidated District shall be Conifer Fire Protection District.
3. The Consolidated District shall consist of the current service areas of Elk Creek, Inter-Canyon, and North Fork and that the Consolidated District shall provide all legally authorized services of a fire protection district in the State of Colorado.
4. The board of the Consolidated District shall be made up of five directors, as further set forth in the IGA and determined by the Districts.
5. The consolidation shall be contingent upon each Districts' voters simultaneously approving a mill levy increase to ensure the Consolidated District can certify a mill levy of up to 16 mills to operate and meet the liabilities of the Consolidated District and each District must take all steps necessary to ensure such a ballot issue is referred to its voters simultaneously with the consolidation measure.
6. The deadline for Inter-Canyon and North Fork to file their official resolutions either concurring in or rejecting this Resolution shall be June 22, 2023.
7. This Resolution shall be effective upon passage and shall remain in effect absent clear majority action by the Board to supersede or otherwise repeal this Resolution.
8. Elk Creek staff is directed to take all actions necessary to implement the directives and intent of this Resolution and to file a copy of this Resolution with Inter-Canyon and North Fork on or before May 15, 2023.
9. All acts, orders, resolutions, or parts thereof, of Elk Creek that are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict. All acts, orders, resolutions, or parts thereof, of Elk Creek that are consistent with this Resolution are hereby affirmed and ratified.

ADOPTED AND APPROVED: May 11th, 2023.

ELK CREEK FIRE PROTECTION DISTRICT


Board President

Attest:


Board Secretary