



## **RESOLUTION 2025-04**

### **Resolution Adopting and Entering Into the Trust Agreement for the Colorado Firefighter Heart, Cancer and Behavioral Health Benefits Trust and Taking Other Actions in Connection Therewithin.**

**WHEREAS**, under state law, specifically § 29-5-301 of the Colorado Revised Statutes (C.R.S.), an employer as defined therein is required to maintain certain firefighter heart and circulatory malfunction benefits in accordance with and subject to the requirements and limitations of Part 3, Article 5 of Title 29, C.R.S.;

**WHEREAS**, under state law, specifically C.R.S. § 29-5-402, an employer as defined therein may participate in the voluntary firefighter cancer benefits program to provide certain cancer benefits in accordance with and subject to the requirements and limitations of Part 4, Article 5 of Title 29, C.R.S.;

**WHEREAS**, under state law, specifically C.R.S. § 29-5-501, an employer as defined therein is required to provide a firefighter behavioral health benefits program in accordance with and subject to the requirements and limitations of Part 5, Article 5 of Title 29, C.R.S.;

**WHEREAS**, in order to provide such benefits, an employer, including Nederland Fire Protection District, is authorized to participate in a multiple employer health trust;

**WHEREAS**, the governing body of the Nederland Fire Protection District has authority under Article XIV, § 18(2)(a) of the Colorado Constitution, and C.R.S. § 10-3-903.5, §§ 29-1-201, et seq., § 29-5-301(1), § 29-5-402(3), and/or § 29-5-501(1), as

amended, to participate with other employers in a multiple employer health trust for the provision of such benefits and for related claims handling, risk management, and other functions and services related to such benefits;

**WHEREAS**, the governing body has reviewed the Trust Agreement for the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust, a copy of which is attached hereto as Exhibit A, by and through which the Members (as defined therein) desire to establish a trust (the “Trust”) and provide a benefit plan that provides firefighter heart and circulatory malfunction benefits, a benefit plan that provides cancer benefits, or behavioral health benefits consistent with the provisions of Parts 3, 4, and 5 of Article 5 of Title 29, C.R.S., as specified in the Colorado Firefighter Heart and Circulatory Malfunction Benefits Plan, Colorado Firefighter Cancer Benefits Plan, and the Colorado Firefighter Behavioral Health Plan (collectively, the “Plan”);

**WHEREAS**, the governing body finds that the payment of contributions into the Trust and Plan benefits for firefighters satisfy important public purposes;

**WHEREAS**, the Members intend that the Trust, together with the Plan, shall constitute an irrevocable trust exempt from taxation under Internal Revenue Code § 115;

**WHEREAS**, the governing body finds that membership and participation in the Trust and Plan would be in the best interests of the Nederland Fire Protection District, its employees, and its taxpayers; and

**WHEREAS**, the governing body by this enactment desires to adopt and enter into the Trust Agreement for the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust, and to take other actions in connection therewith.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of hereby:

1. Approves the contract titled “Trust Agreement for the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust,” a copy of which is attached hereto as Exhibit A and incorporated into this Resolution by this reference (the “Trust Agreement”).
2. Authorizes and directs the presiding officer of the governing body to execute the Trust Agreement on behalf of the Nederland Fire Protection District directs that its staff shall transmit the executed and attested copies of this Resolution and Trust Agreement by mail and electronic mail to the Colorado Firefighter Heart, Cancer, and Behavioral Health Benefits Trust (the “Trust”).
3. Designates the following individual as its primary Member Representative:

First Name	Charlie
Last Name	Schmidtman
Title	Fire Chief
E-mail	<a href="mailto:chief@nederlandfire.org">chief@nederlandfire.org</a>
Phone	(303) 526-6097
Street Address	650 W 4 <sup>th</sup> Street
City	Nederland
Zip Code	80466

4. Designates the following individual as its alternate Member Representative:

First Name	Sherry
Last Name	Snyder
Title	District Administrator
E-mail	<a href="mailto:admin@nederlandfire.org">admin@nederlandfire.org</a>
Phone	(303) 258-9161 ext. 100
Street Address	650 W 4 <sup>th</sup> Street
City	Nederland
Zip Code	80466

5. Understands that, with the adoption of this Resolution and subject to the terms of the Trust Agreement, the Nederland Fire Protection District becomes a Member of the Trust, with its participation to commence effective as of the date determined in accordance with the Trust Agreement. The governing body adopting this Resolution hereby requests, unless other dates are later designated by the governing body, that coverage should begin on the following dates for the following type of coverage:

<b>Date</b>	<b>Coverage or Benefit Program (if employer is eligible)</b>
	Heart and Circulatory Award Coverage
	Cancer Award Coverage
	Behavioral Health Benefits

**IN WITNESS WHERE OF**, this Resolution was adopted by a majority vote of the governing body of the Nederland Fire Protection District on the 18<sup>th</sup> of June 2025.

**Presiding Officer:**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Title*

**Attestation:**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Title*