



MISSOULA RURAL FIRE DISTRICT
BOARD OF TRUSTEES
NOTICE OF PUBLIC MEETING AND AGENDA

DATE: Tuesday, June 9, 2026
TIME: 4:00 P.M.
PLACE: Station #1, 2521 South Avenue West, Missoula

CALL TO ORDER

NEW BOARD OF TRUSTEE OATH OF OFFICE

ROLL CALL

PUBLIC COMMENT (on any public matter that is not on the agenda and that is within the jurisdiction of the Board)

1. Approval of Minutes for Regular Board Meeting held on May 12, 2026.
2. Discussion and Decision on Approval of April and May 2026 Claims.

April Claims	\$ 1,633.00
May Claims	<u>\$205,343.38</u>
Total Claims	\$206,976.38
4. Communications/Correspondence.
5. Trustee Reports.
6. Fire Chief and Staff Reports.
7. Presentation from TischlerBise and Discussion and Decision on Impact Fees.
8. Discussion and Decision on Resolution #2026-4 Wage Adjustments for Non-Union Administrative Employees.
9. Discussion and Decision on Resolution #2026-5 Personnel Policies for Non-Union Employees.
10. Discussion and Decision on Resolution #2026-6 Amendment to Implement Secure 2.2, Secure, and Cares for TruStage 457(b) and 401(a).
11. Discussion and Decision on Certificate of Appropriation/Revenues for FY26.
12. Discussion and Decision on annexation of 20811 Gilman Creek Road, Missoula, MT 59804
13. Discussion on Board Bylaws.
14. Discussion on District Transparency.
15. Board of Trustee Officer Elections.

ADJOURNMENT

MISSOULA RURAL FIRE DISTRICT
BOARD OF TRUSTEES
Missoula, Montana
May 12, 2026

The Missoula Rural Fire District (MRFD) Board of Trustees (Board) met in regular session at the Station 1 Headquarters meeting room and via a "Teams" video conference on May 12, 2026.

Staff present: Assistant Chief of Operations Kirk Paulsen; Finance Director Melissa Schnee; Battalion Chief Mike Bowman; Office Manager Raquel Wilkinson; Administrative Assistant Emma Christman.

CALL TO ORDER:

Chair Murphy called the meeting to order at 16:00 hours.

ROLL CALL:

Present: Chair Ben Murphy; Vice Chair Jeff Merritt; Secretary Dan Corti
Absent: Trustee Dick Mangan

PUBLIC COMMENT (on any public matter that is not on the agenda and that is within the jurisdiction of the Board):

A member of the public commented regarding recent turnover and organizational change within the District. There were no other comments.

1. Approval of Minutes for Regular Board Meeting held on April 14, 2026.

The Board reviewed the minutes of the April 14, 2026 regular Board meeting. No revisions were requested. There was no public comment. Vice Chair Merritt moved to approve the minutes as presented. Secretary Corti seconded the motion. The motion passed with 3 ayes, 0 nays, and 0 abstentions.

2. Discussion and Decision on Approval of March and April 2026 Claims.

The Board reviewed the March and April 2026 claims as presented in the Board packet. There were no questions from the Board and no public comment. Vice Chair Merritt moved to approve the claims as presented. Secretary Corti seconded the motion. The motion passed with 3 ayes, 0 nays, and 0 abstentions.

3. Communications / Correspondence.

The Office Manager reported that communications and correspondence were as presented in the Board packet.

4. Trustee Reports.

Secretary Corti reported that he participated in the airport disaster drill and commented on the District's participation and response capabilities. Secretary Corti also requested that items be considered for future Board discussion, including Board agenda setting procedures, Board member communication with staff, legal costs and billing, and recent senior administrator retirement announcements. No additional trustee reports were provided.

5. Fire Chief and Staff Reports.

Local 2457: There was no report from Local 2457.

Battalion Chief: The Battalion Chief reviewed the MRFD Monthly Turnout Performance Report and the MRFD Calls for Service Report. The Battalion Chief also reported on a significant April 27, 2026 water rescue response on the Clark Fork River east of Clinton. The response involved multiple agencies, including Clinton Rural Fire District, MRFD, Missoula County Sheriff's Office, Search and Rescue, and

Life Flight. Four boaters were involved, and the incident resulted in one fatality. The Battalion Chief reported that MRFD had two boats operating in the water and that the response was well coordinated among the responding agencies.

Finance Director: The Finance Director reported that MRFD is tentatively balanced with Missoula County Finance through January, allowing open spending to go into effect. Work with the auditor on the audits is ongoing, with completion anticipated by July.

Deputy Chief: No Deputy Chief report.

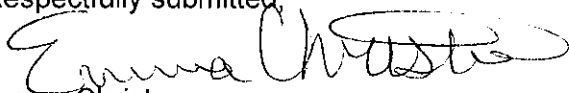
Assistant Chief of Operations: The Assistant Chief of Operations reported that crews responded to several structure fires during the month, including incidents near Clements Road and Third Street, in Florence, and in Frenchtown. He reported that he attended a preseason fire meeting hosted by Frenchtown Rural Fire District, which included a presentation from the National Weather Service regarding the seasonal outlook. The current outlook through July reflects above-average temperatures and below-average precipitation. The Assistant Chief reported that MRFD continues to work with Missoula Fire Department and the 9-1-1 Center on Automated Vehicle Location (AVL), run cards, and dispatch testing, with the goal of beginning the first AVL target area by June 1, 2026. He also reported that MRFD participated in the airport disaster drill on May 2, 2026, and that personnel are participating in powered watercraft training and Active Attack Integrated Response training.

Fire Chief: The Fire Chief reported that MRFD continues to work with the City of Missoula regarding the request to widen South Avenue near Station 1, and no decisions have been made regarding how to proceed. MRFD also remains in contact with City Parks and Recreation regarding potential property west of Station 1 and possible discussions involving the University of Montana Board of Regents. The District continues to work toward implementation of a more robust payroll system, with a target implementation date of the first payroll cycle in August 2026. The District also met with TischlerBise regarding impact fees and how those funds may be used for growth-related portions of future station or apparatus projects. Negotiations with Local 2457 are ongoing, with another meeting scheduled for May 26, 2026. MRFD attended a TEDD check-in meeting with Missoula County and Frenchtown Rural Fire District. The Fire Chief reported that District representatives traveled to Helena with Commissioner Slotnick and County representatives to meet with the Montana Association of Counties regarding the impact of TEDDs and TIFDs on the District. The meeting was informative and may have identified a potential future solution. MRFD requested the final payment from Missoula County for the Station 4 ambulance bay project. The overall project is substantially complete, with minor work remaining. The Fire Chief also reported that paperwork received from the State regarding the Montana Emergency Tourism Assistance Program grant for powered watercraft contained incorrect information and will need to be corrected before proceeding.

ADJOURNMENT:

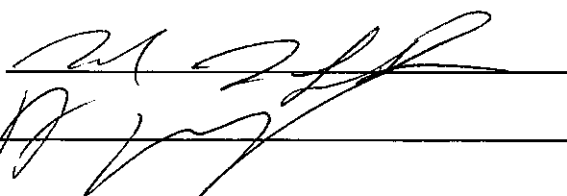
Chair Murphy adjourned the meeting at 16:23 hours.

Respectfully submitted,



Emma Christman
Administrative Assistant
Missoula Rural Fire District

Michael Languish
John (Ben) Murphy, Chair
Ben Murphy
Dan Corti, Secretary



Date 26 06 2026
Date Jun 9 2026

06/04/26
09:06:23

MISSOULA RURAL FIRE DISTRICT
Claim Details
For the Accounting Period: 4/26

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Report ID: AP100V

For dates posted from 05/14/26 to 06/03/26
* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
47931	84112S	1485 ACTIVE 911 INC.	1,320.00						
1	678039	04/30/26 ANNUAL SUBSCRIPTION	1,320.00			1000 10 420510	368		101000
		Total for Vendor:	1,320.00						
47929	84113S	1661 ALEC BRAY	33.00						
1	043026AB01	04/30/26 BRAY APRIL GYM REIMB	33.00			1000 50 420460	132		101000
		Total for Vendor:	33.00						
47956	-99069C	1628 UNIVISION	280.00						
1	268439	04/30/26 SUPPORT	280.00			1000 10 420510	368		101000
		Total for Vendor:	280.00						
		# of Claims	3	Total:					
				1,633.00	# of Vendors		2		
		Total Electronic Claims		280.00					
		Total Non-Electronic Claims		1353.00					

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MISSOULA RURAL FIRE DISTRICT
Fund Summary for Claims
For the Accounting Period: 4/26

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Report ID: AP110

Fund/Account	Amount
1000 GENERAL FUND	
101000 CASH ON DEPOSIT - COUNTY TREASURER	1,633.00
Total:	1,633.00

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MISSOULA RURAL FIRE DISTRICT
Claim Details
For the Accounting Period: 5/26

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* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
47930	84114S	1661 ALEC BRAY	33.00						
1	053126AB01	05/31/26 BRAY MAY REIMB	33.00			1000 50 420460	132		101000
Total for Vendor:			33.00						
47939	-99066C	1788 AMAZON CAPITAL SERVICES	8,304.23						
1	RFPF-R3G4	05/26/26 STA 2	32.95			1000 50 420460	362		101000
2	4CDQ-FKJT	05/25/26 PPE	931.86			1000 50 420460	224		101000
3	LLK7-GQNN	05/23/26 STA 2	67.94			1000 50 420460	362		101000
4	RW6F-3TJ9	05/22/26 STA 1	17.11			1000 50 420460	361		101000
5	6J4J-FMF4	05/21/26 STA 4	37.99			1000 50 420460	364		101000
6	CVY3-6MFV	05/20/26 PPE	5,673.37			1000 50 420460	224		101000
7	4FCD-Q3JV	05/18/26 328	68.99			1000 20 420440	272		101000
8	VD4H-H19W	05/18/26 STA 1	1,440.46			1000 50 420460	361		101000
9	PHV3-HT17	05/12/26 STA 4	126.97			1000 50 420460	364		101000
10	DWGT-HN1T	05/04/26 STATION SUPPLIES	-172.60*			1000 50 420460	210		101000
11	MDD7-19L9	05/02/26 STA 1	15.84			1000 50 420460	361		101000
12	MDD7-19L9	05/02/26 STA 2	15.84			1000 50 420460	362		101000
13	MDD7-19L9	05/02/26 STA 4	15.84			1000 50 420460	364		101000
14	MDD7-10L9	05/02/26 STA 5	15.84			1000 50 420460	365		101000
15	MDD7-19L9	05/02/26 STA 6	15.83			1000 50 420460	366		101000
Total for Vendor:			8,304.23						
47932	84115S	764 BATTERIES PLUS #252	191.20						
1	P91635811	05/31/26 MAINT. TURNOUTS	191.20			1000 50 420460	369		101000
Total for Vendor:			191.20						
47906	84097S	819 BLACKFOOT COMMUNICATIONS	358.87						
1	166467	05/01/26 STA 2	358.87			1000 10 420510	345		101000
Total for Vendor:			358.87						
47965	-99054C	1963 BOUND TREE MEDICAL, LLC	2,310.41						
1	86191310	05/01/26 MEDICAL SUPPLIES	1,059.65			1000 80 420461	222		101000
2	86192926	05/04/26 AMBULANCE SUPPLIES	112.99			1000 80 420461	222		101000
3	86195161	05/05/26 MEDICAL SUPPLIES	317.90			1000 80 420461	222		101000
4	86200067	05/08/26 MEDICAL SUPPLIES	619.99			1000 80 420461	222		101000
5	86203694	05/12/26 MEDICAL SUPPLIES	93.60			1000 80 420461	222		101000

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Claim/ Line #	Check Invoice #	Vendor #/Name/ Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
6	86213395	05/20/26 MEDICAL SUPPLIES	106.28			1000 80 420461	222		101000
		Total for Vendor:	2,310.41						
47966	84126S	40 BOYCE LUMBER	76.32						
1	2605929612	05/27/26 TRAINING SUPPLIES	62.32			1000 30 420430	220		101000
2	2605929618	05/27/26 TRAINING SUPPLIES	14.00			1000 30 420430	220		101000
		Total for Vendor:	76.32						
47905	84098S	1424 CHARTER	727.67						
1	8801050126	05/01/26 STA 5	278.67			1000 10 420510	345		101000
2	1401050126	05/01/26 STA 1	449.00			1000 10 420510	345		101000
47918	84106S	1424 CHARTER	646.78						
1	0410096052	05/11/26 STA 1	19.04			1000 10 420510	345		101000
2	4701051426	05/14/26 STA 6	293.10			1000 10 420510	345		101000
3	0460121719	05/20/26 STA 4	334.64			1000 10 420510	345		101000
		Total for Vendor:	1,374.45						
47942	-99065C	1815 CHEMNET CONSORTIUM INC	65.00						
1	134553	05/19/26 NEW HIRE FARQUHAR DRUG SCREENI	65.00			1000 10 420510	391		101000
		Total for Vendor:	65.00						
47940	84116S	1583 CITI CARDS	401.76						
1	0520265790	05/20/26 SCHNEE FSLA WEBINAR	175.00			1000 10 420510	380		101000
2	0520265790	05/20/26 STA 1 COFFEE	91.96			1000 10 420510	210		101000
3	0520265790	05/20/26 STA 6	134.80			1000 50 420460	366		101000
		Total for Vendor:	401.76						
47909	84099S	1299 CITY OF MISSOULA-FINANCE	80.32						
1	187950	05/04/26 STA 1	44.23			1000 10 420510	341		101000
2	194500	04/29/26 STA 2	36.09			1000 10 420510	341		101000
		Total for Vendor:	80.32						
47941	84117S	216 CLEARWATER CREDIT UNION	14,402.04						
1	0522264600	05/22/26 COMPUTER SPEAKERS	24.99			1000 10 420510	268		101000
2	0522264600	05/22/26 FEES	0.14			1000 10 420510	356		101000
3	0522264600	05/22/26 RESCUE	1,910.00			1000 50 420460	213		101000

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4	0522264600	05/22/26 SAWS	224.95			1000 50 420460	206		101000
5	0522264600	05/22/26 SAWS	1,013.97			1000 50 420460	206		101000
6	0522264600	05/22/26 USB ADAPTER	49.99			1000 10 420510	268		101000
7	0522264600	05/22/26 RESCUE	11,178.00			1000 50 420460	294		101000
		Total for Vendor:	14,402.04						
47910	84100S	1740 CODY MAXON	25.00						
1	043026CM01	04/30/26 MAXON APRIL GYM REMIB	25.00			1000 50 420460	132		101000
		Total for Vendor:	25.00						
47967	-99053C	76 CULLIGAN WATER CONDITIONING	182.00						
1	607138	05/25/26 ALL STA	182.00			1000 10 420510	341		101000
		Total for Vendor:	182.00						
47960	84127S	1918 DANIELA HICKS	50.00						
1	052126DH01	05/31/26 HICKS MAY GYM REIMB	50.00			1000 50 420460	132		101000
		Total for Vendor:	50.00						
47943	-99064C	1606 GARAGE DOOR GUYS	1,284.00						
1	123074	05/16/26 STA 2	1,284.00			1000 50 420460	367		101000
		Total for Vendor:	1,284.00						
47964	84128S	1258 I-STATE TRUCK CENTERS	309.11						
1	C253215088	05/31/26 341	309.11			1000 20 420440	272		101000
		Total for Vendor:	309.11						
47944	-99063C	1840 IMAGE TREND	505.79						
1	INV125092	05/27/26 SLATE 5/28-6/30/26	505.79			1000 10 420510	368		101000
		Total for Vendor:	505.79						
47945	-99062C	1892 INTELICORP	52.42						
1	1698529	05/31/26 IT NEW HIRE BACKGROUND VERIFI	52.42			1000 10 420510	356		101000
		Total for Vendor:	52.42						

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Claim/ Line #	Check Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
47915	84103S	1786 JEFF NOBLE	252.00						
1	051826JN01 05/18/26	DILLON ENG BOSS ACADEMY	252.00*			1000 50 420460	379		101000
		Total for Vendor:	252.00						
47968	-99052C	1282 LIFE-ASSIST, INC	1,148.58						
1	2132993 05/29/26	MEDICAL SUPPLIES	296.50			1000 80 420461	222		101000
2	2133080 05/29/26	MEDICAL SUPPLIES	852.08			1000 80 420461	222		101000
		Total for Vendor:	1,148.58						
47970	84129S	1894 LOWE'S	1,013.86						
1	998504 05/04/26	STA 2	137.69			1000 50 420460	362		101000
2	990775 05/19/26	STA 2	615.60			1000 50 420460	362		101000
3	997928 05/29/26	STA SUPPLIES	199.46*			1000 50 420460	210		101000
4	997942 05/29/26	STA 2 SPRINKLER	61.11			1000 50 420460	362		101000
		Total for Vendor:	1,013.86						
47938	84118S	1994 MASTERCARD	4,583.07						
1	0522260139 05/22/26	DFM IAAI CONF LODGING	491.20			1000 40 420410	379		101000
2	0522260139 05/22/26	ADOBE	19.99			1000 10 420510	368		101000
3	0522260139 05/22/26	ZOOM	17.63			1000 10 420510	368		101000
4	0522260139 05/22/26	STARLINK	50.00			1000 10 420510	368		101000
5	0522260139 05/22/26	AMBO SUPPLIES	248.38			1000 80 420461	222		101000
6	0522260139 05/22/26	CAR WASH 301	28.99			1000 20 420440	372		101000
7	0522260139 05/22/26	CAR WASH 302	28.99			1000 20 420440	372		101000
8	0522260139 05/22/26	CAR WASH 303	28.99			1000 20 420440	372		101000
9	0522260139 05/22/26	CAR WASH 332	28.99			1000 20 420440	372		101000
11	0522260139 05/22/26	PRINZING SHRM CERT	165.00			1000 10 420510	380		101000
12	0522260139 05/22/26	LEGAL NOTICE	41.40			1000 10 420510	337		101000
13	0522260139 05/22/26	LEGAL NOTICE	41.40			1000 10 420510	337		101000
14	0522260139 05/22/26	PHONE ACCESSORIES	79.99			1000 10 420510	345		101000
15	0522260139 05/22/26	WL CLOTHING	680.00			1000 50 420460	225		101000
16	0522260139 05/22/26	PHONE ACCESSORIES	27.82			1000 10 420510	345		101000
17	0522260139 05/22/26	DFM BUS CARDS	28.98			1000 10 420510	320		101000
18	0522260139 05/22/26	RESCUE	12.95			1000 50 420460	294		101000
19	0522260139 05/22/26	RESCUE	148.71			1000 50 420460	294		101000
20	0522260139 05/22/26	RADIOS	149.67			1000 50 420460	271		101000

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Claim/ Line #	Check Invoice #/Inv Date/Description	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
21	0522260139 05/22/26	SUP HOSE NOZZLES	476.10			1000 50 420460	237		101000
22	0522260139 05/22/26	SHOP	54.48			1000 20 420440	270		101000
23	0522260139 05/22/26	STA 2	56.54			1000 50 420460	362		101000
24	0522260139 05/22/26	328	345.00			1000 20 420440	272		101000
25	0522260139 05/22/26	MUIR/OSTMAN WL LODGING	273.44*			1000 50 420460	379		101000
26	0522260139 05/22/26	MUIR/OSTMAN WL LODGING	-2.00*			1000 50 420460	379		101000
27	0522260139 05/22/26	PPE	1,232.93			1000 50 420460	224		101000
28	0522260139 05/22/26	328	-172.50			1000 20 420440	272		101000
Total for Vendor:			4,583.07						
47838	84082S 208	MISSOULA COUNTY MEDICAL BENEFITS	115,931.20						
1	13374 05/01/26	ADMIN	14,736.90			1000 10 420510	143		101000
2	13374 05/01/26	RM/ARM	4,618.20			1000 20 420440	143		101000
3	13374 05/01/26	TO	2,309.10			1000 30 420430	143		101000
4	13374 05/01/26	FP	2,309.10			1000 40 420410	143		101000
5	13374 05/01/26	SUP	91,957.90			1000 50 420460	143		101000
Total for Vendor:			115,931.20						
47928	84111S 228	MISSOULA COUNTY TREASURER	1,131.45						
1	49823 06/01/26	STA 2 PARCEL 5940307	507.48			1000 10 420510	345		101000
2	46724 06/01/26	STA 6 PARCEL 5844740	623.97			1000 10 420510	345		101000
47946	84119S 228	MISSOULA COUNTY TREASURER	503.50						
1	INV-001159 05/15/26	APRIL TELEPHONE	503.50			1000 10 420510	345		101000
Total for Vendor:			1,634.95						
47908	84101S 230	MISSOULA ELECTRIC COOPERATIVE	493.93						
1	223950 05/06/26	STA 2	21.59			1000 10 420510	341		101000
2	223950 05/06/26	STA 6	260.53			1000 10 420510	341		101000
3	223950 05/06/26	STA 2	211.81			1000 10 420510	341		101000
Total for Vendor:			493.93						
47933	84120S 235	MISSOULA MOTOR PARTS	370.71						
1	555-94863 05/04/26	LUBRICANT	28.17			1000 20 420440	232		101000
2	555-95245 05/05/26	322	198.74			1000 20 420440	272		101000
3	555-95606 05/06/26	332	-77.70			1000 20 420440	272		101000
4	555-96323 05/07/26	348	-36.00			1000 20 420440	272		101000

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Claim/ Line #	Check Invoice #/Inv Date/Description	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
5	152373 05/11/26 DEF		158.84			1000 20 420440	231		101000
6	555-98522 05/13/26 LUBRICANT		93.11			1000 20 420440	232		101000
7	555-98903 05/14/26 SHOP		19.86			1000 20 420440	270		101000
8	555-101253 05/20/26 LUBRICANT		65.31			1000 20 420440	232		101000
9	555-102562 05/23/26 322		24.98			1000 20 420440	272		101000
10	555-102917 05/26/26 DEF		137.88			1000 20 420440	231		101000
11	555-102919 05/28/26 DEF		-275.76			1000 20 420440	231		101000
12	555-104463 05/29/26 SHOP		33.28			1000 20 420440	270		101000
		Total for Vendor:	370.71						
47947	-99061C 244 MISSOULA TEXTILE SERVICES		382.15						
1	5312620 05/31/26 ALL STATIONS		382.15			1000 10 420510	356		101000
		Total for Vendor:	382.15						
47934	84121S 249 MODERN MACHINERY CO., INC.		33.00						
1	3191194 05/14/26 348		16.50			1000 20 420440	372		101000
2	3194236 05/28/26 328		16.50			1000 20 420440	372		101000
		Total for Vendor:	33.00						
47948	-99060C 259 MSUES FIRE TRAINING SCHOOL		95.00						
1	26-257 05/13/26 RFF TABLER WL D/O CERT		95.00			1000 60 420462	380		101000
		Total for Vendor:	95.00						
47935	84122S 654 NORCO, INC.		173.29						
1	67259 05/31/26 CYLINDER RENT		173.29			1000 80 420461	356		101000
		Total for Vendor:	173.29						
47907	84102S 547 NORTHWESTERN ENERGY		624.76						
1	0461994-6 05/01/26 STA 5		561.91			1000 10 420510	341		101000
2	3571057-3 05/01/26 OLD STA 5		62.85			1000 10 420510	341		101000
47923	84107S 547 NORTHWESTERN ENERGY		1,254.00						
1	3868058-3 05/14/26 STA 4		1,157.89			1000 10 420510	341		101000
2	0537315-4 05/15/26 STA 6		96.11			1000 10 420510	341		101000

06/04/26
10:39:18

MISSOULA RURAL FIRE DISTRICT
Claim Details
For the Accounting Period: 5/26

Page: 7 of 11
Report ID: AP100V

* ... Over spent expenditure

Claim/ Line #	Check Invoice #/Inv	Vendor #/Name/ Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
47926	84107S	547 NORTHWESTERN ENERGY	1,265.56						
1	0536085-4	05/20/26 STA 2	109.70			1000 10 420510	341		101000
2	0477741-3	05/19/26 STA 1	930.97			1000 10 420510	341		101000
3	1489125-3	05/19/26 STA 1	224.89			1000 10 420510	341		101000
		Total for Vendor:	3,144.32						
47949	84123S	1755 O2X HUMAN PERFORMANCE, LLC	10,000.00						
1	2982	05/31/26 O2X HUMAN PERFORMANCE 2026	10,000.00			1000 50 420460	380		101000
		Total for Vendor:	10,000.00						
47950	84124S	1289 PAULSON ELECTRIC, INC.	508.75						
1	2026.170	05/28/26 STA 4	508.75			1000 50 420460	364		101000
		Total for Vendor:	508.75						
47841	84083S	142 PETER GIARDINO	252.00						
1	050426PG01	05/04/26 IAAI ANNUAL CONF PER DIEM	252.00			1000 40 420410	379		101000
		Total for Vendor:	252.00						
47836	84084S	1790 PETER STEVENS	123.00						
1	134707	05/02/26 IAAI MEMBERSHIP	123.00			1000 40 420410	333		101000
		Total for Vendor:	123.00						
47877	-99095C	1725 PIERCE LEASING	750.00						
1	97566	04/21/26 OFFICE TRAILER 4/21-5/18/26	750.00			1000 10 420510	530		101000
47951	-99059C	1725 PIERCE LEASING	750.00						
1	97865	05/19/26 OFFICE TRAILER 5/19-6/15/26	750.00			1000 10 420510	530		101000
		Total for Vendor:	1,500.00						
47963	-99055C	855 PITNEY BOWES	150.00						
1	515262579	05/31/26 POSTAGE	150.00			1000 10 420510	311		101000
		Total for Vendor:	150.00						

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MISSOULA RURAL FIRE DISTRICT
Claim Details
For the Accounting Period: 5/26

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Report ID: AP100V

* ... Over spent expenditure

Claim/ Line #	Check Invoice #/Inv Date/Description	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
47971	-99050C	756 POMP'S TIRE SERVICE, INC	872.28						
1	1850061848	05/05/26 332	829.84			1000 20 420440	233		101000
2	1850062011	05/08/26 MULE TRAILER	42.44			1000 20 420440	233		101000
		Total for Vendor:	872.28						
47972	84130S	31 REPUBLIC SERVICES #889	719.85						
1	003989547	05/31/26 ALL STA	719.85			1000 10 420510	342		101000
		Total for Vendor:	719.85						
47899	-99090C	1912 RITCHIE MANNING KUATZ PLLP	1,003.00						
1	06070	05/04/26 LEGAL SERVICES	1,003.00			1000 10 420510	352		101000
		Total for Vendor:	1,003.00						
47921	-99070C	1973 ROBERT JOHNSON	1,377.93						
1	051826RJ01	05/18/26 TUITION REIMB	1,377.93			1000 60 420462	380		101000
		Total for Vendor:	1,377.93						
47925	84108S	204 RON LUBKE	33.00						
1	052626RL01	05/26/26 LUBKE MAY GYM REIMB	33.00			1000 50 420460	132		101000
		Total for Vendor:	33.00						
47953	84125S	1709 SAFEGUARD	712.56						
1	9010790702	05/08/26 CLAIMS WARRANTS	455.74			1000 10 420510	320		101000
2	9010971777	05/29/26 PAYROLL WARRANTS	256.82			1000 10 420510	320		101000
		Total for Vendor:	712.56						
47969	-99051C	1471 SAW SHOP	764.00						
1	6527	05/28/26 STA 5	608.00			1000 50 420460	365		101000
2	6527	05/28/26 STA 4	156.00			1000 50 420460	364		101000
		Total for Vendor:	764.00						
47924	84109S	809 SHADOW ASPHALT, INC.	13,090.00						
1	26001	05/20/26 STA 2	13,090.00			1000 10 420510	920		101000
		Total for Vendor:	13,090.00						

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MISSOULA RURAL FIRE DISTRICT
Claim Details
For the Accounting Period: 5/26

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Report ID: AF100V

* ... Over spent expenditure

Claim/ Line #	Check Invoice #/Inv Date/Description	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
45.90	-99056C	360 SHIPPING DEPOT	45.90						
1	44594 05/30/26	POSTAGE	45.90			1000 10 420510	311		101000
		Total for Vendor:	45.90						
47837	-99091C	1929 STREAMLINE	315.00						
1	DDC5350016 05/01/26	MONTHLY WEB HOSTING	315.00			1000 10 420510	368		101000
		Total for Vendor:	315.00						
47917	84104S	87 TIM DEVOS	382.09						
1	051526TD01 05/15/26	STA 2 SUPPLIES	215.86			1000 50 420460	362		101000
2	051526TD01 05/15/26	STA 2 SUPPLIES	166.23			1000 50 420460	362		101000
47920	84110S	87 TIM DEVOS	649.99						
1	051926TD01 05/19/26	STA 2	649.99			1000 50 420460	362		101000
		Total for Vendor:	1,032.08						
47835	84085S	1993 TISCHLERBISE, INC.	2,864.50						
1	2026005002 05/01/26	IMPACT FEE STUDY	2,864.50			1000 10 420510	356		101000
		Total for Vendor:	2,864.50						
47936	-99068C	463 TRI ARC, INC.	18.52						
1	R36454 05/31/26	CYLINDER RENT	18.52			1000 20 420440	370		101000
		Total for Vendor:	18.52						
47955	-99058C	1628 UNIVISION	3,853.26						
1	268570 05/01/26	MICROSOFT 365	2,537.26			1000 10 420510	368		101000
2	268570 05/01/26	SUPPORT	1,316.00			1000 10 420510	368		101000
		Total for Vendor:	3,853.26						
47919	-99071C	408 VERIZON WIRELESS	903.11						
1	6143370125 05/11/26	WIRELESS	903.11			1000 10 420510	345		101000
		Total for Vendor:	903.11						

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MISSOULA RURAL FIRE DISTRICT
Fund Summary for Claims
For the Accounting Period: 5/26

Page: 11 of 11
Report ID: AP110

Fund/Account	Amount
1000 GENERAL FUND	
101000 CASH ON DEPOSIT - COUNTY TREASURER	205,343.38
Total:	205,343.38

Claims reviewed and approved for payment at the Regular scheduled Missoula Rural Fire District Board of Trustee Meeting held Tuesday, June 9, 2026, at 4:00 PM.


Melissa Schnee, Finance Director


Michael Langguth
Ben Murphy, Chairman


Ben Murphy
Dan Corti, Secretary

Eric

Dan Merritt Memorial L2457
Benevolent Fund

Thank you so much for your generous donation
toward our annual Yukon Derby!!

We had so much fun!!!!



Addy

Missoula Girl Scouts

Troops: #3603, #3630, #3407, #3625

-Loretta

GSMW Council

-KAT

-MOTIA

He & ...



WESTERN REAL PROPERTY, LLC
Real Property Appraisal Services
Missoula, MT 59802
Phone (971) 409-3675
www.westernrealproperty.com

May 7, 2026

VIA USPS MAIL

Missoula Rural Fire District
2521 South Ave W
Missoula, MT 59804-6407

Re: Appraisal Inspection Notice
South Avenue W Reconstruction Project

To Whom It May Concern:

My firm has been retained by the City of Missoula to complete an appraisal of a portion of your property. The appraisal is being conducted as part of the above-named project.

As part of the appraisal process, I will need to inspect and photograph the property. Although you are not required to be present, the state of Montana requires that you be offered the opportunity to accompany the appraiser during the appraisal inspection.

Please call or email me to arrange an appointment if you would like to be present. I may be reached by phone at (971) 409-3675 or by email at matt@westernrealproperty.com.

My intention to inspect the property on or after **May 14, 2026**.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Kael', written in a cursive style.

Matthew I. Kael

Deputy Fire Marshal Monthly Report

Peter V. Giardino

May 2026

Activities

Business Inspections (re-inspections):

- Starrbuds – 11882 Lolo Vista Drive
- Watson's Children Center – 4978 Buckhouse Lane
- 11890 Highway 93 S. – Lolo Peak Cannabis
- 13055 Highway 93 S. – Madhouse Cannabis

Certificate of Occupancy Finals (Business)

Residential Sprinkler Final, Rough-Ins, and C of O (residential) Inspections

- 2155 Big Flat Road
- 7070 Sandy Lane (sprinkler final)
- 6291 Lamar Trail (sprinkler final)
- 2340 Partridge Court
- 6896 Jack Pine Court
- 11295 Mocassin Lane

Annexation

Water Supply (cisterns, hydrants, etc.)

Lockboxes

- Delivered 2 (two) lockboxes to 6820 Venture Way

Community Risk Reduction, Fire Prevention, and Code Compliance

- Site visit to 3239 S. 3rd Street W. to discuss access requirements for new Community Home.
- Site visit to County property east of Roseburg Lumber to discuss fuel mitigation options.

Fire Investigations

Classes/Training

- Montana Chapter IAAI Annual Training Conference – Billings May 11-15.
- O2X Health and Wellness Training – Station 4.
- State Regional Hazmat training – RML

Plan Reviews

- 13 Plan Reviews

Image Trend:

Assignments and Other Activities

- Coordinated Compliance meeting.
- Safety Committee meeting.

Accreditation

May 2026 IT Report

With the rapidly approaching July 5 starting date of the new IT personnel, Ben Farquhar, many IT projects are holding in planning and preparation. It is anticipated that Ben will benefit from being involved in upcoming projects.

Acquisition of budgeted IT devices:

- 5 new iPads for type 5 apparatus
- 6 new desktop computers to replace outdated equipment
- Pelican case for StarLink satellite dish

Usual miscellaneous end user requests:

- Citi.com connection problem
- Repurposed old desktop computer for Station 2 CAD display
- Hiplink maintenance
- New World to Station Alerting not connecting
- MDT in 310 not performing properly
- Scanning options for light duty project
- Teams meetings audio problems at Station 6
- Others

Joe Ford
IT Manager



MISSOULA RURAL FIRE DISTRICT

MRFD Monthly Turnout Performance Report Through the month of May 2026

	Fire	EMS
Q1 2026 GOAL	1:55 (90%)	1:30 (90%)
Jan-26	2:15 (77.9%)	1:49 (79%)
Feb-26	2:29 (63%)	1:52 (78.9%)
Mar-26	2:01 (84.8%)	1:48 (82.5%)
Q2 2026 GOAL	1:55 (90%)	1:30 (90%)
Apr-26	2:10 (81.8%)	1:59 (80.8%)
May-26	2:39 (80.6%)	1:50 (74.7%)
Jun-26		
Q3 2026 GOAL	1:55 (90%)	1:30 (90%)
Jul-26		
Aug-26		
Sep-26		
Q4 2026 GOAL	1:55 (90%)	1:30 (90%)
Oct-26		
Nov-26		
Dec-26		



MRFD CFS Report

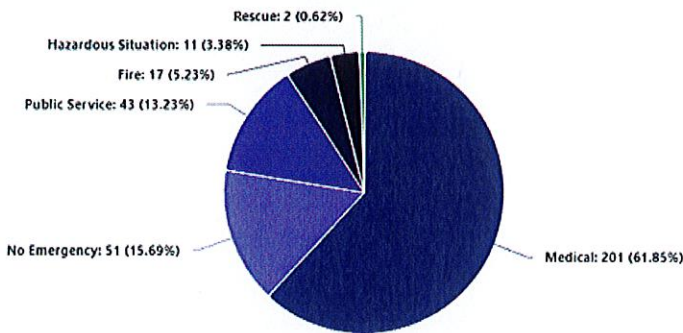
May 2026

Incident Numbers

May 2026	365	May 2025	319	Percent Change	+14.42%
YTD 2026	1633	YTD 2025	1561	Percent Change	+4.61%

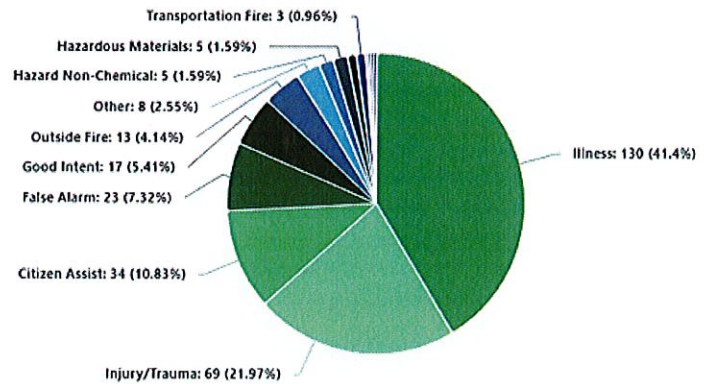
Incidents by Category

May 01, 2026 12:00 AM to May 31, 2026 11:59 PM



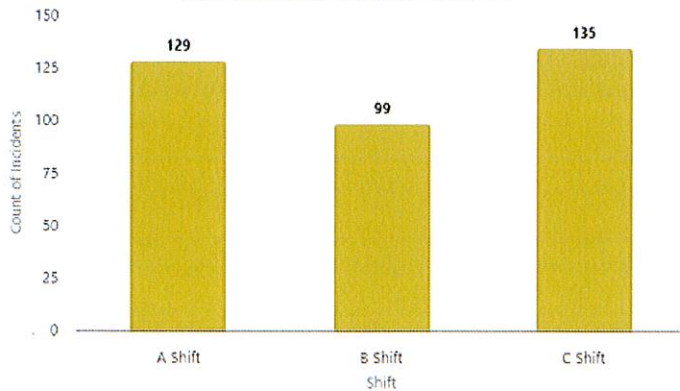
Incidents by Type

May 01, 2026 12:00 AM to May 31, 2026 11:59 PM



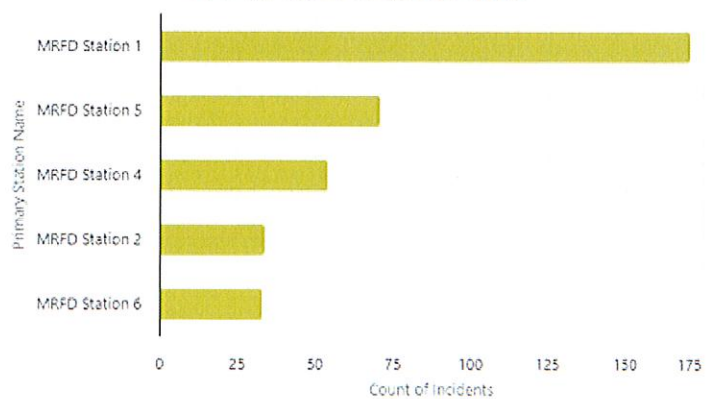
Incidents by Shift

May 01, 2026 12:00 AM to May 31, 2026 11:59 PM



Incidents by Primary Station Name

May 01, 2026 12:00 AM to May 31, 2026 11:59 PM



Missoula Rural Fire District Draft Fee Results

June 9, 2026



TischlerBise
FISCAL | ECONOMIC | PLANNING

- Impact fees
- Fiscal/economic impact analysis
- Market analysis
- Infrastructure finance strategies
- Fiscal/economic software

TischlerBise

CLIENT	Feasibility Analysis	Transportation	Sewer	Water	Stormwater	Solid Waste	Law Enforcement	Fire/EMS	Parks and Recreation	Trails/Open Space	Libraries	General Government	Schools
Belgrade	◆	◆	◆	◆				◆	◆				
Bozeman		◆	◆	◆				◆					
Convallis School District													◆
Flathead County		◆						◆					
Florence School District								◆					◆
Gallatin Co.	◆	◆						◆					
Gallatin Co. Fire Districts								◆					
Great Falls	◆						◆	◆	◆				
Hamilton		◆	◆	◆			◆	◆	◆				
Livingston		◆	◆	◆			◆	◆	◆				
Madison County	◆												
Manhattan			◆	◆								◆	
Missoula							◆	◆	◆	◆		◆	
Missoula Co.							◆	◆	◆			◆	
Polson			◆	◆					◆				
Ravalli County	◆												
Whitefish	◆		◆	◆			◆	◆	◆			◆	

Impact Fee Ground Rules

- One-time payment for growth-related infrastructure, usually collected at the time buildings permits are issued
- Not a tax, similar to a contractual arrangement to build infrastructure with fee revenue, with three requirements
 - Need (system improvements, not project-level improvements)
 - Benefit
 - Short range expenditures
 - Geographic service areas and/or benefit districts
 - Proportionate

Eligible Costs

- Facilities/improvements required to serve new development – **Yes**
- Excess capacity in existing facilities – **Yes**
- Improvements required to correct existing deficiencies – **No**
 - **Unless there is a funding plan**
- Maintenance and repairs – **No**
- Operating costs – **No**
- Fire examples
 - **Net new fire engine – Yes**
 - **1 to 1 replacement of existing vehicle – No**
 - **Replacing fire station from 4,000 sqft to 10,000 sqft – 60% impact fees**

Impact Fees in Montana

- Capital Improvement Plan is necessary
- Study is completed at least every 5 years
- Improvements must have a useful life of 10 or more years
- Eligible infrastructure:
 - Water, wastewater, stormwater
 - Transportation
 - Public safety (police, fire, EMS)
- Community is required to have a development impact fee advisory committee
- Recent changes to the code removed parks from eligibility and an admin fee to manage the program

Impact Fee Advisory Committee

- MCA 7-6-1604
 - Must include at least one representative of the development community
 - Review and monitor the process of calculating, assessing, and spending impact fees
 - Serve in an advisory capacity to the governing body of the governmental entity
- During the study committee input on:
 - 10-year residential and commercial growth projections
 - Are service areas needed?
 - Capital improvement plans
 - Project priorities, cost estimates, growth's share
 - Revising fee structure
 - Adding more development types, residential groupings
 - Burden of maximum supportable fee results on future development
 - Effort's goal is to secure a recommendation on the validity of analysis for County Commissioners & other input will be brought to Fire Board and BoCC as well

General Process

- Interview key staff/collect data
- Determine existing development base and project future growth
- Determine existing levels of service and capital needs (CIP) due to new growth
- Determine appropriate generators of demand
- Evaluate methodological alternatives
- Evaluate need for credits
- Finalize CIPs and cash flow analysis
- Calculate impact fees
- Present to Fire Board, review & input
- Advisory Committee, review & input
- County Commissioners review, input, adoption

Missoula Rural Fire District

- Districtwide housing construction trend
- 92% of growth has been in single family development

Missoula Rural Fire District	2021	2022	2023	2024	2025	Total	5-Year Average
Single Family	81	50	33	42	25	231	46
Multifamily	2	4	2	5	6	19	4
Total	83	54	35	47	31	250	50

Source: Missoula Rural Fire District

Note: Multifamily includes ADUs

Missoula Rural Fire District

- Population growth based on estimates from the Missoula MPO travel demand model
- Housing projections based on population growth and PPHU factors
- 17% increase, 5,400 new residents
- Much quicker than the previous trend

Missoula Rural Fire District	Base Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	10-Year Increase
Population [1]		31,484	32,028	32,572	33,115	33,659	34,203	34,747	35,290	35,834	36,378	36,922	5,438
	Percent Increase		1.7%	1.7%	1.7%	1.6%	1.6%	1.6%	1.6%	1.5%	1.5%	1.5%	17.3%
Housing Units [2]													
Single Family		11,458	11,656	11,854	12,052	12,250	12,447	12,645	12,843	13,041	13,239	13,437	1,979
Multifamily		1,457	1,482	1,507	1,532	1,557	1,582	1,607	1,633	1,658	1,683	1,708	252
Total Units		12,915	13,138	13,361	13,584	13,807	14,030	14,253	14,476	14,699	14,922	15,145	2,230

[1] TAZ population projection from Missoula MPO travel demand model

[2] Housing growth based on population projections and PPHU factors

Missoula Rural Fire District

- Commercial development based on Missoula MPO travel demand model
- 21.7% growth (3,197 jobs)

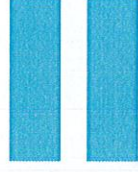
Missoula Rural Fire District	Base Year 2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	Total Increase
Jobs [1]												
Retail	6,510	6,636	6,761	6,887	7,012	7,138	7,263	7,389	7,514	7,640	7,765	1,255
Office	2,088	2,162	2,237	2,311	2,385	2,459	2,534	2,608	2,682	2,757	2,831	743
Industrial	5,374	5,482	5,591	5,699	5,808	5,916	6,025	6,133	6,242	6,350	6,459	1,085
Institutional	741	752	764	775	786	798	809	821	832	844	855	114
Total	14,713	15,032	15,352	15,672	15,991	16,311	16,631	16,950	17,270	17,590	17,909	3,197
Percent Increase		2.2%	2.1%	2.1%	2.0%	2.0%	2.0%	1.9%	1.9%	1.9%	1.8%	21.7%
Nonresidential Floors Area (1,000 sq. ft.) [2]												
Retail	556	616	676	736	796	857	917	977	1,037	1,097	1,157	601
Office	150	183	215	248	281	313	346	378	411	444	476	326
Industrial	2,481	2,602	2,723	2,844	2,966	3,087	3,208	3,329	3,450	3,571	3,693	1,212
Institutional	197	201	205	209	213	216	220	224	228	232	236	38
Total	3,384	3,602	3,820	4,038	4,255	4,473	4,691	4,908	5,126	5,344	5,561	2,177

Missoula Rural Fire District

- Incremental Expansion
- Current level of service based on existing assets and demand
 - Conservative approach, however, it allows for more flexibility in expenditures while not overcharging development
 - Equivalent dwelling unit (EDU) used to determine demand from residential and nonresidential land uses
- Collecting for:
 - Fire stations, apparatus, and impact fee study

Missoula Rural Fire District

- Incremental Expansion



- Current station square footage
- Current fleet

- EDU per housing unit/1,000 sq. ft. of commercial development

- Represents cost to serve current LOS
- Fee can be adopted lower than the maximum

Missoula Rural Fire District

- Equivalent dwelling unit (EDU) is used as the demand factor to find proportionate demand by varying land use types
- Helps address rising retail impact fees, concern from the County

Development Type	Unit	Persons per Household	Percent of Day at Home	Functional Population/Unit
Single Family dwelling		2.53	58%	1.48
Multifamily dwelling		1.71	58%	1.00

Source: U.S. Census Bureau, 2024 American Community Survey 5-Year Estimates

Development Type	Unit	Vehicle Trips/Unit [1]	Persons/Trip [2]	Employee/Unit [1]	Visitors/Unit [3]	Functional Population/Unit [4]
Retail	1,000 sq. ft.	12.01	1.53	2.09	16.28	1.37
Office	1,000 sq. ft.	3.92	1.08	2.28	1.95	0.84
Industrial	1,000 sq. ft.	1.80	1.08	0.90	1.05	0.34
Institutional	1,000 sq. ft.	5.35	1.52	3.00	5.13	1.21

[1] Source: *Trip Generation*, Institute of Transportation Engineers, 12th Edition (2025)

[2] Source: Summary of Travel Trends 2022 National Household Travel Survey, US Department of Transportation Federal Highway Administration

[3] The visitors per unit factor is found by multiplying vehicles trips and persons per trip then subtracting employees per unit.

[4] Functional population is found by multiplying the employee per unit by 8 hours and visitors for unit by 1 hour and then dividing the total by 24 hours.

Missoula Rural Fire District

- Missoula County collects their impact fees and Frenchtown Fire based on the square footage of the housing unit, recommend MRFD is consistent to that

Development Type	Unit	Functional Population/Unit [1]	EDUs/Unit
Residential (housing type)			
Single Family	dwelling	1.48	1.00
Multifamily	dwelling	1.00	0.68
Residential (square feet of dwelling unit)			
750 or Less	dwelling	0.47	0.32
751 to 1,000	dwelling	0.62	0.42
1,001 to 1,250	dwelling	0.89	0.60
1,251 to 1,500	dwelling	1.10	0.74
1,501 to 1,750	dwelling	1.27	0.86
1,751 to 2,000	dwelling	1.42	0.96
2,001 to 2,250	dwelling	1.55	1.05
2,251 to 2,500	dwelling	1.67	1.13
2,501 to 2,750	dwelling	1.77	1.20
2,751 to 3,000	dwelling	1.87	1.26
3,001 to 3,250	dwelling	1.95	1.32
3,251 to 3,500	dwelling	2.03	1.37
3,501 to 3,750	dwelling	2.11	1.43
3,751 to 4,000	dwelling	2.18	1.47
4,000 or more	dwelling	2.24	1.51
Nonresidential			
Retail	1,000 sq. ft.	1.37	0.93
Office	1,000 sq. ft.	0.84	0.57
Industrial	1,000 sq. ft.	0.34	0.23
Institutional	1,000 sq. ft.	1.21	0.82

[1] TischlerBise analysis of hours spent at locations based on residential demand (person per housing unit) and nonresidential demand (vehicle trips, employee, and visitor generation)

Missoula Rural Fire District

- A meaningful number of annual calls that MRFD are responding to are within the City
- To calculate the demand from just MRFD residents, the call split is used to reduce the station space and fleet

Location	2025 Annual Calls	% of Total
Missoula Rural Fire	2,542	66.5%
City of Missoula	1,282	33.5%
Total	3,824	100.0%

*Estimated

Missoula Rural Fire District

- Fire Station LOS & Cost Analysis

Fire Stations	Square Feet
Station #1	6,400
Station #2	5,000
Station #4	11,274
Station #5	4,400
Station #6	3,800
Total	30,874

Level-of-Service Standards	EDU
Total of Square Feet	30,874
% Calls within MRFD Boundaries	66.5%
MRFD Attributed Square Feet	20,531
2026 Equivalent Dwelling Unit (EDU)	13,784
Square Feet per 1,000 EDUs	1,489

Note reduction in square feet

Cost Analysis	EDU
Square Feet per 1,000 EDUs	1,489
Average Cost per Square Foot [1]	\$733
Capital Cost per EDU	\$1,092

Missoula City's Station 6 is anticipated to cost \$1,059 per sq. ft.

[1] Based on fire station costs in CIP

Missoula Rural Fire District

- Fire Apparatus LOS & Cost Analysis

Apparatus	Units	Cost per Unit [1]	Total Cost
Structure Engine	4	\$833,000	\$3,332,000
Structure Engine (Type 3)	1	\$860,000	\$860,000
Wildland Engine (Type 5)	6	\$145,000	\$870,000
Water Tender	5	\$650,000	\$3,250,000
Command Vehicle	1	\$85,000	\$85,000
Ladder Truck	1	\$1,800,000	\$1,800,000
HazMat Tow Vehicle	1	\$600,000	\$600,000
Rescue (UTV)	2	\$20,000	\$40,000
T-6 Rescue	1	\$100,000	\$100,000
Total	22		\$10,937,000

Level-of-Service Standards		EDU
Total Units		22.0
% Calls to MRFD		67%
MRFD Attributed Units		14.6
2026 Equivalent Dwelling Unit (EDU)		13,784
Units per 1,000 EDUs		1.06

Cost Analysis		EDU
Units per 1,000 EDUs		1.06
Average Cost per Unit		\$497,000
Capital Cost per EDU		\$527

[1] Based on either future anticipated purchase price in CIP or current valuation

Missoula Rural Fire District

- Fire Facilities & Apparatus Need at Current LOS

Level of Service		Demand Unit	Unit Cost
1,489	Fire Station Square Feet	per 1,000 EDUs	\$733
1.06	Fire Apparatus Units	per 1,000 EDUs	\$497,000

Year	Equivalent Dwelling Unit	Fire Station Square Feet	Fire Apparatus Units
Base	13,784	20,531	14.6
Year 1	14,104	21,008	15.0
Year 2	14,425	21,485	15.3
Year 3	14,745	21,962	15.6
Year 4	15,066	22,440	16.0
Year 5	15,386	22,917	16.3
Year 6	15,706	23,394	16.6
Year 7	16,027	23,872	17.0
Year 8	16,347	24,349	17.3
Year 9	16,668	24,827	17.7
Year 10	16,988	25,304	18.0
Ten-Year Increase	3,204	4,773	3.4

Growth-Related Expenditures **\$3,500,122** **\$1,689,800**

MRFD Fire Growth-Related Capital Cost **\$5,189,922**

Maximum Supportable Impact Fees

Fee Component	Cost per EDU
Fire Stations	\$1,092
Fire Apparatus	\$527
Gross Total	\$1,619
Net Total	\$1,619

Dwelling Size (square feet)	EDUs per Housing Unit	Maximum Supportable Fee
Residential (per housing unit by square feet)		
750 or Less	0.32	\$518
751 to 1,000	0.42	\$680
1,001 to 1,250	0.60	\$971
1,251 to 1,500	0.74	\$1,198
1,501 to 1,750	0.86	\$1,392
1,751 to 2,000	0.96	\$1,554
2,001 to 2,250	1.05	\$1,700
2,251 to 2,500	1.13	\$1,829
2,501 to 2,750	1.20	\$1,943
2,751 to 3,000	1.26	\$2,040
3,001 to 3,250	1.32	\$2,137
3,251 to 3,500	1.37	\$2,218
3,501 to 3,750	1.43	\$2,315
3,751 to 4,000	1.47	\$2,380
4,000 or more	1.51	\$2,445

Development Type	EDUs per 1,000 square feet	Maximum Supportable Fee
Nonresidential (per 1,000 square feet)		
Retail	0.93	\$1,506
Office	0.57	\$923
Industrial	0.23	\$372
Institutional	0.82	\$1,328

Missoula Rural Fire District

- Capital Improvement Plan

Timeline & Description				Total Cost		Impact Fee & Other Revenues			
10-Year Fire District Capital Improvement Plan	Year	Unit		Total Cost	Cost per Unit	Growth-Related %	Growth-Related Cost	10-Year Proj. I.F. Revenue	Other Funding [2]
Facilities									
Station 1 Relocation + Expansion	2031	15,000 Square feet		\$11,000,000	\$733	57%	\$6,306,667	\$3,499,000	\$7,501,000
Station 5 New/Remodel [1]	2036+	11,000 square feet		\$8,066,667	\$733	60%	\$4,840,000	\$0	\$8,066,667
	Subtotal	26,000 square feet		\$19,066,667			\$11,146,667	\$3,499,000	\$15,567,667
Apparatus									
Water Tender	2029	1 unit		\$650,000	\$650,000	100%	\$650,000	\$650,000	\$0
Type 5	2030	2 unit		\$290,000	\$145,000	100%	\$290,000	\$290,000	\$0
Staff Vehicles (RM/ARM) Used	2031	1 unit		\$40,000	\$40,000	100%	\$40,000	\$40,000	\$0
BC Staff Vehicle	2031	1 unit		\$85,000	\$85,000	100%	\$85,000	\$85,000	\$0
Type 1	2033	1 unit		\$833,000	\$833,000	100%	\$833,000	\$624,325	\$208,675
Type 3	2036	1 unit		\$860,000	\$860,000	100%	\$860,000	\$0	\$860,000
Ladder Truck	2036+	1 unit		\$1,800,000	\$1,800,000	41%	\$738,462	\$0	\$1,800,000
Ambulance	2036+	1 unit		\$225,000	\$225,000	100%	\$225,000	\$0	\$225,000
	Subtotal	9 units		\$4,783,000			\$3,721,462	\$1,689,325	\$3,093,675
				Grand Total	\$23,849,667		\$14,868,128	\$5,188,325	\$18,661,342

[1] Future total square footage assumed to be similar to Station 4. Growth-related % is based on added square feet from current footprint

[2] Other funding includes state/federal grants, general fund revenue, bond referendum

Missoula Rural Fire District

- Fee Comps

Jurisdiction	Fire Impact Fee*
Missoula County/Frenchtown Fire	\$2,081
Bozeman	\$1,360
Missoula Rural Fire District - Max	\$1,554
Three Forks	\$1,003
Whitefish	\$733
Kalispell	\$460
Belgrade	\$272
Missoula - Currently	\$114

*Impact fee for 2,000 square foot single family home

Missoula Rural Fire District

- Next Steps:
 1. Fire Board input on the CIP
 2. Fire Board input on the maximum supportable fee amounts
 3. Incorporate changes into report and present to the advisory committee in July
 4. Final adoption with Missoula County

Discussion

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Service Area Report and Impact Fee Study

DRAFT

Prepared for:
Missoula Rural Fire District

June 4, 2026



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EXECUTIVE SUMMARY

The Missoula Rural Fire District, contracted with TischlerBise to document land use assumptions, prepare the Service Area Report, and update impact fees within the applicable service areas pursuant to Montana Code 7-6-16 (hereafter referred to as the “Enabling Legislation”). Governmental entities in Montana may assess impact fees to offset infrastructure costs to the governmental entity for public facilities needed to serve future development. For each public facility for which an impact fee is imposed, the governmental entity shall prepare and approve a service area report. The impact fees must (1) be reasonably related to and reasonably attributable to the development's share of the cost of infrastructure improvements made necessary by the new development and (2) may not exceed a proportionate share of the costs incurred or to be incurred by the governmental entity in accommodating the development.

Impact fees are one-time payments used to construct system improvements needed to accommodate future development, and the fee represents future development’s proportionate share of infrastructure costs. Impact fees may be used for infrastructure improvements or debt service for growth-related infrastructure. In contrast to general taxes, impact fees may not be used for operations, maintenance, replacement, or correcting existing deficiencies.

MONTANA IMPACT FEE ENABLING LEGISLATION

The Enabling Legislation governs how impact fees are calculated for governmental entities in Montana. In 2025, a recent Montana State Senate Bill (SB 133) revised the Enabling Legislation by limiting the public facilities that are eligible for impact fee funding and the fee to administrate an impact fee program. Below summaries the State Statutes with the recent revisions.

Public Facilities

Under the requirements of the Enabling Legislation, impact fees may only be used for construction, acquisition, or expansion of public facilities made necessary by new development. “Public Facilities” means any of the following categories of capital improvements with a useful life of 10 years or more that increase or improve the service capacity of a public facility (§7-6-1601(7)):

1. a water supply production, treatment, storage, or distribution facility;
2. a wastewater collection, treatment, or disposal facility;
3. a transportation facility, including roads, streets, bridges, rights-of-way, and traffic signals;
4. a storm water collection, retention, detention, treatment, or disposal facility or a flood control facility;
5. a law enforcement, emergency medical rescue, 9-1-1 system, emergency management, or fire protection facility.

Also, §7-6-1601(5a) states that "impact fee" means any charge imposed on development by a governmental entity as part of the development approval process to fund the additional service capacity required by the development from which it is collected.

Furthermore, SB 133 removed the ability for communities to assess an administrative fee in impact fee programs.

Service Area Report

For each public facility for which an impact fee is imposed, the governmental entity shall prepare and approve a service area report. The service area report is a written analysis that must:

1. describe existing conditions of the facility;
2. establish level-of-service standards;
3. forecast future additional needs for service for a defined period of time;
4. identify capital improvements necessary to meet future needs for service;
5. identify those capital improvements needed for continued operation and maintenance of the facility;
6. make a determination as to whether one service area or more than one service area is necessary to establish a correlation between impact fees and benefits;
7. make a determination as to whether one service area or more than one service area for transportation facilities is needed to establish a correlation between impact fees and benefits;
8. establish the methodology and time period over which the governmental entity will assign the proportionate share of capital costs for expansion of the facility to provide service to new development within each service area;
9. establish the methodology that the governmental entity will use to exclude operations and maintenance costs and correction of existing deficiencies from the impact fee;
10. establish the amount of the impact fee that will be imposed for each unit of increased service demand; and
11. have a component of the budget of the governmental entity that:
 - a. schedules construction of public facility capital improvements to serve projected growth;
 - b. projects costs of the capital improvements;
 - c. allocates collected impact fees for construction of the capital improvements; and
 - d. covers at least a 5-year period and is reviewed and updated at least every 5 years.

LEGAL FRAMEWORK

Both state and federal courts have recognized the imposition of impact fees as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. Land use regulations, development exactions, and impact fees are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is in the protection of public health, safety, and welfare by ensuring development is not detrimental to the quality of essential public services. The means to this end are also important, requiring both procedural and substantive due process. The process followed to receive community input (i.e., stakeholder meetings, work sessions, and public hearings) provides opportunities for comments and refinements to the impact fees.

There are three reasonable relationship requirements for impact fees that are closely related to “rational nexus”, or “reasonable relationship” requirements enunciated by a number of state courts. Although the

term “dual rational nexus” is often used to characterize the standard by which courts evaluate the validity of impact fees under the U.S. Constitution, we prefer a more rigorous formulation that recognizes three elements: “need,” “benefit,” and “proportionality.” The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the Dolan case (*Dolan v. District of Tigard*, OR, 1994). Furthermore, the plaintiff in the 2024 *Sheetz v. El Dorado County* U.S. Supreme Court case argued that the El Dorado County, CA impact fee program failed to meet the Nollan/Dolan test. The U.S. Supreme Court remanded the case back to the California Supreme Court for further proceedings on a stricter interpretation of the rational nexus, specifically the extent impact fees can be “roughly proportionate.” Thus, it has been determined that State courts will make judgments further similar cases. Individual elements of the nexus standard are discussed further in the following paragraphs.

All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the capacity of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The Nollan decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on infrastructure needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific capital facilities, based on applicable level-of-service standards.

The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the Dolan case and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify development-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for capital facilities is measured in terms of relevant and measurable attributes of development (e.g., a typical housing unit’s average weekday vehicle trips).

A sufficient benefit relationship requires that impact fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Impact fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. However, nothing in the U.S. Constitution or the state enabling legislation requires that facilities funded with fee revenues be available exclusively to development paying the fees. In other words, benefit may extend to a general area including multiple real estate developments. Procedures for the earmarking and expenditure of fee revenues are discussed near the end of this study. All of these procedural as well as substantive issues are intended to ensure that new development benefits from the impact fees they are required to pay. The authority and procedures to implement impact fees is separate from and complementary to the authority to require improvements as part of subdivision or zoning review.

As documented in this report, Missoula Rural Fire District has complied with applicable legal precedents. Impact fees are proportionate and reasonably related to the capital improvement demands of new development. Specific costs have been identified using local data and current dollars. With input from Fire

District staff, TischlerBise identified service demand indicators for each type of infrastructure and calculated proportionate share factors to allocate costs by type of development. This report documents the formulas and input variables used to calculate the impact fees for each type of public facility. Impact fee methodologies also identify the extent to which new development is entitled to various types of credits to avoid potential double payment of growth-related capital costs.

METHODOLOGY

Impact fees for public facilities made necessary by new development must be based on the same level of service provided to existing development in the service area. There are three basic methodologies used to calculate impact fees. They examine the past, present, and future status of infrastructure. The objective of evaluating these different methodologies is to determine the best measure of the demand created by new development for additional infrastructure capacity. Each method has advantages and disadvantages in a particular situation and can be used simultaneously for different cost components. Additionally, impact fees for public facilities can also include a fee for the administration of the impact fee not to exceed five percent of the total impact fee collected.

Reduced to its simplest terms, the process of calculating impact fees involves two main steps: (1) determining the cost of growth-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities within the designated service area. The following paragraphs discuss basic methods for calculating impact fees and how those methods can be applied.

- **Cost Recovery** (past improvements) - The rationale for recoupment, often called cost recovery, is that future development is paying for its share of the useful life and remaining capacity of facilities already built, or land already purchased, from which future development will benefit. This methodology is often used for utility systems that must provide adequate capacity before new development can take place.
- **Incremental Expansion** (concurrent improvements) - The incremental expansion methodology documents current level-of-service standards for each type of public facility, using both quantitative and qualitative measures. This approach assumes there are no existing infrastructure deficiencies or surplus infrastructure capacity. Future development is only paying its proportionate share for growth-related infrastructure. Revenue will be used to expand or provide additional facilities, as needed, to accommodate future development. An incremental expansion methodology is best suited for public facilities that will be expanded in regular increments to keep pace with development.
- **Plan-Based** (future improvements) - The plan-based methodology allocates costs for a specified set of improvements to a specified amount of development. Improvements are typically identified in a long-range facility plan and development potential is identified by a land use plan. There are two basic options for determining the cost per service demand unit: (1) total cost of a public facility can be divided by total service demand units (average cost), or (2) the growth-share of the

public facility cost can be divided by the net increase in service demand units over the planning timeframe (marginal cost).

Conceptual Impact Fee Calculation

In contrast to project-level improvements, impact fees fund growth-related infrastructure that will benefit multiple development projects, or the entire service area (usually referred to as system improvements). The first step is to determine an appropriate service demand indicator for the particular type of infrastructure. The service demand indicator measures the number of service units for each unit of development. For example, an appropriate indicator of the demand for parks is residents per housing unit. The second step in the impact fee formula is to determine infrastructure improvement units per service demand unit, typically called level-of-service (LOS) standards. In keeping with the park example, a common LOS standard is park acres per 1,000 residents. The third step in the impact fee formula is the cost of various infrastructure units. To complete the park example, this part of the formula would establish a construction cost per acre of park expansion.

DEFICIENCY CREDIT

A fundamental principle of impact fees, rooted in both case law and norms of equity, is that impact fees should not charge new development for a higher level of service than is provided to existing development. While the impact fees can be based on a higher level of service than the one existing at the time of the adoption of the fees, another source of funding other than impact fees must be identified and committed to fund the capacity deficiency created by the higher level of service. In addition, the impact fees must generally be reduced to ensure that new development does not pay twice for the same level of service, once through impact fees and again through general taxes that are used to remedy the capacity deficiency for existing development. Such a reduction is referred to as a revenue credit. In order to avoid these complications, the general practice is to base impact fees on the existing level of service. This study does that and consequently a deficiency credit is not warranted for any of the infrastructure types.

DEBT CREDIT

A corollary principle is that new development should not have to pay twice for the same level of service. If impact fees are based on a higher-than-existing level of service, the fees should be reduced by a credit that accounts for the contribution of new development toward remedying the existing deficiencies. A similar situation arises when the existing level of service has not been fully paid for. Outstanding debt on existing facilities that is counted in the existing level of service will be retired, in part, by revenues generated from new development. To avoid requiring new development to pay more than its proportional share, impact fees should be reduced to account for future tax payments that will retire outstanding debt on existing facilities included in determining the existing level of service.

MAXIMUM SUPPORTABLE IMPACT FEES

Below, Figure 1 summarizes service areas, methodologies, and infrastructure cost components.

Figure 1. Impact Fee Service Areas, Methodologies, and Cost Allocation

Fee Category	Service Area	Cost Recovery	Incremental Expansion	Plan-Based	Cost Allocation
Fire	Districtwide	-	Fire Stations & Apparatus	-	Equivalent Dwelling Units (EDUs)

The following figures list the schedule of the maximum supportable impact fees by type of land use. The fees represent the highest amount allowable for each type of applicable land use. The maximum supportable impact fees for residential development will be assessed per housing unit based on the square footage of the unit. Nonresidential impact fees will be assessed per square foot of floor area by type of development.

Figure 2. Maximum Supportable Impact Fee Schedule

Dwelling Size (square feet)	EDUs per Housing Unit	Maximum Supportable Fee
Residential (per housing unit by square feet)		
750 or Less	0.32	\$518
751 to 1,000	0.42	\$680
1,001 to 1,250	0.60	\$971
1,251 to 1,500	0.74	\$1,198
1,501 to 1,750	0.86	\$1,392
1,751 to 2,000	0.96	\$1,554
2,001 to 2,250	1.05	\$1,700
2,251 to 2,500	1.13	\$1,829
2,501 to 2,750	1.20	\$1,943
2,751 to 3,000	1.26	\$2,040
3,001 to 3,250	1.32	\$2,137
3,251 to 3,500	1.37	\$2,218
3,501 to 3,750	1.43	\$2,315
3,751 to 4,000	1.47	\$2,380
4,000 or more	1.51	\$2,445

Development Type	EDUs per 1,000 Sq. Ft.	Maximum Supportable Fee
Nonresidential (per 1,000 square feet)		
Retail	0.93	\$1,506
Office	0.57	\$923
Industrial	0.23	\$372
Institutional	0.82	\$1,328

FIRE DEVELOPMENT IMPACT FEE

The Fire Service Area Report includes components for station space and apparatus. An incremental expansion methodology is applied to examine the current level of service of facilities and demand from residential and nonresidential development. Importantly, the initial purchase of the apparatus that are included in the analysis have a useful life of 10 years or longer making it an impact fee eligible component.

Service Area

The Missoula Rural Fire District (MRFD) strives to provide uniform response times districtwide, with its current and future stations and apparatus operating as an integrated network. The service area for the Fire Service Area Report is districtwide.

Fire Infrastructures Funding Sources

The District has studied various ways of providing funding for fire facilities. The sources of revenue for capital expansion are general fund revenues, grants, or impact fees. In comparing an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received, the District has determined that a mixture of funding sources is an equitable way of financing the growth-related fire facilities.

Specified in Montana Code 7-6-1602-7(b)(ii), local governments must consider *user fees, debt service payments, taxes, and other available sources of funding the system improvements*. In this case, MRFD does not have any existing debt service or another other available sources related to growth-related capital expansion.

In accordance with Montana Code, if any maintenance or repair is required, these costs will need to be funded by other sources, such as property taxes, because replacement and addressing existing deficiencies are not eligible to be funded with impact fees. The District retains discretion and authority to fund deficiencies through the annual CIP budget process, accumulate savings annually, or through the deferred maintenance budget, annually appropriated for these sorts of expenses.

COST ALLOCATION FOR FIRE INFRASTRUCTURE

To determine demand on fire infrastructure from the land uses included in the analysis an equivalent dwelling unit (EDU) factor is used in the impact fee analysis. The following section details the EDU calculations for residential and nonresidential land uses.

Residential Functional Population

For residential land uses, the impact of a dwelling unit on the need for capital facilities is generally proportional to the number of persons residing in the dwelling unit. This can be measured for different housing types and in this analysis, average household size is used to develop the functional population factors.

It is estimated that residents, on average, spend 14 hours, or 58 percent, of each 24-hour weekday at their place of residence. Shown in Figure 3 is the functional population for single family and multifamily units in MRFD.

Figure 3. Residential Functional Population per Housing Unit

Development Type	Unit	Persons per Housing Unit	Percent of Day at Home	Functional Population/Unit
Single Family	dwelling	2.53	58%	1.48
Multifamily	dwelling	1.71	58%	1.00

Source: U.S. Census Bureau, 2024 American Community Survey 5-Year Estimates

Additionally, persons per housing unit and functional population factors can be assessed by the size of the housing unit. Further detailed in Appendix A: Land Use Assumptions, the persons per housing unit by square footage of the unit are derived for size 15 groupings. Using the same methodology as above, the functional population per housing unit size is calculated in Figure 4.

Figure 4. Residential Functional Population per Housing Unit Size

Dwelling Size (square feet)	Unit	Persons per Housing Unit	Percent of Day at Home	Functional Population/Unit
750 or Less	dwelling	0.80	58%	0.47
751 to 1,000	dwelling	1.07	58%	0.62
1,001 to 1,250	dwelling	1.52	58%	0.89
1,251 to 1,500	dwelling	1.88	58%	1.10
1,501 to 1,750	dwelling	2.18	58%	1.27
1,751 to 2,000	dwelling	2.43	58%	1.42
2,001 to 2,250	dwelling	2.66	58%	1.55
2,251 to 2,500	dwelling	2.86	58%	1.67
2,501 to 2,750	dwelling	3.04	58%	1.77
2,751 to 3,000	dwelling	3.20	58%	1.87
3,001 to 3,250	dwelling	3.35	58%	1.95
3,251 to 3,500	dwelling	3.48	58%	2.03
3,501 to 3,750	dwelling	3.61	58%	2.11
3,751 to 4,000	dwelling	3.73	58%	2.18
4,000 or more	dwelling	3.84	58%	2.24

Nonresidential Functional Population

The functional population methodology for nonresidential land uses is based on trip generation and employee density data. Functional population per 1,000 square feet is derived by dividing the total number of hours spent by employees and visitors during a weekday by 24 hours. Employees are estimated to spend eight hours per day at their place of employment and visitors are estimated to spend one hour per visit. Using this formula and information on trip generation rates, vehicle occupancy rates, and employee density, nonresidential functional population estimates per 1,000 square feet of floor area is calculated in Figure 5.

Figure 5. Nonresidential Functional Population per 1,000 Square Feet

Development Type	Unit	Vehicle Trips/ Unit [1]	Persons/ Trip [2]	Employee/ Unit [1]	Visitors/ Unit [3]	Functional Population/Unit [4]
Retail	1,000 sq. ft.	12.01	1.53	2.09	16.28	1.37
Office	1,000 sq. ft.	3.92	1.08	2.28	1.95	0.84
Industrial	1,000 sq. ft.	1.80	1.08	0.90	1.05	0.34
Institutional	1,000 sq. ft.	5.35	1.52	3.00	5.13	1.21

[1] Source: *Trip Generation*, Institute of Transportation Engineers, 12th Edition (2025)

[2] Source: Summary of Travel Trends 2022 National Household Travel Survey, US Department of Transportation Federal Highway Administration

[3] The visitors per unit factor is found by multiplying vehicles trips and persons per trip then subtracting employees per unit.

[4] Functional population is found by multiplying the employee per unit by 8 hours and visitors for unit by 1 hour and then dividing the total by 24 hours.

Equivalent Dwelling Unit Factors

For the MRFD impact fee analysis, an equivalent dwelling unit (EDU) is set to the functional population of a single family unit, 1.48. This is compared to the functional population factors for the other development types to calculate its EDU. For example, a multifamily unit in MRFD has a functional population of 1.00, which results in 0.68 EDUs (1.00 functional population / 1.48 functional population per EDU = 0.68 EDUs).

Figure 6. Missoula Rural Fire District EDU Factors

Development Type	Unit	Functional Population/Unit [1]	EDUs/Unit
Residential (housing type)			
Single Family	dwelling	1.48	1.00
Multifamily	dwelling	1.00	0.68
Residential (square feet of dwelling unit)			
750 or Less	dwelling	0.47	0.32
751 to 1,000	dwelling	0.62	0.42
1,001 to 1,250	dwelling	0.89	0.60
1,251 to 1,500	dwelling	1.10	0.74
1,501 to 1,750	dwelling	1.27	0.86
1,751 to 2,000	dwelling	1.42	0.96
2,001 to 2,250	dwelling	1.55	1.05
2,251 to 2,500	dwelling	1.67	1.13
2,501 to 2,750	dwelling	1.77	1.20
2,751 to 3,000	dwelling	1.87	1.26
3,001 to 3,250	dwelling	1.95	1.32
3,251 to 3,500	dwelling	2.03	1.37
3,501 to 3,750	dwelling	2.11	1.43
3,751 to 4,000	dwelling	2.18	1.47
4,000 or more	dwelling	2.24	1.51
Nonresidential			
Retail	1,000 sq. ft.	1.37	0.93
Office	1,000 sq. ft.	0.84	0.57
Industrial	1,000 sq. ft.	0.34	0.23
Institutional	1,000 sq. ft.	1.21	0.82

[1] TischlerBise analysis of hours spent at locations based on residential demand (person per housing unit) and nonresidential demand (vehicle trips, employee, and visitor generation)

Base Year EDUs

To calculate the current level of service of fire facilities, it is necessary to determine the base year EDUs. This is done by applying the EDU factors to the base year housing and nonresidential floor area estimates. Shown at the bottom of Figure 7, there are a total of 13,784 EDUs in MRFD.

Figure 7. Missoula Rural Fire District Base Year EDUs

Development Type	Base Year Housing Units	EDUs/Unit	Base Year EDUs
Single Family	11,458	1.00	11,458
Multifamily	1,457	0.68	990
Residential Subtotal	12,915		12,448

Development Type	Base Year 1,000 Sq. Ft.	EDUs/Unit	Base Year EDUs
Retail	556	0.93	517
Office	150	0.57	86
Industrial	2,481	0.23	571
Institutional	197	0.82	162
Nonresidential Subtotal	3,384		1,336

Development Type	Base Year EDUs	Percent of Total EDUs
Residential EDUs	12,448	90%
Nonresidential EDUs	1,336	10%
Total	13,784	100%

LEVEL OF SERVICE AND COST ANALYSIS

The following section details the level of service and cost factors for facility types included in the analysis.

Call Distribution

Importantly, the impact fees will only be collected within the District’s boundaries. However, due to the close proximity between the MRFD and the City of Missoula, a significant portion of the calls responded to by the MRFD occur within the city.

Shown below in Figure 8 is the total annual calls responded to by MRFD. Analysis found that 66.5 percent of calls responded to by the District occurred within the District, while 33.5 percent occurred within the City. To account for this demand and ensure that the growth within MRFD is only charged for service demand generated within the District, the 66.5 percent call split is applied the District’s fire station and apparatus inventory to find the level of service.

Figure 8. Missoula Rural Fire District vs. District Calls

Location	2025 Annual Calls	% of Total
Missoula Rural Fire	2,542	66.5%
City of Missoula	1,282	33.5%
Total	3,824	100.0%

*Estimated

Fire Station Space

Listed in Figure 9, Missoula Rural Fire District occupies 30,874 square feet of station space. Of that station space, 20,531 square feet is attributed to calls occurring within the Missoula Rural Fire District after applying the 66.5 percent in district calls for service split. To determine the level of service, the floor area is divided by the base year demand factor (EDUs) then multiplied by 1,000. As a result, there are 1,489 square feet of station space per 1,000 EDUs.

Based on the District's CIP, the average cost per square foot for future Stations 1 and 5 is \$733. To find the capital cost per EDU, the level of service standard is applied to the average cost per square foot. This results in a capital cost of \$1,092 per EDU (1,489 square feet per 1,000 EDUs x \$733 per square foot = \$1,092 per EDU, rounded).

Figure 9. Fire Station Space Level of Service and Cost Analysis

Fire Stations	Square Feet
Station #1	6,400
Station #2	5,000
Station #4	11,274
Station #5	4,400
Station #6	3,800
Total	30,874

<i>Level-of-Service Standards</i>	EDU
Total of Square Feet	30,874
% Calls within MRFD Boundaries	66.5%
MRFD Attributed Square Feet	20,531
2026 Equivalent Dwelling Unit (EDU)	13,784
Square Feet per 1,000 EDUs	1,489

<i>Cost Analysis</i>	EDU
Square Feet per 1,000 EDUs	1,489
Average Cost per Square Foot [1]	\$733
Capital Cost per EDU	\$1,092

[1] Based on fire station costs in CIP

Fire Apparatus

As shown in Figure 10, Missoula Rural Fire District has 22 vehicles to provide fire services. Of the number of vehicles 14.6 units are attributed to demand within the District after applying the 66.5 percent in district calls for service split. To determine the level of service, the fleet is divided by the base year demand factor (EDUs) then multiplied by 1,000. As a result, there are 1.06 vehicles per 1,000 EDUs.

Based on the District's expectation to replace the fleet, the average cost per vehicle is \$497,000. To find the capital cost per EDU, the level of service standard is applied to the average cost. This results in a capital cost of \$527 per EDU (1.06 vehicles per 1,000 EDUs x \$497,000 per vehicle = \$527 per EDU, rounded).

Figure 10. Fire Apparatus Level of Service and Cost Analysis

Apparatus	Units	Cost per Unit [1]	Total Cost
Structure Engine	4	\$833,000	\$3,332,000
Structure Engine (Type 3)	1	\$860,000	\$860,000
Wildland Engine (Type 5)	6	\$145,000	\$870,000
Water Tender	5	\$650,000	\$3,250,000
Command Vehicle	1	\$85,000	\$85,000
Ladder Truck	1	\$1,800,000	\$1,800,000
HazMat Tow Vehicle	1	\$600,000	\$600,000
Rescue (UTV)	2	\$20,000	\$40,000
T-6 Rescue	1	\$100,000	\$100,000
Total	22		\$10,937,000

Level-of-Service Standards	EDU
Total Units	22.0
% Calls to MRFD	66.5%
MRFD Attributed Units	14.6
2026 Equivalent Dwelling Unit (EDU)	13,784
Units per 1,000 EDUs	1.06

Cost Analysis	EDU
Units per 1,000 EDUs	1.06
Average Cost per Unit	\$497,000
Capital Cost per EDU	\$527

[1] Based on either future anticipated purchase price in CIP or current valuation

FIRE CAPITAL IMPROVEMENTS NEEDED TO SERVICE GROWTH

To accommodate projected development, MRFD will expand its fire facilities and acquire additional apparatus as development occurs. The anticipated need is based on the development projections contained in the land use assumptions (see Appendix A: Land Use Assumptions)

Shown in Figure 11, over the next ten years and based current levels of service and growth projections there is an estimated need for 4,773 square feet of additional fire station space, and a need for an additional 3.4 fire apparatus. The current cost factor is applied to the growth related need to estimate growth-related cost. Overall, there is a growth-related cost of \$5.2 million to provide current levels of service to future development.

Figure 11. Growth-Related Need for Fire Station Space

Level of Service		Demand Unit	Unit Cost
1,489	Fire Station Square Feet	per 1,000 EDUs	\$733
1.06	Fire Apparatus Units	per 1,000 EDUs	\$497,000

Year	Equivalent Dwelling Unit	Fire Station Square Feet	Fire Apparatus Units
Base	2026	13,784	20,531
Year 1	2027	14,104	21,008
Year 2	2028	14,425	21,485
Year 3	2029	14,745	21,962
Year 4	2030	15,066	22,440
Year 5	2031	15,386	22,917
Year 6	2032	15,706	23,394
Year 7	2033	16,027	23,872
Year 8	2034	16,347	24,349
Year 9	2035	16,668	24,827
Year 10	2036	16,988	25,304
Ten-Year Increase		3,204	4,773
Growth-Related Expenditures		\$3,500,122	\$1,689,800

MRFD Fire Growth-Related Capital Cost	\$5,189,922
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FIRE CAPITAL IMPROVEMENT PLANS

Figure 12 lists the Missoula Rural Fire District growth-related Capital Improvement Plan (CIP). The plans include the relocation and expansion of Fire Station 1, and a remodel and expansion of Station 5. The plan totals 26,000 square feet and \$19 million, \$11.1 million is considered to be growth-related. This is higher than the anticipated need over the next ten years as shown above in Figure 11. Identified in the last two columns of the figure, growth in the next ten years is projected to generate \$3.5 million for station expansion. As a result, MRFD will need \$15.6 million in other funding sources to complete the plan over the next ten years.

Additionally, the department needs additional apparatus to serve growth. Over the next ten years, the department plans to purchase nine more units with a total cost of \$4.8 million. This is higher than the anticipated need over the next ten years shown above in Figure 11. Based on the projected growth in the District, impact fee revenue will be able to fund the first six units in the CIP. District will have to secure other funding to pay for the full cost of the additional apparatus.

In other words, the CIP reflects a level of service greater than the current level of service and under the incremental expansion approach used to calculate the fees, if growth exceeds the projected estimate in this analysis additional revenue will be collected.

Figure 12. Fire 10-Year Capital Improvement Plan

Timeline & Description			Total Cost		Impact Fee & Other Revenues			
10-Year Fire District Capital Improvement Plan	Year	Unit	Total Cost	Cost per Unit	Growth-Related %	Growth-Related Cost	10-Year Proj. I.F. Revenue	Other Funding [2]
Facilities								
Station 1 Relocation + Expansion	2031	15,000 Square feet	\$11,000,000	\$733	57%	\$6,306,667	\$3,499,000	\$7,501,000
Station 5 New/Remodel [1]	2036+	11,000 square feet	\$8,066,667	\$733	60%	\$4,840,000	\$0	\$8,066,667
Subtotal			\$19,066,667			\$11,146,667	\$3,499,000	\$15,567,667
Apparatus								
Water Tender	2029	1 unit	\$650,000	\$650,000	100%	\$650,000	\$650,000	\$0
Type 5	2030	2 unit	\$290,000	\$145,000	100%	\$290,000	\$290,000	\$0
Staff Vehicles (RM/ARM) Used	2031	1 unit	\$40,000	\$40,000	100%	\$40,000	\$40,000	\$0
BC Staff Vehicle	2031	1 unit	\$85,000	\$85,000	100%	\$85,000	\$85,000	\$0
Type 1	2033	1 unit	\$833,000	\$833,000	100%	\$833,000	\$624,325	\$208,675
Type 3	2036	1 unit	\$860,000	\$860,000	100%	\$860,000	\$0	\$860,000
Ladder Truck	2036+	1 unit	\$1,800,000	\$1,800,000	41%	\$738,462	\$0	\$1,800,000
Ambulance	2036+	1 unit	\$225,000	\$225,000	100%	\$225,000	\$0	\$225,000
Subtotal			\$4,783,000			\$3,721,462	\$1,689,325	\$3,093,675
Grand Total			\$23,849,667			\$14,868,128	\$5,188,325	\$18,661,342

[1] Future total square footage assumed to be similar to Station 4. Growth-related % is based on added square feet from current footprint

[2] Other funding includes state/federal grants, general fund revenue, bond referendum

MAXIMUM SUPPORTABLE FIRE IMPACT FEES

Figure 13 provides a summary of the input variables (described in the chapter sections above) used to calculate the net cost per EDU. The residential Fire Development Impact Fees are the product of equivalent dwelling unit per square feet by type multiplied by the total net capital cost per EDU. For example, maximum impact fee for a 2,000 square foot home is \$1,554 per unit (\$1,619 per EDU x 0.96 EDUs per housing unit = \$1,554, rounded). The nonresidential fees are the product of equivalent dwelling unit per 1,000 square feet by type multiplied by the total net capital cost per EDU.

The fees represent the highest supportable amount for each type of applicable land use and new growth's fair share of the cost for capital facilities. The Fire Board may adopt fees that are less than the amounts shown. However, a reduction in impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in levels of service.

Figure 13. Maximum Supportable Fire Impact Fees

Fee Component	Cost per EDU
Fire Stations	\$1,092
Fire Apparatus	\$527
Gross Total	\$1,619
Net Total	\$1,619

Dwelling Size (square feet)	EDUs per Housing Unit	Maximum Supportable Fee
Residential (per housing unit by square feet)		
750 or Less	0.32	\$518
751 to 1,000	0.42	\$680
1,001 to 1,250	0.60	\$971
1,251 to 1,500	0.74	\$1,198
1,501 to 1,750	0.86	\$1,392
1,751 to 2,000	0.96	\$1,554
2,001 to 2,250	1.05	\$1,700
2,251 to 2,500	1.13	\$1,829
2,501 to 2,750	1.20	\$1,943
2,751 to 3,000	1.26	\$2,040
3,001 to 3,250	1.32	\$2,137
3,251 to 3,500	1.37	\$2,218
3,501 to 3,750	1.43	\$2,315
3,751 to 4,000	1.47	\$2,380
4,000 or more	1.51	\$2,445

Development Type	EDUs per 1,000 Sq. Ft.	Maximum Supportable Fee
Nonresidential (per 1,000 square feet)		
Retail	0.93	\$1,506
Office	0.57	\$923
Industrial	0.23	\$372
Institutional	0.82	\$1,328

PROJECTED FIRE IMPACT FEE REVENUE

Revenue projections assume implementation of the maximum supportable fire impact fees and that future development is consistent with the land use assumptions described in Appendix A: Land Use Assumptions. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue. The fee for an average size single family and multifamily unit is used in the revenue projections.

As shown in Figure 14, are the growth-related infrastructure costs by type over the next ten years. First, the District has a total CIP cost of \$23.8 million and \$14.9 million is related to future growth. Furthermore, the cost to continue providing the current level of service (LOS) is \$5.2 million. Shown at the bottom of the figure, the maximum supportable impact fees are combined with the 10-year growth projections to estimate \$5.2 million of revenue. The revenues are able to offset 100 percent of growth-related capital costs to continue the current level of service.

However, there is a funding gap between the revenue projection and CIP totals. This is a result of the CIP providing expansion plans that exceeds the current level of service and the impact fee being calculated based on the current level of service. Thus, the projects that go above and beyond the 10-year growth-related need will not be funded with impact fees over the next ten years. To fully fund the CIP, the Fire District will have to use other revenues such as grants or bond. Also, under the incremental expansion approach to calculate the fees, if growth exceeds the projected estimate in this analysis additional revenue will be collected.

Figure 14. Projected Fire Impact Fee Revenue

Infrastructure Costs for Fire Facilities

	Total CIP Cost	CIP Growth Cost	Current LOS Cost
Fire Stations	\$19,066,667	\$11,146,667	\$3,500,122
Fire Apparatus	\$4,783,000	\$3,721,462	\$1,689,800
Total Expenditures	\$23,849,667	\$14,868,128	\$5,189,922

Projected Development Impact Fee Revenue

		Single Family \$1,619 per unit	Multifamily \$1,101 per unit	Retail \$1,506 per KSF	Office \$923 per KSF	Industrial \$372 per KSF	Institutional \$1,328 per KSF
Year		Housing Units	Housing Units	KSF	KSF	KSF	KSF
Base	2026	11,458	1,457	556	150	2,481	197
1	2027	11,656	1,482	616	183	2,602	201
2	2028	11,854	1,507	676	215	2,723	205
3	2029	12,052	1,532	736	248	2,844	209
4	2030	12,250	1,557	796	281	2,966	213
5	2031	12,447	1,582	857	313	3,087	216
6	2032	12,645	1,607	917	346	3,208	220
7	2033	12,843	1,633	977	378	3,329	224
8	2034	13,041	1,658	1,037	411	3,450	228
9	2035	13,239	1,683	1,097	444	3,571	232
10	2036	13,437	1,708	1,157	476	3,693	236
Ten-Year Increase		1,979	252	601	326	1,212	38
Projected Revenue		\$3,203,839	\$276,958	\$905,328	\$300,937	\$450,725	\$50,676
Projected Revenue							\$5,188,000
Projected Expenditures							\$23,849,667
Non-Impact Fee Funding							\$18,661,667

APPENDIX A: LAND USE ASSUMPTIONS

The following sections detail base year and projected demographic assumptions.

POPULATION AND HOUSING CHARACTERISTICS

Impact fees often use per capita standards and persons per housing unit or persons per household to derive proportionate share fee amounts. Housing types have varying household sizes and, consequently, a varying demand on District infrastructure and services. Thus, it is important to differentiate between housing types and size.

When persons per housing unit (PPHU) is used in the development impact fee calculations, infrastructure standards are derived using year-round population. In contrast, when persons per household (PPHH) is used in the development impact fee calculations, the fee methodology assumes all housing units will be occupied, thus requiring peak population to be used when deriving infrastructure standards, including assuming all housing units are occupied during peak season. Although the Missoula area receives some visitation and tourism demand, this is typical for a District the size of the Missoula Rural Fire District and does not meet a threshold that would require the analysis to assume full occupancy. Thus, TischlerBise recommends using PPHU in the analysis, consistent with the previous impact fee study.

Based on housing characteristics, TischlerBise recommends using two housing unit categories in the following growth projections: (1) single family and (2) multifamily¹. Each housing type has different characteristics which results in a different demand on District facilities and services. Figure 15 shows the US Census American Community Survey (ACS) 2023 5-Year Estimates data for Missoula Rural Fire District. Single family units have an average household size of 2.53 persons and multifamily units have an average household size of 1.71 persons. Additionally, there is a housing mix of 89 percent single family and 11 percent multifamily. The estimates in Figure 15 are for household size calculations. Base year population and housing units are estimated with another, more recent data source.

Figure 15. Persons per Housing Unit by Housing Type

Housing Type	Persons	Housing Units	Persons per Housing Units	Households	Persons per Household	Housing Unit Mix
Single Family [1]	22,713	8,976	2.53	8,626	2.63	89%
Multifamily [2]	1,951	1,141	1.71	1,657	1.18	11%
Total	24,664	10,117	2.44	10,283	2.40	

[1] Includes attached and detached single family homes and mobile homes

[2] Includes all other types

Source: US Census Bureau, 2024 American Community Survey 5-Year Estimates

¹ The single family category includes single family detached, single family attached (i.e. townhouses), and mobile homes. The multifamily category includes all other housing types including duplexes and accessory dwelling units (ADU). Additionally, the occupancy status (owner vs renter) does not influence the housing type.

BUILDING PERMIT HISTORY

In Figure 16, the past five years of building permit history is listed by housing type to understand the recent growth trend in the District. There has been a steady amount of single family development over the past five years in the District, while multifamily development has been the driving factor in the elevated construction trend. Housing development peaked in 2021 with a spike in multifamily construction.

Overall, there has been an average of 46 single family units and 4 multifamily units constructed annually. Single family development represents 92 percent of housing growth while multifamily development represents 8 percent of growth.

Figure 16. Building Permit History by Housing Type

Missoula Rural Fire District	2021	2022	2023	2024	2025	Total	5-Year Average
Single Family	81	50	33	42	25	231	46
Multifamily	2	4	2	5	6	19	4
Total	83	54	35	47	31	250	50

Source: Missoula Rural Fire District

Note: Multifamily includes ADUs

BASE YEAR HOUSING UNITS AND POPULATION

Base year population (31,484 residents) is estimated with traffic area zones (TAZ) from the Missoula Travel Demand Model, which projects population amongst other factors from 2022 through the year 2050.

Figure 17. Missoula Population Growth

Missoula Rural Fire District	2022	2023	2024	2025	Base Year 2026
Population	29,309	29,853	30,397	30,940	31,484

To estimate the current housing stock in Missoula Rural Fire District, person per housing unit factors from Figure 15 were applied to the base year population. There are an estimated 12,915 housing units in the District 11,458 single family units and 1,457 multifamily units.

Figure 18. Base Year Housing and Population

Missoula Rural Fire District	Base Year 2026
Population [1]	31,484
Housing Units [2]	
Single Family	11,458
Multifamily	1,457
Total Units	12,915

[1] Missoula Rural Fire District, Traffic Area Zone (TAZ) Data

[2] 2024 US Census ACS

HOUSING UNIT AND POPULATION PROJECTIONS

The ten-year residential projections for the District are illustrated in Figure 19. Population growth is based on the estimates from the Missoula MPO travel demand model. As a result, the population is anticipated to reach nearly 37,000 residents by 2036, a 17.3 percent increase from the base year.

Housing development is assumed to continue based on population growth and PPHU factors in Figure 15. This results in 1,979 new single-family units and 252 new multifamily units. The growth rate results in approximately 200 housing units annually, a significant increase from the last five years.

Figure 19. Residential Development Projections

Missoula Rural Fire District	Base Year	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	10-Year Increase
Population [1]		31,484	32,028	32,572	33,115	33,659	34,203	34,747	35,290	35,834	36,378	36,922	5,438
	Percent Increase		1.7%	1.7%	1.7%	1.6%	1.6%	1.6%	1.6%	1.5%	1.5%	1.5%	17.3%
Housing Units [2]													
Single Family		11,458	11,656	11,854	12,052	12,250	12,447	12,645	12,843	13,041	13,239	13,437	1,979
Multifamily		1,457	1,482	1,507	1,532	1,557	1,582	1,607	1,633	1,658	1,683	1,708	252
Total Units		12,915	13,138	13,361	13,584	13,807	14,030	14,253	14,476	14,699	14,922	15,145	2,230

[1] TAZ population projection from Missoula MPO travel demand model

[2] Housing growth based on population projections and PPHU factors

CURRENT EMPLOYMENT AND NONRESIDENTIAL FLOOR AREA

The impact fee study will include nonresidential development as well. Employment estimates are based on TAZ data from the Missoula MPO travel demand model which projects employment counts amongst other factors through the year 2050. As a result, there are an estimated 14,713 jobs.

Figure 20. Base Year Total Employment

Missoula Rural Fire District	2022 Total Jobs	Growth Since 2022	Est. 2026 Total Jobs
Employment	13,434	9.5%	14,713

Nonresidential floor area is derived from land parcel data, provided Missoula County. The totals for retail, office, industrial, and institutional developments are listed below in Figure 21. Total floor area results in 3,384,456 square feet, the majority being industrial development.

Figure 21. Base Year Employment by Industry

Missoula Rural Fire District	2026 Jobs [1]	2026 Floor Area (square feet) [2]
Retail	6,510	555,936
Office	2,088	150,216
Industrial	5,374	2,480,890
Institutional	741	197,414
Total	14,713	3,384,456

[1] Missoula MPO travel demand model

[2] Missoula County parcel GIS data

EMPLOYMENT AND NONRESIDENTIAL FLOOR AREA PROJECTIONS

The ten-year growth projections from the impact fee studies relies on these projections along with employee density factors from the Institution of Transportation Engineers' (ITE). For the retail industry the Shopping Center land use factors are used; for office the General Office factors are used; for industrial the Light Industrial factors are used; for Institutional the Hospital factors are used.

Figure 22. Institute of Transportation Engineers (ITE) Employment Density Factors

Employment Industry	ITE Code	Land Use	Demand Unit	Emp Per Dmd Unit	Sq Ft Per Emp
Retail	820	Shopping Center	1,000 Sq Ft	2.09	479
Office	710	General Office	1,000 Sq Ft	2.28	439
Industrial	110	Light Industrial	1,000 Sq Ft	0.90	1,117
Institutional	610	Hospital	1,000 Sq Ft	3.00	334

Source: [Trip Generation](#), Institute of Transportation Engineers, 12th Edition (2025)

Job and nonresidential floor area projections for the next ten years are shown in Figure 23. Employment projections are based on the travel demand model. Over the next ten years, there is an estimated increase of 3,197 jobs, a 21.7 percent increase from the base year.

Job growth is converted into nonresidential floor area using the ITE square feet per employee averages in Figure 22. Over the next ten years there is a projected increase of 2.1 million nonresidential square feet in the District. Industrial development accounts for 56 percent of the increase with a million new square feet projected.

Figure 23. Employment and Nonresidential Floor Area Projections

Missoula Rural Fire District	Base Year 2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	Total Increase
Jobs [1]												
Retail	6,510	6,636	6,761	6,887	7,012	7,138	7,263	7,389	7,514	7,640	7,765	1,255
Office	2,088	2,162	2,237	2,311	2,385	2,459	2,534	2,608	2,682	2,757	2,831	743
Industrial	5,374	5,482	5,591	5,699	5,808	5,916	6,025	6,133	6,242	6,350	6,459	1,085
Institutional	741	752	764	775	786	798	809	821	832	844	855	114
Total	14,713	15,032	15,352	15,672	15,991	16,311	16,631	16,950	17,270	17,590	17,909	3,197
<i>Percent Increase</i>		2.2%	2.1%	2.1%	2.0%	2.0%	2.0%	1.9%	1.9%	1.9%	1.8%	21.7%
Nonresidential Floors Area (1,000 sq. ft.) [2]												
Retail	556	616	676	736	796	857	917	977	1,037	1,097	1,157	601
Office	150	183	215	248	281	313	346	378	411	444	476	326
Industrial	2,481	2,602	2,723	2,844	2,966	3,087	3,208	3,329	3,450	3,571	3,693	1,212
Institutional	197	201	205	209	213	216	220	224	228	232	236	38
Total	3,384	3,602	3,820	4,038	4,255	4,473	4,691	4,908	5,126	5,344	5,561	2,177

[1] Missoula MPO travel demand model

[2] Trip Generation, Institute of Transportation Engineers, 12th Edition (2025)

VEHICLE TRIP GENERATION

Residential Vehicle Trips by Housing Type

A customized trip rate is calculated for the single family and multifamily units in the District. In Figure 24 the most recent data from the U.S. Census ACS is inputted into equations provided by the ITE to calculate the trip ends per housing unit factor. A single family unit is estimated to generate 9.90 trip ends and a multifamily unit is estimated to generate 5.20 trip ends on an average weekday. As expected, single family homes generate more vehicle trips than smaller multifamily units. Furthermore, multifamily units in Missoula Rural Fire District average more vehicle trips than the national average.

Figure 24. Customized Residential Trip End Rates by Housing Type

Tenure by Units in Structure	Vehicles Available [1]	Households by Structure Type [2]		Vehicles per HH by Tenure	
		Single Family	Multifamily		Total
Owner-occupied	16,321	7,523	87	7,610	2.14
Renter-occupied	3,487	1,103	999	2,102	1.66
Total	19,808	8,626	1,086	9,712	2.04
Housing Units [3]		8,976	1,141	10,117	

Units in Structure	Persons in HH [4]	Trip Ends from Persons [5]	Vehicles by Type of Units	Trip Ends from Vehicles [6]	Average Trip Ends	Local Trip Ends per Unit	National Trip Ends per Unit [7]
Single Family Units*	22,713	60,722	17,964	116,762	88,742	9.90	9.09
Multifamily Units	1,951	4,387	1,844	7,558	5,973	5.20	4.46
Total	24,664	65,108	19,808	124,321	94,714	9.40	

* Includes Single Family Detached, Single Family Attached, and Manufactured Homes

1. Vehicles available by tenure from Table B25046, American Community Survey, 2024 5-Year Estimates.
2. Households by tenure and units in structure from Table B25032, American Community Survey, 2024 5-Year Estimates.
3. Housing units from Table B25024, American Community Survey, 2024 5-Year Estimates.
4. Total population in households from Table B25033, American Community Survey, 2024 5-Year Estimates.
5. Vehicle trips ends based on persons using formulas from ITE Trip Generation. For single-family housing (ITE 210), the fitted curve equation is $EXP(0.89 * \ln(\text{persons}) + 1.72)$ [ITE 2017]. To approximate the average population of the ITE studies, persons were divided by 48 and the equation result multiplied by 48. For multi-family housing (ITE 221), the fitted curve equation is $(2.29 * \text{persons}) - 81.02$ [ITE 2017].
6. Vehicle trip ends based on vehicles available using formulas from ITE Trip Generation. For single-family housing (ITE 210), the fitted curve equation is $EXP(0.99 * \ln(\text{vehicles}) - 1.93)$ [ITE 2017]. To approximate the average number of vehicles in the ITE studies, vehicles available were divided by 81 and the equation result multiplied by 81. For multifamily housing (ITE 220), the fitted curve equation is $(3.94 * \text{vehicles}) + 293.58$ [ITE 2012].
7. Trip Generation, Institute of Transportation Engineers, 12th Edition (2025).

Residential Vehicle Trips Adjustment Factors

A vehicle trip end is the out-bound or in-bound leg of a vehicle trip. As a result, so to not double count trips, a standard 50 percent adjustment is applied to trip ends to calculate a vehicle trip. For example, the out-bound trip from a person’s home to work is attributed to the housing unit and the trip from work back home is attributed to the employer.

However, an additional adjustment is necessary to capture District residents’ work bound trips that are outside of the District. The trip adjustment factor includes two components. According to the National Household Travel Survey, home-based work trips are typically 36 percent of out-bound trips (which are 50 percent of all trip ends). Also, utilizing the most recent data from the Census Bureau's web application "OnTheMap", 85 percent of workers travel outside the District for work. In combination, these factors account for 15 percent of additional production trips ($0.36 \times 0.50 \times 0.85 = 0.15$). Shown in Figure 25, the total adjustment factor for residential housing units includes attraction trips (50 percent of trip ends) plus the journey-to-work commuting adjustment (15 percent of production trips) for a total of 65 percent.

Figure 25. Residential Trip Adjustment Factor for Commuters

Trip Adjustment Factor for Commuters	
Employment Missoula Rural Fire District Residents (2023)	13,476
Residents Working in Missoula Rural Fire District (2023)	2,059
Residents Commuting Outside of Missoula Rural Fire District for Work	11,417
Percent Commuting Out of Missoula Rural Fire District	85%
Additional Production Trips [1]	15%
Standard Trip Adjustment Factor	50%
Residential Trip Adjustment Factor [2]	65%

Source: U.S. Census, OnTheMap Application (2023)

[1] In combination, these factors ($0.36 \times 0.50 \times 0.85 = 0.15$) account for 15 percent of additional production trips.

[2] The total adjustment factor for residential includes attraction trips (50% of trip ends) plus the journey-to-work commuting adjustment (15% of production trips) for a total of 65 percent

Nonresidential Vehicle Trips

Vehicle trip generation for nonresidential land uses are calculated by using ITE’s average daily trip end rates and adjustment factors found in their recently published 12th edition of Trip Generation. To estimate the trip generation in Missoula Rural Fire District, the weekday trip end per 1,000 square feet factors listed in Figure 26 are used.

Figure 26. Institute of Transportation Engineers Nonresidential Factors

Industry	ITE Code	Land Use	Demand Unit	Wkdy Trip Ends Per Dmd Unit	Wkdy Trip Ends Per Employee
Retail	820	Shopping Center	1,000 Sq Ft	36.39	17.42
Office	710	General Office	1,000 Sq Ft	7.83	3.44
Industrial	110	Light Industrial	1,000 Sq Ft	3.60	4.02
Institutional	610	Hospital	1,000 Sq Ft	10.70	3.57

Source: *Trip Generation*, Institute of Transportation Engineers, 12th Edition (2025)

For nonresidential land uses, the standard 50 percent adjustment is applied to office, industrial, and institutional development. A lower vehicle trip adjustment factor is used for retail development because this type of growth attracts vehicles as they pass-by on arterial and collector roads. For example, when someone stops at a convenience store on their way home from work, the convenience store is not their primary destination.

In Figure 26, the Institute for Transportation Engineers’ land use code, daily vehicle trip end rate, and trip adjustment factor is listed for each land use.

Figure 26. Daily Vehicle Trip Factors

Land Use	ITE Codes	Daily Vehicle Trip Ends	Trip Adj. Factor	Daily Vehicle Trips
Residential (per housing unit)				
Single Family	210	9.09	65%	5.93
Multifamily	220	6.21	65%	4.05
Nonresidential (per 1,000) square feet)				
Retail	820	36.39	33%	12.01
Office	710	7.83	50%	3.92
Industrial	110	3.60	50%	1.80
Institutional	610	10.70	50%	5.35

Source: Trip Generation, Institute of Transportation Engineers, 12th Edition (2025)

VEHICLE TRIP PROJECTIONS

The base year vehicle trip totals and vehicle trip projections are calculated by combining the vehicle trip end factors, the trip adjustment factors, and the residential and nonresidential assumptions for housing stock and floor area. Districtwide, residential land uses account for 73,862 vehicle trips and nonresidential land uses account for 12,786 vehicle trips in the base year (Figure 27).

Through 2036, it is projected that daily vehicle trips will increase by 13,771 trips with the majority of the growth being generated by retail and multifamily development.

Figure 27. Vehicle Trip Projections

Missoula Rural Fire District	Base Year 2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	Total Increase
Residential Trips												
Single Family	67,960	68,233	68,506	68,778	69,051	69,324	69,597	69,870	70,143	70,415	70,688	2,728
Multifamily	5,902	5,918	5,934	5,950	5,967	5,983	5,999	6,015	6,031	6,048	6,064	162
Subtotal	73,862	74,151	74,440	74,729	75,018	75,307	75,596	75,885	76,174	76,463	76,752	2,890
Nonresidential Trips												
Retail	6,676	7,398	8,120	8,842	9,564	10,286	11,007	11,729	12,451	13,173	13,895	7,219
Office	588	716	843	971	1,099	1,226	1,354	1,482	1,609	1,737	1,865	1,276
Industrial	4,466	4,684	4,902	5,120	5,338	5,556	5,774	5,992	6,210	6,428	6,647	2,181
Institutional	1,056	1,077	1,097	1,117	1,138	1,158	1,179	1,199	1,219	1,240	1,260	204
Subtotal	12,786	13,874	14,962	16,050	17,138	18,226	19,314	20,402	21,490	22,578	23,666	10,881
Vehicle Trips												
Grand Total	86,648	88,025	89,402	90,779	92,156	93,533	94,910	96,287	97,664	99,041	100,419	13,771

Source: Trip Generation, Institute of Transportation Engineers, 12th Edition (2025)

DEMAND INDICATORS BY DWELLING SIZE

As an alternative to simply using national average trip generation rates for residential development, published by the Institute of Transportation Engineers (ITE), TischlerBise derived custom trip rates using local demographic data. Key inputs needed for the analysis (i.e., average number of persons and vehicles available per housing) are available from ACS data.

The U.S. Census Bureau provides a continuous monthly mailing of surveys, which has limitations due to sample-size constraints. For example, data on detached housing units are combined with attached single units (commonly known as townhouses). Part of the rationale for deriving fees by house size, as discussed further below, is to address this ACS data limitation. Because townhouses generally have fewer bedrooms and less living space than detached units, fees by house size ensure proportionality and facilitate construction of affordable units. For the following calculations, Figure 28 highlights the overall average of 2.44 persons per housing unit for all homes in the District.

Figure 28. Persons per Housing Unit

Housing Type	Persons	Housing Units	Persons per Housing Units	Households	Persons per Household	Housing Unit Mix
Single Family [1]	22,713	8,976	2.53	8,626	2.63	89%
Multifamily [2]	1,951	1,141	1.71	1,657	1.18	11%
Total	24,664	10,117	2.44	10,283	2.40	

[1] Includes attached and detached single family homes and mobile homes

[2] Includes all other types

Source: US Census Bureau, 2024 American Community Survey 5-Year Estimates

Trip generation rates are also dependent upon the average number of vehicles available per dwelling. Figure 29 indicates an average of 1.95 vehicles per housing unit in Missoula Rural Fire District.

Figure 29. Vehicles per Housing Unit

Tenure	Vehicles Available	Housing Units			Vehicles per HU by Tenure
		Single Family	Multifamily	Total	
Owner-occupied	16,321	7,523	87	7,610	2.14
Renter-occupied	3,487	1,103	999	2,102	1.66
Total	19,808	8,626	1,086	9,712	2.04

Housing Type	Vehicles Available	Housing Units	Vehicles per Housing Unit
Single Family	17,930	8,976	2.00
Multifamily	1,845	1,141	1.62
Total	19,775	10,117	1.95

Source: U.S. Census Bureau, 2024 American Community Survey 5-Year Estimates

Demand Indicators by Dwelling Size

Impact fees must be proportionate to the demand for infrastructure. Because averages per household, for both persons and vehicle trip ends, have a strong, positive correlation to the number of bedrooms, TischlerBise recommends residential fee schedules that increase by unit size. Custom tabulations of demographic data by bedroom range can be created from individual survey responses provided by the

U.S. Census Bureau in files known as Public Use Microdata Samples (PUMS). PUMS files are only available for areas of at least 100,000 persons with Missoula Rural Fire District included in Public Use Microdata Areas (PUMA) 200.

Cells shaded yellow below are survey results for PUMA 200. Unadjusted persons per household (1.93), derived from PUMS data for the PUMA listed above, are adjusted upward to match the control totals for Missoula Rural Fire District (2.44), as shown above in Figure 30. Adjusted persons per housing unit totals are shaded in gray.

Figure 30. Persons by Bedroom Range

Bedroom Range	Persons ¹	Vehicles Available ¹	Housing Unit ¹	Housing Mix	Unadjusted PPHU	Adjusted PPHU ²	Unadjusted VPHU	Adjusted VPHU ²
0-1	565	579	538	14%	1.05	1.34	1.08	1.12
2	1,646	1,643	1,038	27%	1.59	2.02	1.58	1.65
3	2,835	2,892	1,426	37%	1.99	2.53	2.03	2.11
4	1,588	1,472	596	16%	2.66	3.39	2.47	2.57
5+	690	589	229	6%	3.01	3.84	2.57	2.68
Total	7,324	7,175	3,827	100%	1.91	2.44	1.87	1.95

1. American Community Survey, Public Use Microdata Sample for Montana PUMA 200 (2023 5-Year unweight

2. Adjusted multipliers are scaled to make the average PUMS values match control totals for Missoula based on 2023 ACS 5-Year Estimates.

Persons by Dwelling Size

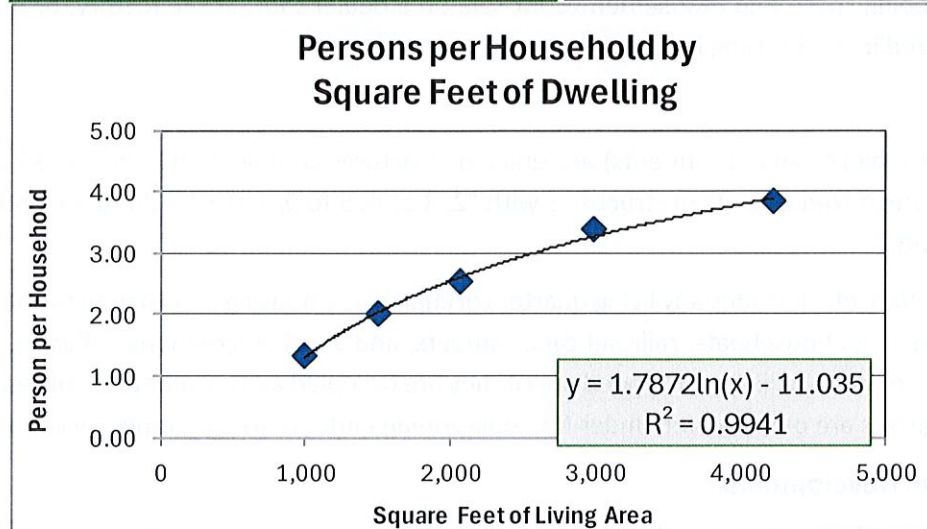
Average floor area and number of persons by bedroom range are plotted in Figure 31 with a logarithmic trend line derived from 2024 square footage estimates provided by the U.S. Census Bureau (West Region). Dwellings with one bedroom or less average 1,001 square feet of floor area—based on multifamily dwellings constructed in West Census Region. Two-bedroom dwellings average 1,508 square feet, three-bedroom dwellings average 2,069 square feet, four-bedroom dwellings average 2,994 square feet, and dwellings with five or more bedrooms average 4,223 square feet—based on single family dwellings constructed in West Census Region.

Using the trend line formula shown in the chart, TischlerBise derived the estimated average number of persons, by dwelling size, using 15 size groupings. The largest residential size grouping in the current impact fee schedule is 4,001 square feet and greater.

As shown in the upper-right corner of the table below, the smallest floor area range (750 square feet or less) has an estimated average of 0.80 persons per dwelling. The largest floor area range (4,001 square feet or more) has an estimated average of 3.84 persons per dwelling. Importantly, vacancy rates are included in the PPHU factors, resulting in the small dwelling units having less than one person per unit.

Figure 31. Persons by Dwelling Size

Actual Averages per Dwelling Unit			Fitted-Curve Values	
Bedrooms	Square Feet	Persons	Sq Ft Range	Persons
0-1	1,001	1.34	750 or less	0.80
2	1,508	2.02	751 to 1,000	1.07
3	2,069	2.53	1,001 to 1,250	1.52
4	2,994	3.39	1,251 to 1,500	1.88
5+	4,223	3.84	1,501 to 1,750	2.18
Average persons per household derived from 2023 ACS PUMS data for the area that includes Missoula (PUMA 200). Unit size for 0-1 bedroom is from the 2024 U.S. Census Bureau average for all multifamily units constructed in the Census West region. Unit size for all other bedrooms is from the 2024 U.S. Census Bureau average for single family units constructed in the Census Mountain division.			1,751 to 2,000	2.43
			2,001 to 2,250	2.66
			2,251 to 2,500	2.86
			2,501 to 2,750	3.04
			2,751 to 3,000	3.20
			3,001 to 3,250	3.35
			3,251 to 3,500	3.48
			3,501 to 3,750	3.61
3,751 to 4,000	3.73			
4,001 or more	3.84			



APPENDIX B: LAND USE DEFINITIONS

Residential Development

Single Family:

1. Single-family detached is a one-unit structure detached from any other house, that is, with open space on all four sides. Such structures are considered detached even if they have an adjoining shed or garage. A one-family house that contains a business is considered detached as long as the building has open space on all four sides.
2. Single-family attached (townhouse) is a one-unit structure that has one or more walls extending from ground to roof separating it from adjoining structures. In row houses (sometimes called townhouses), double houses, or houses attached to nonresidential structures, each house is a separate, attached structure if the dividing or common wall goes from ground to roof.
3. Mobile home includes both occupied and vacant mobile homes, to which no permanent rooms have been added, are counted in this category. Mobile homes used only for business purposes or for extra sleeping space and mobile homes for sale on a dealer's lot, at the factory, or in storage are not counted in the housing inventory.

Multifamily:

1. 2+ units (duplexes and apartments) are units in structures containing two or more housing units, further categorized as units in structures with "2, 3 or 4, 5 to 9, 10 to 19, 20 to 49, and 50 or more apartments."
2. Boat, RV, Van, etc. includes any living quarters occupied as a housing unit that does not fit the other categories (e.g., houseboats, railroad cars, campers, and vans). Recreational vehicles, boats, vans, railroad cars, and the like are included only if they are occupied as a current place of residence. Such living quarters are only allowed under Missoula zoning under unusual temporary conditions.

Nonresidential Development

Nonresidential development categories represent general groups of land uses that share similar average weekday vehicle trip generation rates and employment densities (i.e., jobs per 1,000 square feet).

Retail: Establishments primarily selling merchandise, eating/drinking places, and entertainment uses. By way of example, *Retail* includes shopping centers, supermarkets, pharmacies, restaurants, bars, nightclubs, automobile dealerships, and movie theaters.

Industrial: Establishments primarily engaged in the production, transportation, or storage of goods. By way of example, *Industrial* includes manufacturing plants, distribution warehouses, trucking companies, utility substations, power generation facilities, and telecommunications buildings.

Office: Establishments providing management, administrative, professional, or business services. By way of example, *Office* can include business offices, office parks, and corporate headquarters.

Institutional: Establishments providing education and healthcare services. By way of example, *Institutional* includes universities, nursing homes, daycare facilities, and hospitals.

**MISSOULA RURAL FIRE DISTRICT
RESOLUTION NO. 2026-04**

**A RESOLUTION OF THE BOARD OF TRUSTEES APPROVING WAGE
ADJUSTMENTS FOR NON-UNION ADMINISTRATIVE EMPLOYEES**

THIS RESOLUTION was moved by Trustee MERRITT and seconded by Trustee MURPHY. The Resolution was adopted 3 - 0 - 1.

WHEREAS, the Board of Trustees of the Missoula Rural Fire District ("District") has authority to provide adequate and standard firefighting and emergency response apparatus, equipment, personnel, housing, and facilities, including real property and emergency medical services and equipment, for the protection of the District. § 7-33-2105(1)(b), MCA; and

WHEREAS, the Board of Trustees is responsible for preparing annual budgets and requesting special levies for District budgets, and the budget laws relating to county budgets must, as far as applicable, apply to fire districts. § 7-33-2105(1)(d), MCA; and

WHEREAS, the District employs non-union administrative employees who are not covered by the collective bargaining agreement between the District and IAFF Local 2457; and

WHEREAS, historically, the District's non-union administrative positions have received wage adjustments at or near the time the District approved the collective bargaining agreement for represented employees; and

WHEREAS, the District and IAFF Local 2457 are currently engaged in the collective bargaining process, which has not yet resulted in an approved successor collective bargaining agreement; and

WHEREAS, the Board of Trustees has determined that delaying wage adjustments for non-union administrative employees until completion of the collective bargaining process would create an unreasonable delay for employees who are not covered by that process; and

WHEREAS, the Board of Trustees desires to maintain fair, competitive, and administratively consistent compensation for non-union administrative employees while preserving the separate statutory process applicable to represented employees; and

WHEREAS, the Board of Trustees has determined that a six percent (6%) wage increase for non-union administrative employees, effective the first pay period in Fiscal Year 2026, is appropriate, funded within the District's adopted Fiscal Year 2026 budget, and in the best interests of the District; and

WHEREAS, the six percent (6%) wage increase effective the first pay period in Fiscal Year 2026 results in an increase of Twenty-Two Thousand Eight Hundred Two Dollars (\$22,802.00) over the original Fiscal Year 2026 budgeted wages for the affected non-union administrative positions; and

WHEREAS, the Board of Trustees has further determined that a four and one-quarter percent (4.25%) wage increase for non-union administrative employees, effective the first pay period in Fiscal Year 2027, is appropriate and in the best interests of the District; and

WHEREAS, the Fiscal Year 2027 wages are projected to increase by approximately Twenty-Three Thousand One Hundred Thirty-Two Dollars (\$23,132.00) over Fiscal Year 2026 wages for the affected non-union administrative positions; and

WHEREAS, the Board of Trustees has determined that these wage adjustments are limited to non-union administrative employees and do not establish, modify, or determine any wage term for employees covered by a collective bargaining agreement or involved in the pending collective bargaining process; and

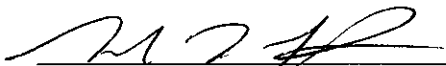
WHEREAS, the Fiscal Year 2027 wage adjustment authorized by this Resolution shall be included in the District's Fiscal Year 2027 budget planning and shall be subject to lawful appropriation and final budget adoption.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby approve wage adjustments for non-union administrative employees as follows:

1. A six percent (6%) wage increase effective the first pay period in Fiscal Year 2026, within the District's adopted Fiscal Year 2026 budget.
2. A four and one-quarter percent (4.25%) wage increase effective the first pay period in Fiscal Year 2027, subject to lawful appropriation and final budget adoption for Fiscal Year 2027.
3. The Fire Chief, Finance Director, and District staff are authorized to take the administrative steps necessary to implement this Resolution, including payroll processing, budget tracking, wage notices, and maintenance of appropriate payroll records.
4. This Resolution applies only to non-union administrative employees and does not apply to employees covered by a collective bargaining agreement.


DATED this 9th day of June 2026.

MISSOULA RURAL FIRE DISTRICT
BOARD OF TRUSTEES



Ben Murphy, Chair *Michael Langguth*

Attest:



Dan Corti, Secretary
Ben Murphy

**MISSOULA RURAL FIRE DISTRICT
RESOLUTION NO. 2026-05**

**A RESOLUTION OF THE BOARD OF TRUSTEES ADOPTING PERSONNEL
POLICIES FOR NON-UNION EMPLOYEES**

This Resolution was moved by Trustee MERRITT and seconded by Trustee MURPHY. The Resolution was adopted by a vote of 3 - 0 - 1.

WHEREAS, pursuant to § 7-33-2105, MCA, the Board of Trustees ("Board") for the Missoula Rural Fire District ("District") has authority to provide firefighting and emergency response apparatus, equipment, personnel, housing, and facilities for the protection of the District; and

WHEREAS, pursuant to § 7-33-2001, MCA, the Fire Chief is the highest-ranking officer of the District and is responsible for its operation; and

WHEREAS, the Board adopts District policies to ensure consistent operations, regulatory compliance, effective personnel administration, and accountability in District operations; and

WHEREAS, written personnel policies promote transparency, consistency, and uniform administration of employee compensation, leave, and benefit practices; and

WHEREAS, the District employs non-union employees in both exempt and nonexempt positions, and the Board desires to formalize and standardize personnel practices for eligible non-union employees in a manner that supports recruitment, retention, and operational continuity; and

WHEREAS, the Board desires to maintain personnel practices consistent with applicable federal and Montana law, including requirements governing nonexempt overtime compensation, compensatory time, exempt employee salary-basis compensation, and final wage payment obligations; and

WHEREAS, Article 9 of the Collective Bargaining Agreement between the District and IAFF Local 2457 provides that union members, through their Executive Board, may offer suggestions and comments on proposed policies applicable to their membership prior to final Board approval; and

WHEREAS, the Board intends to adopt individual policies through formal Board action as they are developed, reviewed by staff, and, if applicable, submitted to the Local 2457 Executive Board for comment pursuant to the Collective Bargaining Agreement; and

WHEREAS, the policies adopted by this Resolution are personnel policies for non-union employees and are not subject to Local 2457 Executive Board review and comment; and

WHEREAS, the policies are ready for formal Board adoption.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Missoula Rural Fire District as follows:

1. The Board hereby adopts the following policies, which are attached hereto as *Exhibit A* and incorporated into the Missoula Rural Fire District's official policy manual and/or employee handbook:

- Overtime and Compensatory Time for Non-union Nonexempt Employees
- Longevity Pay for Non-union Employees
- Flexible Time Off for Exempt Employees

2. These policies shall take effect immediately upon passage of this Resolution.

3. The Board will review these policies on a regular basis and may amend, rescind, or replace any provision as needed to reflect changes in applicable law, operational requirements, or governance priorities.

4. All prior policies addressing the same subject matter are hereby rescinded and superseded by these policies. In the event of any conflict between these policies and previously adopted provisions, the terms of these policies shall govern.

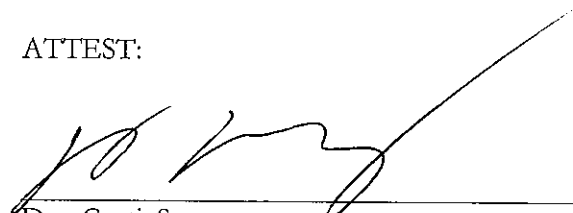
PASSED AND ADOPTED by the Board of Trustees of the Missoula Rural Fire District this 9th day of June, 2026.

MISSOULA RURAL FIRE DISTRICT
BOARD OF TRUSTEES



John "Ben" Murphy, Chair Michael Langguth

ATTEST:



Dan Corti, Secretary

Ben Murphy

Exhibit A

Policy Number: [Insert] Overtime and Compensatory Time for Non-union Nonexempt Employees

Purpose and Eligibility

This policy establishes the District's requirements for overtime compensation and compensatory time for non-union employees classified by the District as nonexempt under the Fair Labor Standards Act and applicable Montana wage and hour law.

Overtime Compensation

Nonexempt employees will receive overtime compensation for all hours actually worked in excess of 40 hours in a workweek. Overtime compensation will be paid at a rate of not less than one and one-half times the employee's regular rate of pay. Paid leave, including annual leave, sick leave, holiday leave, personal leave, compensatory time used, or other paid time off, does not count as hours worked for purposes of calculating overtime or compensatory time.

Compensatory Time

Nonexempt employees may earn compensatory time in lieu of overtime pay when approved by the employee's supervisor or designee. Compensatory time is earned at one and one-half hours for each overtime hour worked.

Employees engaged in public safety, emergency response, or seasonal activities may accrue no more than 480 hours of compensatory time. Other nonexempt employees may accrue no more than 240 hours of compensatory time. Once an employee reaches the applicable District cap, additional overtime hours must be paid as overtime compensation unless and until the employee's compensatory time balance is reduced below the applicable cap. An employee who has accrued compensatory time may request to use compensatory time off, and the District will allow the employee to use accrued compensatory time within a reasonable period after the request unless doing so would unduly disrupt District operations. Employees may request payout of up to 40 hours of accrued compensatory time annually, subject to District approval. Upon separation from employment, an employee will be paid for unused accrued compensatory time at the rate required by law.

Approval, Authorization, and Records

The employee's supervisor or designee has authority to approve overtime and compensatory time, subject to District policy and operational needs. Employees must obtain prior approval before working overtime, except when prior approval is not practical due to emergency or operational circumstances. Unauthorized overtime may result in corrective or disciplinary action, but all overtime actually worked by a nonexempt employee will be compensated. An overtime or compensatory time authorization form may be required, and the District will maintain records of overtime worked, compensatory time earned, compensatory time used, and compensatory time paid out in accordance with applicable recordkeeping requirements.

Policy Number: [Insert] Longevity Pay for Non-union Employees

Purpose

The District provides longevity pay to recognize continued service by eligible employees.

Eligibility and Amount

This policy applies to all non-union, full-time permanent employees. Employees will receive longevity pay in the amount of \$237.00 per completed year of eligible service.

Calculation and Payment

Longevity pay is calculated annually based on the employee's completed years of eligible service as of the employee's hire anniversary date. The annual longevity amount is calculated by multiplying \$237.00 by the employee's completed years of eligible service. For example, an employee with 5 completed years of eligible service will receive \$1,185.00 in annual longevity pay.

Longevity pay is added to the employee's regular wage or salary and paid over the employee's regular pay periods. Longevity pay is not paid as a separate lump sum. Any increase in longevity pay will take effect at the beginning of the pay period in which the employee's hire anniversary date falls.

Service Credit

For purposes of this policy, eligible service means completed years of full-time permanent employment with the District. Prior District service in a union position counts toward eligible service if the employee moves from a union position to a non-union position.

Unpaid leave, military leave, workers' compensation leave, or other approved leave does not affect eligible service unless the leave or break in service is one year or more. If an employee has a leave or break in service of one year or more, the employee's prior completed years of eligible service will continue to count, but the employee will not receive longevity credit for the period of the leave or break in service.

Separation from Employment and Payroll Treatment

Because longevity pay is added to the employee's regular wage or salary and paid over regular pay periods, longevity pay is paid only for pay periods in which the employee is employed by the District and receiving wages.

Upon separation from employment, the employee is not entitled to a separate payout of future longevity amounts that would have been paid after the separation date. Nothing in this policy affects the employee's right to receive wages actually earned through the date of separation.

Policy Number: [Insert] Flexible Time Off for Exempt Employees

Purpose and Eligibility

This policy applies to all exempt employees and establishes a Flexible Time Off benefit for limited scheduling flexibility. Flexible Time Off is not overtime, compensatory time, or additional compensation for working beyond an employee's regular work schedule. Exempt employees are paid on a salary basis to perform the duties of their positions and are not paid based on the number of hours worked in a particular workweek. Nothing in this policy alters an employee's exempt status, salary-basis compensation, or obligation to perform the duties of the position. Use of Flexible Time Off does not reduce an exempt employee's salary for any workweek in which the employee performs work.

Crediting of Flexible Time Off

An exempt employee may be credited with Flexible Time Off when the employee works substantial additional time beyond the employee's regular work schedule due to District-related responsibilities. Flexible Time Off is credited on a one-to-one basis, meaning one hour of approved Flexible Time Off is equivalent to one hour of paid time off.

Flexible Time Off may be credited only in accordance with this policy and District procedures. Eligible District-related work may include travel time, trainings, evening meetings, after-hours calls, emergency responses, weekend events, and other substantial additional District-related work. Flexible Time Off is not credited for routine schedule variations, ordinary workload fluctuations, or minor additional time that is inherent in the employee's exempt position.

Approval and Documentation

Flexible Time Off must be documented in the manner required by the District. Documentation should identify the date worked, the amount of Flexible Time Off credited, and any required approval or verification. For exempt employees other than the Fire Chief, crediting of Flexible Time Off must be approved by the employee's direct supervisor or designee. Approval may occur before or after the additional work is performed, depending on the circumstances. The Fire Chief is responsible for accurately documenting the Fire Chief's own Flexible Time Off in accordance with this policy and any applicable District procedure. Flexible Time Off balances will be recorded in Payroll and Slate. Payroll and HR will monitor balances and provide a report to HR and the employee's supervisor each pay period.

The District may deny, adjust, or decline to recognize claimed Flexible Time Off that is not consistent with this policy, is not properly documented, or is not approved or verified as required.

Use of Flexible Time Off

Use of Flexible Time Off must be scheduled in advance and approved by the employee's direct supervisor or designee. Approval is subject to District staffing, workload, meetings, emergency response needs, operational requirements, and other District needs. Flexible Time Off must be used in half-day or full-day increments unless otherwise approved by the District, and the District may deny or defer a request to use Flexible Time Off based on operational needs.

Credit Cap, Carryover, and Payout

An employee may be credited with a maximum of 200 hours of Flexible Time Off. Once an employee reaches the maximum, additional Flexible Time Off will not be credited until the employee's balance is reduced below the cap. Flexible Time Off may carry over from year to year, subject to the maximum cap. Payroll and HR will monitor balances and notify employees and supervisors when an employee is approaching the cap.

Upon separation from employment, the employee's unused Flexible Time Off balance will be paid out. Payout will be calculated using the employee's salary equivalent hourly rate at the time of separation. For purposes of this policy, the salary-equivalent hourly rate is calculated by dividing the employee's annual salary by 2,080 hours. Payment of unused Flexible Time Off will be made in accordance with applicable final wage payment requirements.

Administration

The District is responsible for maintaining the official Flexible Time Off balance for each exempt employee. Employees are responsible for timely submitting required documentation and promptly reporting any discrepancy. The District may adopt procedures, forms, or administrative requirements necessary to implement this policy.

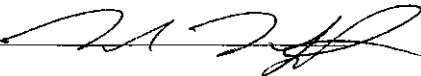
CERTIFICATE OF ADOPTING RESOLUTION # 2026-6

The undersigned authorized representative of Missoula Rural Fire District (the Employer) hereby certifies that the following resolution was duly adopted by Employer on the date specified below, and that such resolution has not been modified or rescinded as of the date hereof:

RESOLVED, the Amendment to Implement SECURE 2.0 (the Amendment) is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Plan Administrator the Amendment and to take any and all actions as it may deem necessary to effectuate this resolution.

The undersigned further certifies that attached hereto is a copy of the Amendment approved and adopted in the foregoing resolution.

Date: 260609

Signed By: 

AMENDMENT TO IMPLEMENT SECURE 2.0, SECURE, AND CARES

ARTICLE 1 PREAMBLE

- 1.1 **Adoption and effective date of Amendment.** The Employer hereby adopts this Amendment to the Plan identified below. Where Articles specify effective dates, their provisions begin on that date or, in the case of discretionary amendments, as soon thereafter as administratively practicable for the Plan.
- 1.2 **Superseding of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment. Except as otherwise provided in this Amendment, terms defined in the Plan will have the same meaning in this Amendment. This Amendment uses the phrase “elective deferral” to refer to contributions described in Code § 402(g)(3) or salary reduction contributions to a 457(b) Plan. Many Articles include definitions which are specific to that Article.
- 1.3 **Numbering.** Except as otherwise provided in this Amendment, any “Section” reference in this Amendment refers only to this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to the Plan article, section, or other numbering designations.
- 1.4 **Intention; Construction.** The purpose of this Amendment is to amend the Plan in accordance with the statutes described below and related IRS guidance. The provisions of this Amendment, and any policies or procedures adopted or modified pursuant to it, shall be interpreted and applied in a manner consistent with these statutes and any related guidance issued by the IRS or DOL, whether issued before or after the date of this Amendment. If any provision of this Amendment is rendered inoperative due to conflicting guidance, the Plan Administrator may disregard or revise such provision consistent with the intent of this Amendment and applicable law. The Plan Administrator may, but is not required to, reduce such policies or procedures to writing. The statutes include:
- SECURE 2.0 Act of 2022 (“SECURE 2.0”) enacted as Division T of the Consolidated Appropriations Act of 2023,
 - Setting Every Community Up for Retirement Enhancement Act of 2019 (“SECURE”) enacted as Division O of the Further Consolidated Appropriations Act of 2019,
 - Coronavirus Aid, Relief, and Economic Security Act (“CARES”), and
 - Bipartisan American Miners Act (“BAMA”) as enacted in Division M of the Further Consolidated Appropriations Act of 2019.
- 1.5 **403(b) Plans.** To the extent this Amendment provides for distribution options, those options apply only to the extent permitted under the relevant investment arrangement documentation.
- 1.6 **Preservation of prior amendments.** Except as provided in (a) through (d) below, this Amendment supersedes any previously adopted amendments relating to the same subject matter. *(Select one or more of (a) through (d) if applicable.)*
- (a) [] **Prior CARES Amendment.** The Employer previously adopted a CARES amendment. The provisions of Section 2.24 and Article 24 do not apply. The provisions of that CARES amendment apply to the relief described therein, without regard to the provisions of Section 2.20 and Article 20.
- (b) [] **Prior SECURE Amendment.** The Employer previously adopted a SECURE amendment which addressed the matters covered in Articles 25-27. Therefore, Sections 2.25-2.27 and Articles 25-27 shall not apply.
- (c) [] **Prior BAMA Amendment.** The Employer previously adopted a BAMA amendment which addressed the matters covered in Article 27. Therefore, Section 2.27 and Article 27 shall not apply.
- (d) [X] **General Override.** If the Employer previously amended the Plan after December 20, 2019, to implement a provision contained in one or more Articles of this Amendment, that prior amendment shall remain in effect and will not be superseded by this Amendment. For example, if

the Employer adopted an amendment increasing Cash-Out Limits, the provisions of Section 2.15 and Article 15 will not apply. However, notwithstanding the selection of this paragraph (d), the provisions of Articles 5 and 16, and Sections 2.5 and 2.16 shall supersede any prior amendment.

- 1.7 **Restatements.** This amendment is designed to take into account Section 12.08 of Rev. Proc. 2025-04, which states: “A pre-approved plan restatement that generally is effective as of a certain date should not be treated as superseding a previously adopted interim plan amendment that is effective before or after the restatement’s effective date and that has not been incorporated or reflected in the restatement, provided that the pre-approved plan is operated in a manner consistent with the interim plan amendment. A plan is presumed to be operating in compliance with an interim plan amendment in any case in which the operation of the plan cannot be determined.” As an aid to employers and practitioners, Article 45 discusses the impact of Cycle 2 403(b) restatements and Cycle 4 defined contribution restatements on this Amendment.

ARTICLE 2 IDENTIFICATION; ELECTIONS

2.1 Identifying information.

A. Name of Employer: Missoula Rural Fire District

B. Name of Plan: MISSOULA RURAL FIRE DISTRICT DEFERRED COMP PLAN

C. Type of Plan (*optional; select at least one*)

- (1) 401(k) Plan
- (2) Profit-Sharing Plan (other than a 401(k) plan)
- (3) Money Purchase Pension Plan
- (4) Defined Benefit Plan (including a cash balance plan)
- (5) 403(b) Plan
- (6) 457(b) Plan (select one): Governmental employer Tax-exempt employer

- 2.2 **Plan Type Definitions.** “Qualified Plan” (sometimes called a 401(a) plan) means a 401(k) Plan, Profit-Sharing Plan, Money Purchase Pension Plan or Defined Benefit Plan. “Defined Contribution Plan” or “DC Plan” means a Qualified Plan other than a Defined Benefit Plan. “Profit-Sharing Plan” includes stock bonus plans and ESOPs.

- 2.3 **Operating Elections.** Many subsequent Articles of this Amendment refer to elections appearing in this Article 2. Each of Sections 2.4 through 2.27 refers to a corresponding Article in this Amendment. For example, Section 2.4 has the elections related to Article 4. The definitions in those Articles apply to the elections in the corresponding Section of this Article 2, and those elections have the same effective date as the corresponding Article. Each Section of this Article lists the default provisions which will apply automatically if no election is made. **If you accept the default(s), there is no need to complete the Section.** There are no elective provisions which apply to Article 3 or Articles 28 through 44; they apply by default based on plan type or other conditions. Article 45 discusses the relation of this Amendment to restatements. The following paragraphs summarize the default rules and list the Articles for which no elections are available in this Amendment.

- Article 3. Provide for limited notices to unenrolled participants.
- Article 4. There are no eligibility adjustments to avoid LTPT rules.
- Article 5. None of the optional adjustments for LTPT Employees apply.
- Article 6. Special military spouse provisions do not apply.
- Article 7. Mandatory automatic enrollment, if applicable, applies at lowest default deferrals.
- Article 8. Plan permits higher catch-up contributions for participants ages 60-63.
- Article 9. Does not allow additional SIMPLE deferrals.
- Article 10. HPI catch-ups are Roth; all participants can make Roth deferrals.

- Article 11. Roth employer contributions are not allowed.
- Article 12. Plan is not a starter 401(k) plan.
- Article 13. OEE employees do not receive top-heavy minimum contributions.
- Article 14. Student loan payments are not matched.
- Article 15. Cash-out limits are increased to \$7000.
- Article 16. EDB RMDs use life expectancy rule rather than the 10-year rule.
- Article 17. Emergency personal expenses distributions are not allowed.
- Article 18. Domestic abuse victim distributions are not available.
- Article 19. Terminally ill individual distributions are not available.
- Article 20. Qualified disaster recovery distributions are authorized as described in plan policies.
- Article 21. Hardship sources for 403(b) plans are expanded.
- Article 22. Qualified long-term care distributions are not permitted.
- Article 23. PLESAs are not implemented.
- Article 24. CARES 2020 RMD waivers apply unless the participant opts out.
- Article 25. The limitation on QACA maximum automatic deferrals is not increased
- Article 26. Qualified birth and adoption distributions are not available.
- Article 27. The age for pension and gov't 457(b) in-service distributions is not reduced to 59 ½.
- Article 28. Permits retroactive plan adoption.
- Article 29. Sole proprietors can defer to retroactively adopted plan.
- Article 30. Permits retroactive increase in certain employer contributions.
- Article 31. Difficulty of care payments included as compensation for 415.
- Article 32. Allows retroactive election of safe harbor nonelective. No notice needed for safe harbor nonelective.
- Article 33. Governmental 457(b) elections can be effective immediately.
- Article 34. Small deferral incentives allowed.
- Article 35. Repeals maximum age for deemed IRAs.
- Article 36. Three-year deadline for repayment of Qualified Birth and Adoption Distributions.
- Article 37. Plan can adopt policy regarding documenting hardship distributions.
- Article 38. Governmental plan that permits distributions for health and long-term care insurance can make distribution directly to participant.
- Article 39. Permits rollovers from SIMPLE IRAs.
- Article 40. Permits distribution of discontinued lifetime income investments.
- Article 41. The PPP or a named fiduciary is responsible for collection of PEP contributions.
- Article 42. Permits distribution of 403(b) custodial accounts on plan termination.
- Article 43. Permits additional nonelective contributions to SIMPLE 401(k) plans.
- Article 44. Recognizes tribal orders as potential QDROs.

Check (a) or (b).

- (a) All defaults apply. *Skip the rest of Article 2 and sign the amendment.*
 (b) One or more defaults do not apply. *Complete those sections in Article 2 for which you do not accept the default; then sign the amendment.*

2.4 Article 4 – Optional 401(k) Adjustment to Eligibility Requirements to Avoid LTPT Rules. Except as provided below or in Articles 5 or 6, this Amendment does NOT modify the service requirements to make elective deferrals to a 401(k) plan. However, if Section 2.4(a)-(d) is selected, then in no event will an Employee be required to complete a period of service beyond that specified below to be eligible to defer. For examples, see Article 4. The provisions of this Section and Article 4 are effective January 1, 2024, unless otherwise specified in Section 2.4(e).

- (a) All Employees satisfy the service requirements to defer immediately upon hire.
 (b) All Employees satisfy the service requirements to defer ____ months after hire. (*Enter number of months not exceeding 24. Mere passage of time.*)

- (c) All Employees satisfy the service requirements to defer after one (1) Eligibility Computation Period with at least 500 Hours of Service.
- (d) Describe: _____
(To avoid application of the LTPT rules, the plan must allow employees to defer prior to becoming LTPT Employees.)
- (e) Article 4 is effective as of _____.

2.5 **Article 5 -- LTPT Employees.** The Employer makes the following optional elections regarding LTPT Employees. (Select all that apply.)

- (a) **Provisions which apply to LTPT Employees.** An LTPT Employee, in addition to being eligible to defer, shall also be treated as a Regular Participant for purposes of (check any or all that apply):
 - (1) Receiving an allocation of safe harbor contributions (including QACA).
 - (2) Receiving an allocation of Employer matching contributions.
 - (3) Receiving an allocation of Employer nonelective contributions.
 - (4) Receiving an allocation of top-heavy minimum contributions. [Note: Also see Article 13]
 - (5) Making after-tax Employee voluntary contributions.
 - (6) Making rollover contributions.
 - (7) Making deemed IRA contributions described in Code §408(q).
- (b) **Provisions inapplicable to LTPT Employees.** The following provisions which apply to Regular Participants do not apply to LTPT Employees (check any or all that do not apply to LTPT Employees):
 - (1) The ability to make Roth elective deferrals.
 - (2) Automatic deferral provisions.
 - (3) Automatic escalation provisions.
 - (4) The ability to make catch-up contributions.
- (c) **LTPT Entry Dates.** LTPT Entry Dates shall be determined as described in Section 5.8(b) except as indicated below (select one):
 - (1) The same as the entry date that applies to Elective Deferrals of Regular Participants.
 - (2) The first day of the plan year quarter following the date the employee becomes an LTPT Employee.
 - (3) The first day of the month following the date the employee becomes an LTPT Employee.
 - (4) Describe: _____
- (d) **Hours of Service.** Determination of hours of service to be an LTPT Employee and vesting of LTPT Employees and Former LTPT Employees will be determined as described in Article 5, except as indicated below: [Select (1), (2), or (3). Complete (4) if applicable.]
 - (1) Actual hours of service.
 - (2) Actual hours of service for hourly paid employees and the equivalency method (as specified in (4)) for others.
 - (3) The equivalency method specified in (4).
 - (4) The equivalency method is 10 hours per day; 45 hours per week; 90 hours bi-weekly; 95 hours semi-monthly; 190 hours per month
- (e) **LTPT Years.** LTPT Years will be determined as described in Section 5.8(h) except as indicated below:
 - (1) Subsequent periods following the first LTPT Year are based on anniversaries of the employment commencement date.
 - (2) Subsequent periods following the first LTPT Year are based on the Plan Year.
- (f) **Prior Elections.** Elections, to the extent consistent with Article 5 and applicable law, made in prior amendments relating to LTPT Employees shall remain in effect except as specified in this Section.
- (g) **Describe.** Describe additional provisions (including effective dates) which apply to LTPT Employees: _____

2.6 **Article 6 – Military Spouse Provisions.** In the absence of an election below, Article 6 does NOT apply. To activate special provisions for military spouses, check (a). Select (b) if applicable.

- (a) Article 6 applies to contributions made after _____. (Enter date after December 31, 2022.)
- (b) If Article 6 applies, then a Military Spouse shall enter the Plan on the earlier of the date the he/she would otherwise enter the plan or the date which is 2 months after the Hire Date, unless otherwise specified below.
- (1) A Military Spouse shall enter the Plan immediately on the Hire Date.
- (2) Describe the entry date: _____

2.7 **Article 7 – Mandatory Automatic Enrollment.** The Employer makes the following optional elections with regard to the mandatory automatic enrollment provisions of Article 7. See Section 7.2(a) regarding the application of Plan and default provisions.

- (a) Article 7 is effective _____. [By default, Article 7 is effective on the first day of the first Plan Year beginning in 2025. Optionally, you may enter an earlier effective date, such as the first day of the 2024 Plan Year or the Effective Date of the Plan.]
- (b) The Plan will comply with Code §414A(b) and Article 7 is effective regardless of whether the Plan is exempt under Code §414A(c). [This selection is appropriate for a Plan that is complying with the mandatory automatic enrollment rules, whether that compliance is voluntary or required. If the Plan is later determined to be exempt and the Employer wishes to discontinue EACA provisions, the Plan should be amended to remove this Election.]
- (c) The Automatic Deferral Percentage is: (Select one.)
- (1) **Default provision.** The amount otherwise determined under the automatic deferral provisions of the Plan, to the extent those provisions comply with Code §414A(b). In the absence of such provisions, the Automatic Deferral Percentage is 3% for each payroll period increasing 1% of Compensation on the first day of each Plan Year up to a maximum of 10% of Compensation.
- (2) **10%.** 10% of Compensation for each payroll period.
- (3) **Annual increase from 3% to at least 10%.** _____% (not less than 3 nor more than 10) for each payroll period increasing 1% of Compensation each year up to a maximum of _____% (not less than 10 nor more than 15) of Compensation. This escalation will apply as of the first day of each Plan Year unless otherwise specified in (d) below.
- (d) The escalation described in (c)(3) will apply as of: (select one of (1)-(4). If no selection is made, the escalation applies as of the first day of each Plan Year)
- (1) Each anniversary of the Participant's Employment/Reemployment Commencement Date
- (2) Each anniversary of the Participant's Entry Date.
- (3) Each anniversary of each calendar year.
- (4) Describe: _____
- (e) Unless selected below, the escalation provision in (c)(1) or (c)(3) will apply as of the first change date specified above that begins after the Participant first has contributions made pursuant to a default election (select one if applicable)
- (1) **Second change date.** The escalation provision will apply as of the second change date after the Participant first has contributions made pursuant to a default election.
- (2) **At least 6 months after.** The increase will apply as of the first Change Date thereafter which is at least 6 months (or 180 days) after the Participant first has automatic deferrals withheld.
- (f) The Automatic Deferral is a Roth Elective Deferral. If this option is not selected, or if the Plan does not allow Roth Deferrals, the Automatic Deferral is a Pre-Tax Elective Deferral.
- (g) The Automatic Deferral applies to (Select one):
- (1) **All Participants.** All Participants, regardless of any prior salary reduction agreement, unless and until they make a contrary election after the Notice Date.
- (2) **Election of at least Automatic Deferral Percentage.** All Participants, except those who have in effect a salary reduction agreement on the Notice Date provided that the Elective

Deferral amount under the Agreement is at least equal to the Automatic Deferral Percentage.

- (3) **No existing salary reduction agreement.** All Participants, except those who have in effect a salary reduction agreement on the Notice Date regardless of the Elective Deferral amount under the Agreement. *(This is the default.)*
 - (4) **Election of 0% or no existing salary reduction agreement.** All Participants, except those who have in effect a salary reduction agreement on the Notice Date provided that the Elective Deferral amount under the Agreement is greater than 0%.
 - (5) **Post-2024 Participants.** All Participants who become eligible to defer on or after the first day of the first Plan Year beginning in or after 2025.
 - (6) **Describe.** _____.
- (h) If the Plan is a multiple employer plan (MEP or PEP), then Article 7 applies to all participating employers other than those who are exempt under Code § 414A(c), unless otherwise provided below *(select one)*:
- (1) **Applies to all.** Article 7 applies to all participating employers without regard to whether an employer is exempt under Code § 414A(c).
 - (2) **Describe.** Article 7 applies to participating employers as follows: _____.
(e.g., Article 7 applies to all participating employers other than the following. Attach a separate schedule if automatic deferral schedules or elections apply differently to some of the participating employers.)

2.8 **Article 8 – Higher Catch-Up Contributions at Ages 60 to 63.** Article 8, permitting additional catch-up deferrals for Participants ages 60, 61, 62, and 63 APPLIES effective January 1, 2025, except as indicated below.

- (a) Article 8 does NOT apply.
- (b) Article 8 applies effective as of January 1, _____. *[Enter year after 2025.]*

2.9 **Article 9 – Higher SIMPLE 401(k) Deferrals.** In the absence of an election below, Article 9 does NOT apply. To activate higher deferral limits under SECURE 2.0 § 117 for a SIMPLE 401(k) plan, check (a) or (b). If Article 9 does apply, it is effective for January 1, 2024, unless a later year is specified in (c).

- (a) **Unconditional election:** Article 9 applies to deferrals.
- (b) **Conditional election:** Article 9 applies to deferrals for a calendar year only if the Employer does not exceed the Employee Threshold for that year.
- (c) **Delayed effective date:** Article 9 is effective as of January 1, _____. *[Enter year after 2024]*

2.10 **Article 10 – Roth Catch-Up Deferrals; Optional Roth Addition.** *[Plans that are not a 401(k) Plan, a 403(b) Plan, or a Governmental 457(b) Plan, and plans that do not permit Catch-Up Deferrals, skip to Section 2.11.]*

- (a) Article 10 is effective _____. *[Must be after December 31, 2023. Default is January 1, 2026.]*
- (b) If the Plan does not accept Roth Deferrals as of the effective date of Article 10, then *[select (1), (2), or (3) below]*:
 - (1) **Add Roth.** All Participants eligible to make Deferrals may make Roth Deferrals. This is the default selection. This is effective as of the effective date of Article 10 or the following earlier date: _____ *[Must be after December 31, 2023.]*
 - a. Roth Deferrals are available only for Catch-Up Deferrals
 - (2) **No Catch-Ups.** No Participant may make Catch-Up Deferrals.
 - (3) **No Catch-Ups for HPIs.** Only Participants who are not HPIs may make Catch-Up Deferrals. *[Use this selection if no Employees have FICA Wages.]*
 - a. Self-Employed HPIs may not make Catch-Up Deferrals

[If (b)(2) or (b)(3) is selected, skip to Section 2.11.]

- (c) By default, HPIs are deemed to have elected that their Catch-Up Deferrals are Roth Deferrals, unless (1) is selected below.
- (1) HPIs are not deemed to have elected that their Catch-Up Deferrals are Roth Deferrals unless the Plan Administrator notifies them of such a deemed election before they have made the Deferral.
- (d) If the Plan does not permit Roth Rollovers, the following applies:
- (1) This Amendment does not modify existing Plan provisions with regard to Roth Rollovers. This is the default selection.
- (2) Roth Rollovers are permitted. This is effective as of the effective date of Article 10 or the following earlier date: _____, [Must be after December 31, 2023]
- a. Roth Rollovers are limited to Deferrals.
- b. Roth Rollovers may only be made from accounts which are fully vested.
- c. Other limitations or conditions which apply to Roth Rollovers: _____
- (e) A Participant may not receive an In-Service Distribution from the Participant's Roth Deferral Account unless it is a qualified distribution as defined in Code §402A(d)(2).
- (f) Describe additional provisions which apply to Roth Deferrals or Roth Rollovers: _____

2.11 Article 11 – Roth Employer Contributions. In the absence of an election below, Article 11 does NOT apply. To permit participants to elect Roth Employer Contributions, check (a). If Roth Employer Contributions are available, they are available for all types of vested contributions except as provided in Article 11, in elections (b) or (c), or in Plan policies. *(Select all that apply.)*

- (a) Article 11 applies to contributions made after _____. *(Enter date after December 29, 2022.)*
- (b) Roth Employer Contributions may be elected only with respect to the following contributions: *[Check all that apply]*
- (1) ADP safe harbor contributions (nonelective or matching)
- (2) Matching Contributions (other than ADP safe harbor contributions)
- (3) Nonelective Contributions (other than ADP safe harbor contributions)
- (4) Describe: _____ *(e.g., "prevailing wage contributions." Must be definitely determinable and not subject to discretion.)*
- (c) Describe additional limitations: _____ *(Must be definitely determinable and not subject to discretion)*

2.12 Article 12 – Starter 401(k). In the absence of an election below, Article 12 does NOT apply. To make the Plan a starter 401(k) plan, select (a).

- (a) Article 12 applies effective _____ *[Enter first day of 401(k) plan year provisions are effective. Cannot be earlier than January 1, 2024.]*

2.13 Article 13 – Top-heavy. Article 13 APPLIES to exclude Otherwise Excludable Employees from receiving Top-heavy Contributions unless the Employer checks (a). It is effective for plan years beginning after December 31, 2023, unless a different effective date is specified in (b). *[Note that, regardless of Article 13 and this Section 2.13, LTPT Employees will not receive Top-heavy Contributions unless the Employer checks Election 2.5(a)(4).]*

- (a) Article 13 does not apply.
- (b) Article 13 applies to minimum contributions made after _____. *(Enter date after December 31, 2023.)*
- (c) The Employer may make a discretionary nonelective contribution equal to the Top-heavy Contribution for those Otherwise Excludable Employees who are not Highly Compensated Employees as defined in Code § 414(q) and as further defined in the Plan.

2.14 **Article 14 – Match Student Loan Payments.** In the absence of an election below, Article 14 does NOT apply. To activate match for student loans, check (a).

- (a) Article 14 applies to matching contributions made after _____. (Enter date after December 31, 2023.)
- (b) Article 14 does not apply to: [Optional. Choose (1) or (2). Choose (3) if applicable.]
 - (1) Collectively bargained employees.
 - (2) Non-collectively bargained employees
 - (3) Describe: _____ (may specify one or more unions whose employees do or do not participate. No other exclusions are available.)

2.15 **Article 15 – Increase in Cash-Out Limits.** \$5,000 Cash-Out Limits ARE increased to \$7,000, effective January 1, 2024, except as specified below.

- (a) Article 15 does not apply.
- (b) Article 15 applies effective on the first day of the first plan year beginning in 2024.
- (c) Article 15 applies to distributions made after _____. (Enter date after December 31, 2023.)
- (d) Article 15 applies even if the Plan previously provided for a lower limit (such as \$3,500 or \$1,000 for Mandatory Distributions)
- (e) Article 15 does **not** apply to the following Cash-Out Limits and therefore they are not increased as a result of this amendment: (Check one or more as and if applicable)
 - (1) The limit on Mandatory Distributions
 - (2) QJSA provisions or 457(b) *de minimis* distributions
 - (3) Any limit on the availability of distribution options (e.g., annuities or installments) other than lump sums
- (f) Unless otherwise specified in election (f)(1), Article 15 does not modify any provision relating to whether a Participant's vested benefit or balance includes rollover contributions for purposes of determining if a Mandatory Distribution exceeds the Cash-Out Limit.
 - (1) The Plan will disregard rollover contributions in determining whether a Participant's vested benefit or account balance exceeds the limit on Mandatory Distributions.
- (g) Article 15 does not apply to Mandatory Distributions made before _____. (Enter date Plan applied Article 15 to Mandatory Distributions.)
- (h) Describe additional modifications: _____
(E.g., lower limit. Must be definitely determinable and not subject to discretion).

2.16 **Article 16 – RMDs.** RMDs to an EDB of a Participant who dies prior to the Participant's RBD will be made as elected below. In the absence of an election in this Section 2.16, the Plan's existing provisions governing Beneficiary elections under the 5-Year Rule shall apply, substituting the 10-Year Rule for the 5-Year Rule. In addition, unless otherwise elected under paragraph (g) or (h), beneficiaries of CARES 5-Year Rule Accounts (as described in Section 16.9) shall have the option to extend distribution under the 5-Year Rule by one year; in the absence of a Beneficiary election, the extension shall automatically apply.

- (a) **Beneficiary election.** The EDB may elect application of the 10-Year Rule or the Life Expectancy Rule. If the Beneficiary does not make a timely election (Select one of (1) or (2)):
 - (1) **10-Year Rule.** The 10-Year Rule shall apply to the EDB.
 - (2) **Life Expectancy Rule.** The Life Expectancy Rule shall apply to the EDB.
- (b) **10-Year Rule.** The 10-Year Rule shall apply to the EDB.
- (c) **Life Expectancy Rule.** The Life Expectancy Rule shall apply to the EDB.
- (d) **Shorter Period.** The entire interest of the EDB shall be distributed no later than December 31 of the _____ (enter a number of years, not exceeding "tenth") year following the year of the Participant's death. [Note that distributions pursuant to this election may be eligible rollover distributions.]
- (e) **Other:** (Describe, e.g., the 10-Year Rule applies to all Beneficiaries other than a surviving spouse Beneficiary.) _____

- (f) **Prior Elections.** Elections made in prior amendments relating to RMDs shall remain in effect to the extent otherwise consistent with Article 16, Code § 415, and applicable guidance.
- (g) **Opt-In Extension.** The CARES extension of the 5-Year Rule described in Section 16.9 will NOT apply unless the Beneficiary affirmatively elects for it to apply.
- (h) **No Extension.** The CARES extension of the 5-Year Rule described in Section 16.9 will NOT apply.

2.17 Article 17 – Emergency Personal Expense Distributions. In the absence of an election below, Article 17 does NOT apply. To activate emergency personal expenses distributions (EPEDs), check (a).

- (a) Article 17 applies and Participants can receive EPEDs effective _____. *(Enter date after December 31, 2023.)*
- (b) EPEDs are available only for contributions in which the Participant is fully vested.
- (c) EPEDs may be elected only with respect to the following contributions: [Check all that apply]
 - (1) Elective deferrals
 - (2) Safe harbor contributions
 - (3) Employer matching contributions
 - (4) Employer nonelective contributions
 - (5) QNECs and QMACs
 - (6) Rollover contributions
 - (7) After-tax employee contributions
 - (8) Transferred accounts
 - (9) Describe: _____ *(must be definitely determinable and not subject to discretion)*
- (d) EPEDs are not available if the Participant has severed employment.
- (e) The minimum amount of an EPED is _____. *(Enter an amount up to \$1,000)*
- (f) A Participant who has received an EPED may not receive another EPED from the Plan during the immediately following three calendar years.
- (g) Describe additional limitations: _____ *(must be definitely determinable and not subject to discretion)*

2.18 Article 18 – Domestic Abuse Victim Distributions. In the absence of an election below, Article 18 does NOT apply. To activate domestic abuse victim distributions (DAVDs), check (a).

- (a) Article 18 applies and Participants can receive DAVDs effective _____. *(Enter date after December 31, 2023.)*
- (b) DAVDs are available only for contributions in which the Participant is fully vested.
- (c) DAVDs may be elected only with respect to the following contributions: [Check all that apply]
 - (1) Elective deferrals
 - (2) Safe harbor contributions
 - (3) Employer matching contributions
 - (4) Employer nonelective contributions
 - (5) QNECs and QMACs
 - (6) Rollover contributions
 - (7) After-tax employee contributions
 - (8) Transferred accounts
 - (9) Describe: _____ *(must be definitely determinable and not subject to discretion)*
- (d) DAVDs are not available if the Participant has severed employment.
- (e) The minimum amount of a DAVD is _____. *(Enter an amount less than \$1,000)*
- (f) A Participant who has received a DAVD may not receive another DAVD from the Plan during the immediately following ____ calendar years.
- (g) Describe additional limitations: _____ *(must be definitely determinable and not subject to discretion)*

2.19 **Article 19 – Terminally Ill Individual Distributions.** In the absence of an election below, Article 19 does NOT apply. To activate terminally ill individual distributions (TIIDs), check (a).

- (a) Article 19 applies and Participants can receive TIIDs effective _____. (Enter date after December 29, 2022.)
- (b) Describe additional limitations: _____
(must be definitely determinable and not subject to discretion)

2.20 **Article 20 – Qualified Disaster Recovery Distributions.** The Plan Administrator may adopt a disaster relief policy, as described in Article 20, which includes the ability to make Qualified Disaster Recovery Distributions (QDRDs), except as limited below:

- (a) The Plan is not authorized to provide QDRDs and Sections 20.3 and 20.4 do NOT APPLY.
- (b) QDRDs are available only for contributions in which the Participant is fully vested.
- (c) QDRDs may be distributed only with respect to the following contributions: [Check all that apply]
 - (1) Elective deferrals
 - (2) Safe harbor contributions
 - (3) Employer matching contributions
 - (4) Employer nonelective contributions
 - (5) QNECs and QMACs
 - (6) Rollover contributions
 - (7) After-tax employee contributions
 - (8) Transferred accounts
 - (9) Describe: _____ (must be definitely determinable and not subject to discretion)

2.21 **Article 21 – 403(b) Hardship Distribution Sources.** Hardship distributions from 403(b) plans, if and to the extent otherwise available under the plan, ARE available from the sources described in Article 21, including QNECs, QMACs, and earnings, except as indicated below.

- (a) Article 21 does not apply.
- (b) Article 21 applies effective as the first day of the first plan year beginning in 2024.
- (c) Article 21 applies to distributions made after _____. (Enter date after December 31, 2023.)
- (d) Article 21 applies earnings on elective deferrals but not to QNECs and QMACs.
- (e) Article 21 applies QNECs and QMACs (and earnings thereon) but not to earnings on elective deferrals.
- (f) Describe additional modifications: _____
(Must be definitely determinable and not subject to discretion).

2.22 **Article 22 – Qualified Long-Term Care Distributions.** In the absence of an election below, Article 22 does NOT apply. To activate qualified long-term care distributions (QLTCDs), check (a).

- (a) Article 22 applies and Participants can receive QLTCDs effective _____. (Enter date after December 29, 2025.)
- (b) QLTCDs are available only for contributions in which the Participant is fully vested.
- (c) QLTCDs may be elected only with respect to the following pre-tax accounts: [Check all that apply. Note: QLTCDs are limited to pre-tax amounts and may not be made from Roth and after-tax employee contributions.]
 - (1) Elective deferrals
 - (2) Safe harbor contributions
 - (3) Employer matching contributions
 - (4) Employer nonelective contributions
 - (5) QNECs and QMACs
 - (6) Rollover contributions
 - (7) Transferred accounts

- (8) Describe: _____ (must be definitely determinable and not subject to discretion)
- (d) QLTCs are not available if the Participant has severed employment.
- (e) Describe additional limitations: _____ (must be definitely determinable and not subject to discretion)

2.23 **Article 23 – PLESA.** In the absence of an election below, Article 23 does NOT apply. To activate PLESAs (Pension-Linked Emergency Savings Accounts) check (a).

- (a) Article 23 shall apply effective _____. [Must be after December 31, 2023.]
- (b) Employees (other than HCEs) who are Participants in any portion of the Plan are PLESA Participants unless otherwise indicated below:
- (1) Only Participants who are eligible to accrue a benefit or to receive an allocation of Employer Contributions are PLESA Participants.
- (2) Describe: _____.
- (c) The automatic enrollment provisions of Section 23.5 apply. The automatic contribution rate is ____% [Enter a number not greater than 3.]
- (d) The maximum PLESA balance is \$ _____. [Enter an amount not exceeding \$2,500 (as adjusted under Code §402A(e)(3)(A)).]
- (e) Describe additional provisions: _____ (must be definitely determinable and not subject to discretion)

2.24 **RMD waivers for 2020.** [Note: This Section 2.24 and Article 24 do not apply if the Employer has checked Section 1.6(a).] In the absence of an election below, Section 24.2 applies and a Participant or Beneficiary who would have been required to receive a 2020 RMD or Extended 2020 RMD will receive the distribution unless the Participant or Beneficiary chooses not to receive the distribution. To modify this treatment, check one or more of (a) through (d) below.

- (a) **No RMDs without request.** The Participant or Beneficiary will not receive the distribution unless they affirmatively choose to receive it.
- (b) **Split.** The Participant or Beneficiary will not receive the 2020 RMD unless elected, but will receive the Extended 2020 RMD unless they elect otherwise.
- (c) **No change to RMDs.** Payment of RMDs or Extended 2020 RMDs will be governed by the terms of the Plan without regard to this Amendment (i.e., no election is available to Participants or Beneficiaries).
- (d) **Describe other treatment:** _____ (Must be definitely determinable and not subject to discretion.)

For purposes of Section 24.3, the Plan will treat the following as eligible rollover distributions in 2020: (Choose one or none of (e), (f), (g), or (h): If no election is made, then a direct rollover will be offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(I):

- (e) 2020 RMDs.
- (f) 2020 RMDs and Extended 2020 RMDs.
- (g) 2020 RMDs but only if paid with an additional amount that is an eligible rollover distribution without regard to Code §401(a)(9)(I).
- (h) Describe: _____.

- (i) **Effective Date.** The provisions of Article 24, and the elections in this Section 2.24, will be effective on March 27, 2020, or as soon as practical thereafter, unless a different effective date is entered here: _____ [Enter date between March 27, 2020 and December 31, 2020.]

2.25 **Article 25 – QACA Maximum Automatic Deferrals.** [Note: This Section 2.25 and Article 25 do not apply if the Employer has checked Section 1.6(b).] In the absence of an election below, Article 25 does NOT apply and this Amendment does not affect the Plan's limitation on automatic deferrals under a QACA. To permit automatic deferrals of up to 15% of compensation, complete (a) below and (b) if applicable.

- (a) Article 25 applies effective on or after the first day of the first plan year beginning after December 31, 2019, unless a different date is selected in (1) below.
- (1) _____ . (Enter a date on or after the first day of the first plan year beginning after December 31, 2019.)
- (b) The following modified QACA statutory schedule will apply (the limitations in the parentheses below only applies to QACAs): (Select and complete one of (1), (2), or (3) below. The resulting schedule must satisfy Code §401(k)(13)(C)(iii)):
- (1) **Detailed Schedule.** The following modified QACA statutory schedule will apply. **NOTE:** Plan Years 1 and 2 must be between 3% and 10%. 3-14 may not exceed 15%

<u>Plan Year of application to a Participant</u>	<u>Automatic Deferral Percentage</u>
1	_% (not less than 3 and not more than 10)
2	_% (not less than 3 and not more than 10)
3	_% (not less than 4 and not more than 15)
4	_% (not less than 5 and not more than 15)
5	_% (not less than 6 and not more than 15)
6	_% (not less than 6 and not more than 15)
7	_% (not less than 6 and not more than 15)
8	_% (not less than 6 and not more than 15)
9	_% (not less than 6 and not more than 15)
10	_% (not less than 6 and not more than 15)
11	_% (not less than 6 and not more than 15)
12	_% (not less than 6 and not more than 15)
13	_% (not less than 6 and not more than 15)
14 and thereafter	_% (not less than 6 and not more than 15)

- (2) **Fixed Increase.**
- a. First plan year of application to a participant: _____ (not less than 3 and not more than 10)
- b. Second plan year of application to a participant: _____ (not less than 3 and not more than 10)
- c. In subsequent plan years the automatic deferral percentage will increase by _____% per year up to a maximum of _____% (not more than 15) of Compensation
- (3) **Describe:** _____

2.26 **Article 26 – Birth/Adoption Distributions.** [Note: This Section 2.26 and Article 26 do not apply if the Employer has checked Section 1.6(b).] In the absence of an election below, Article 26 does NOT apply. To permit QBADs (Qualified Birth and Adoption Distributions), check (a). If QBADs are available, they apply to all accounts except as provided in Article 26 or in elections (b), (c), (d), or (e). (Select all that apply.)

- (a) Article 26 applies effective January 1, 2020, unless a different date is selected in (1) below.
- (1) _____ . (Enter a date after December 31, 2019.)
- (b) QBADs may only be made from accounts in which the Participant is fully vested.
- (c) QBADs are only available from the following Accounts (select one or more):
- (1) Pre-Tax Elective Deferrals
- (2) Roth Elective Deferrals
- (3) Employer matching contributions (including safe harbor contributions and QMACs)
- (4) Employer nonelective contributions (including safe harbor contributions and QNECs)
- (5) Rollover contributions
- (6) After-tax employee contributions
- (7) Transferred accounts
- (8) Describe: _____ (must be definitely determinable and not subject to discretion)
- (d) QBADs are not available if the Participant has severed employment.
- (e) Describe additional limitations: _____ (must be definitely determinable and not subject to discretion)

2.27 **Article 27 – In-Service Distributions.** [Note: This Section 2.27 and Article 27 do not apply if the Employer has checked Section 1.6(b) or (c).] In the absence of an election below, Article 27 does NOT apply. To permit in-service distributions at age 59½ for pension plans and governmental 457(b) plans, check (a). Check (b) to specify an age greater than 59 ½. If Article 27 applies, it applies to all Accounts except as limited in Article 27.

- (a) [] Article 27 applies effective on or after the first day of the first plan year beginning after December 31, 2019, unless a different date is selected in (1) below.
- (1) [] _____. (Enter a date on or after the first day of the first plan year beginning after December 31, 2019.)
- (b) [] Age at which in-service distributions are permitted _____ (Enter age greater than 59½.)

ARTICLE 3 – DC, 403(b)
NOTICES TO UNENROLLED PARTICIPANTS – SECURE 2.0 §320

- 3.1 **Application.** This Article 3 will apply only if the Plan is a Defined Contribution Plan or a 403(b) Plan. It is effective for Plan Years beginning after December 31, 2022. This Article gives the Plan the option of providing fewer notices for Employees who are eligible but not participating.
- 3.2 **Optional Elimination of Notices to Unenrolled Participants.** No disclosure, notice, or other plan document (other than the Alternative Notices) shall be required to be furnished to any Unenrolled Participant who is furnished with the Alternative Notices.
- 3.3 **Definitions.** The following definitions apply for this Article 3:

(a) An “**Unenrolled Participant**” is a Participant in the Plan who (1) has been furnished the summary plan description of the Plan described in ERISA §104(b) and any other notices related to eligibility under the Plan and required to be furnished under the Plan, the Code, or ERISA in connection with such Participant’s initial eligibility to participate in such plan, (2) is not participating in the Plan, and (3) satisfies such other criteria as determined by the IRS and/or DOL, including future guidance.

(b) The “**Alternative Notices**” consist of the Annual Reminder Notice and any document the Participant requests that the Participant would be entitled to receive, notwithstanding this Article.

(c) An “**Annual Reminder Notice**” is a notice which (1) is provided in accordance with DOL Reg. §2520.104b-1; (2) is furnished in connection with the annual open season election period with respect to the Plan or, if there is no such period, is furnished within a reasonable period prior to the beginning of each Plan Year; (3) notifies the Unenrolled Participant of their eligibility to participate in the Plan, the key benefits and rights under the plan, with a focus on Employer contributions and vesting provisions, and any applicable election deadlines; and (4) provides such information in a prominent manner calculated to be understood by the average participant.

ARTICLE 4 – 401(k)
PROACTIVELY ADJUST ELIGIBILITY SO LTPT TRACKING DOESN’T APPLY

- 4.1 **Application.** This Article 4 will apply to 401(k) Plans, but only if the Employer makes a selection in Section 2.4. It is effective on the date specified in Section 2.4(e), or, if none, January 1, 2024.
- 4.2 **Modification of service requirement.** No Employee shall be required to complete a period of service beyond that specified in Section 2.4 to make elective deferrals. For example, suppose the Plan otherwise provides that Employees in general are eligible to defer 6 months after hire, but part-time Employees are excluded from the Plan until they have a Year of Service, and that the Employer selects 2.4(b), providing that Employees satisfy the service requirements to defer 24 months after hire. In that case, Employees in general would remain eligible to defer 6 months after hire, but part-time Employees would become eligible to defer once they complete one Year of Service or 24 months after hire, whichever is earlier. Other eligibility conditions unrelated to service (such as union status) still apply and the entry date provisions of the plan still apply. The

word “hire” refers to an Employee’s employment commencement date as described in DOL Reg. §2530.202-2.

**ARTICLE 5 – 401(k), ERISA 403(b)
LONG-TERM PART-TIME EMPLOYEES – SECURE §112; SECURE 2.0 §125**

5.1 **Application.** This Article 5 will apply to 401(k) and 403(b) Plans as follows:

(a) **401(k) Plans.** This Article 5 will apply to a 401(k) Plan that permits elective deferrals, effective for Plan Years beginning after December 31, 2020. Except as otherwise provided in Section 2.5, it specifically supersedes any prior or contemporaneous amendment addressing LTPT Employees. It is intended to comply with Prop. Treas. Reg. § 1.401(k)-5 (and any subsequent guidance) and shall be interpreted and applied accordingly.

(b) **403(b) Plans.** This Article 5 will apply to a 403(b) Plan subject to ERISA that permits elective deferrals, effective for Plan Years beginning after December 31, 2024. It does not apply to 403(b) Plans which are not subject to ERISA. It is intended to comply with Prop. Treas. Reg. § 1.401(k)-5 and Notice 2024-73 (and any subsequent guidance) and shall be interpreted and applied accordingly.

5.2 **LTPT Employee Deferrals.** An LTPT Employee will be eligible to make Elective Deferrals to the Plan. An LTPT Employee enters the Elective Deferral portion of the Plan on the Employee’s LTPT Entry Date, if the Employee is still an LTPT Employee and satisfies the Other Conditions of the Plan (see 5.8(d)) on that Entry Date. The provisions of the Plan relating to rehired employees, breaks in service, and change in status will apply to LTPT Employees.

5.3 **Limited Participation.** An LTPT Employee who is eligible to make Elective Deferrals under Section 5.2 will be a Participant solely with regard to Elective Deferrals and related Account Balances. Except as otherwise provided in Section 2.5(a), an LTPT Employee will not be eligible (1) to receive any employer contributions, including top-heavy minimum allocations and safe harbor contributions, (2) to make after-tax Employee voluntary contributions, (3) to make rollover contributions (unless otherwise permitted under the Plan’s administrative policies related to rollover contributions), or (4) to make deemed IRA contributions described in Code §408(q).

5.4 **Satisfaction of Eligibility Conditions.** On the first day of the first Plan Year on or after the date an LTPT Employee becomes a Regular Participant, the individual will no longer be an LTPT Employee, but will instead participate in the Plan in the same manner as other Regular Participants, except as provided in Section 5.5 regarding vesting.

5.5 **Vesting.** For purposes of applying any vesting schedule in the Plan applicable to Employer contributions other than elective deferrals, an LTPT Employee or a Former LTPT Employee (1) will be credited with a Year of Service for each vesting computation period during which the Employee was credited with at least 500 Hours of Service (or such lower requirement as may apply to Regular Participants) in such period, and (2) will not be credited with a break in service for any vesting computation period unless the Employee has fewer than 500 Hours of Service in such period. Hours of Service for this purpose are based on Actual Hours of Service unless otherwise specified in Section 2.5(d).

(a) **401(k) Plans.** This section will not apply to vesting computation periods of a 401(k) Plan beginning before January 1, 2021.

(b) **403(b) Plans.** This section will not apply to vesting computation periods of a 403(b) Plan beginning before January 1, 2023.

5.6 **Testing.**

(a) **401(k) Plans.** If the Plan is a 401(k) Plan, then pursuant to Code §401(k)(15)(B)(i)(II) and Prop. Treas. Reg. §1.401(k)-5(f), the Plan Administrator may elect to exclude LTPT Employees from coverage testing

under Code §410(b), the ADP test of Code §401(k)(3), the ACP test of Code §401(m)(2), and other nondiscrimination testing under Code §401(a)(4). Separately, pursuant to Prop. Treas. Reg. §1.401(k)-5(f)(2), the Plan Administrator may elect to exclude LTPT Employees from determining if the Plan satisfies the contribution and vesting requirements of Code §416(b) and (c).

(b) **403(b) Plans.** If the Plan is a 403(b) Plan, then pursuant to Code §403(b)(12)(D)(i)(II) and Notice 2024-73, the Plan Administrator may elect to exclude LTPT Employees from coverage testing under Code §410(b), the ACP test of Code §401(m)(2), and other nondiscrimination testing under Code §401(a)(4).

5.7 **Application of Elective Deferral Provisions.** Except as otherwise provided in Section 2.5(b), all provisions of the Plan related to Elective Deferrals which apply to Regular Participants also apply to LTPT Employees who have become eligible to make Elective Deferrals, including as applicable (1) eligibility to make Roth deferrals, (2) automatic enrollment provisions, (3) automatic escalation provisions, and (4) the ability to make catch-up contributions.

5.8 **Definitions.** The following definitions apply for this Article 5 and Section 2.5:

(a) “**LTPT Employee**” is defined as follows:

(1) **401(k) Plans.** With regard to a 401(k) Plan, an “**LTPT Employee**” means a long-term part-time employee described in Code §§401(k)(2)(D), 401(k)(15) and Prop. Treas. Reg. §1.401(k)-5(b)(1). Specifically, an LTPT Employee is an Employee, other than an LTPT Excluded Employee, who has not entered the Plan as a Regular Participant, but who is credited with at least three (3) consecutive LTPT Years beginning after December 31, 2020 with at least 500 Hours of Service in each and who has attained age 21 on or before the last day of the last such LTPT Year. For Plan Years beginning after December 31, 2024, the foregoing definition shall be applied by substituting “two (2) consecutive LTPT Years” in place of “three (3) consecutive LTPT Years.”

(2) **403(b) Plans.** With regard to a 403(b) Plan, an “**LTPT Employee**” means a long-term part-time employee described in ERISA § 202(c) and Prop. Treas. Reg. §1.401(k)-5(b)(1). Specifically, an LTPT Employee is an Employee, other than an LTPT Excluded Employee, who has not entered the Plan as a Regular Participant, but who is credited with at least two (2) consecutive LTPT Years beginning after December 31, 2022 with at least 500 Hours of Service in each and who has attained age 21 on or before the last day of the last such LTPT Year.

(b) With regard to an LTPT Employee, the “**LTPT Entry Date**,” unless otherwise specified in Section 2.5(c), is the earlier of (i) the first day of the first month of the Plan Year or (ii) the first day of the seventh month of the Plan Year immediately following the date the Employee becomes an LTPT Employee. In no event will the LTPT Entry Date exceed the maximum delay in participation specified in Code §410(a)(4) and Prop. Treas. Reg. §1.401(k)-5(c)(1)(i).

(c) An “**LTPT Excluded Employee**” refers to a Union Employee or a Nonresident Alien or those individuals who do not satisfy the Other Conditions of the Plan. However, an Employee will not be an LTPT Excluded Employee merely because the Employee failed to satisfy a service condition, or is a part-time, seasonal, or temporary employee. Nor will an Employee be excluded to the extent such exclusion is not permitted under applicable IRS guidance.

(d) The “**Other Conditions**” of the Plan are the eligibility conditions of the Plan other than those related to, or a proxy for, age and/or service, as more fully discussed in Prop. Treas. Reg. §1.401(k)-5(c)(3).

(1) **403(b) Plans:** If the Plan is a 403(b) Plan, the exclusion described in Treas. Reg. § 1.403(b)-5(b)(4)(ii)(E) for employees who work fewer than 20 hours per week is a service-related exclusion. All other exclusions described in Treas. Reg. § 1.403(b)-5(b)(4) are Other Conditions.

(e) “**Regular Participant**” is defined as follows:

(1) **401(k) Plans:** An Employee is a “**Regular Participant**” if the Employee has satisfied the age and service conditions to enter the Plan (or any portion thereof) determined without regard to this Article 5, including those relating to the Employee’s entry date. An LTPT Employee becomes a Regular Participant on the first day of the first Plan Year following the date the LTPT Employee satisfies those conditions and the Other Conditions of the Plan.

(2) **403(b) Plans:** With regard to a 403(b) Plan, an Employee becomes a Regular Participant on the first day of the first Plan Year following the first plan year in which the LTPT Employee has satisfied the Other Conditions of the Plan and was credited with at least 1,000 hours in the preceding year, such that the LTPT Employee is no longer described in Treas. Reg. § 1.403(b)-5(b)(4)(iii)(B).

(f) A “**Union Employee**” is an employee described in Code §410(b)(3)(A).

(g) A “**Nonresident Alien**” is an employee described in Code §410(b)(3)(C).

(h) With regard to any LTPT Employee, the first “**LTPT Year**” is the 12-month period beginning on the employment commencement date, as described in DOL Reg. §2530.202-2. Unless otherwise specified in Section 2.5(e), subsequent LTPT Years will be determined in accordance with eligibility computation periods as described in the Plan for Regular Participants, or, if none, will be based on the Plan Year. LTPT Years will be determined in accordance with Prop. Treas. Reg. §1.401(k)-5(c)(2).

(1) **401(k) Plans:** With regard to a 401(k) Plan, LTPT Years do not include years beginning before January 1, 2021.

(2) **403(b) Plans:** With regard to a 403(b) Plan, LTPT Years do not include years beginning before January 1, 2023.

(i) Unless otherwise specified in Section 2.5(d), “**Hours of Service**” under Section 5.8(a) will be determined under the same method as is used in the Plan for determining Hours of Service for the eligibility of Regular Participants, or, if none, will be determined based on actual Hours of Service as provided in DOL Reg. §2530.200b-2(a). The elapsed time rule of Treas. Reg. §1.410(b)-7 will not apply to determinations under Section 5.5 or Section 5.8(a).

(j) A “**Former LTPT Employee**” means an Employee described in Prop. Treas. Reg. §1.401(k)-5(d)(2).

(1) **403(b) Plans:** With regard to a 403(b) Plan, status as a Former LTPT Employee will also be determined by reference to Notice 2024-73, Q&A 6.

ARTICLE 6 -- DC MILITARY SPOUSE PROVISIONS -- SECURE 2.0 §112

6.1 **Application.** This Article 6 applies only if (1) the Plan is a Defined Contribution Plan and (2) the Employer elects in Section 2.6(a) to apply this Article. It is effective on the date indicated in Section 2.6(a).

6.2 **Special Provisions for Military Spouses.** The following provisions shall apply to each Military Spouse.

(a) Except as otherwise specified in Section 2.6, a Military Spouse shall enter the Plan on the earlier of the date the Military Spouse would otherwise enter the plan or the date which is 2 months after the Hire Date.

(b) A Military Spouse shall be 100% vested (nonforfeitable) in all Employer contributions under the Plan.

(c) Upon entry into the Plan, a Military Spouse shall be immediately eligible to receive Employer contributions under the Plan at the same rate as a similarly situated Participant (who is not a Military Spouse) would be eligible to receive under the Plan after two Years of Service.

6.3 **Definitions.** The following definitions apply for this Article 6 and Section 2.6:

(a) A “**Military Spouse**” is an individual who (1) is an Employee of the Employer, (2) is not a Highly Compensated Employee of the Employer, (3) is married as of the Employee’s date of hire to an individual who is a member of the uniformed services (as defined in 10 U.S.C. §101(a)(5)) serving on active duty. The Employer may rely on the Employee’s certification that the Employee’s spouse is a member of the uniformed services if such certification provides the name, rank, and service branch of the spouse.

(b) The “**Employer**” includes the Employer maintaining the Plan and all businesses related to the Employer under Code §414(b), (c), (m), or (o).

(c) The “**Hire Date**” is the date on which the Military Spouse begins employment with the Employer.

**ARTICLE 7 – 401(k), 403(b)
MANDATORY AUTOMATIC ENROLLMENT – SECURE 2.0 §101**

7.1 **Application; Effective Date.** This Article 7 will apply to 401(k) Plans and to 403(b) Plans which permit elective deferrals, other than SIMPLE plans which comply with Code §401(k)(11), governmental plans described in Code §414(d), and church plans described in Code §414(e). It is effective as of the first day of the first Plan Year beginning in 2025 unless an earlier effective date is specified in Section 2.7.

7.2 **Compliance.** The Plan shall comply with the requirements of Code §414A(b) unless the Plan is exempted from doing so pursuant to Code §414A(c). If the Plan is exempted, the balance of this Article will not apply unless otherwise specified in Section 2.7. The Plan Administrator may adopt policies and procedures as needed or useful to implement and apply this Article. If the Plan is a multiple employer plan (including a pooled employer plan), then, except as otherwise provided in Section 2.7, this Article will apply to each participating employer not exempted pursuant to Code § 414A(c) and applicable IRS guidance.

(a) **Application of defaults and elections.** The elections in Section 2.7 shall govern to the extent affirmatively selected. If any such election is not made, and the corresponding Plan provisions in effect before this Amendment comply with Code § 414A, those provisions shall continue to apply. The default provisions in Section 2.7 shall apply only as needed to supply any missing or noncompliant provisions.

7.3 **EACA.** This Plan will be administered as an Eligible Automatic Contribution Arrangement (EACA), as described in Code §414(w) and Treas. Reg. §1.414(w)-1, which may be further described in the Plan. Subject to Section 2.7, all Employees eligible to make elective deferrals are “covered employees,” as that term is used in Treas. Reg. §1.414(w)-1(e)(3), whether or not they file or have filed an affirmative deferral election. In the absence of other elections in Section 2.7, (a) the Automatic Deferral Percentage is the amount otherwise determined under the automatic deferral provisions of the Plan, to the extent those provisions comply with Code §414A(b), or in the absence of such provisions, 3% for each payroll period increasing by 1% of Compensation on the first day of each Plan Year up to a maximum of 10% of Compensation; and (b) the Automatic Deferral will apply to all Participants, except those who have in effect a salary reduction agreement on the Notice Date regardless of the Elective Deferral amount under the Agreement.

7.4 **Permissible Withdrawals.** Participants shall be eligible to demand and receive Permissible Withdrawals described in Code §414(w) and Treas. Reg. §1.414(w)-1, which may be further described in the Plan.

7.5 **QDIAs.** Elective deferrals contributed under the Plan, for which no investment is elected by the Participant, shall be invested in a Qualified Default Investment Alternative in accordance with the requirements of DOL Reg. §2550.404c-5 (or any successor regulation).

7.6 **Definitions.** The following definitions apply for this Article 7 and Section 2.7:

(b) The “**Notice Date**” is the date the Plan provides the first EACA Notice described in Treas. Reg. §1.414(w)-1(b)(3) pursuant to this Article.

- (c) An “**Automatic Deferral**” is an Elective Deferral that results from the operation of this Article. Under the Automatic Deferral, the Employer automatically will reduce by the Automatic Deferral Percentage the Compensation of each Participant subject to the Automatic Deferral, except those Participants who timely make a Contrary Election.
- (d) “**Compensation**” for purposes of determining the amount of Automatic Deferrals means Compensation for purposes of allocating Elective Deferrals under the Plan.
- (e) A “**Contrary Election**” is a Participant's election made after the Notice Date not to be subject to Automatic Deferrals, including an election not to defer any Compensation or to defer an amount which is more or less than the Automatic Deferral Percentage.

**ARTICLE 8 – 401(k), 403(b), Gov’t 457(b)
INCREASE IN CATCH-UP CONTRIBUTIONS – SECURE 2.0 §109**

- 8.1 **Application.** This Article 8 will apply if the Plan is a 401(k) Plan, 403(b) Plan, or a Governmental 457(b) Plan, unless the Employer elects in Section 2.8(a) that this Article will not apply. It is effective January 1, 2025, unless otherwise specified in Section 2.8.
- 8.2 **Increased Limits.** If a Participant turns 60, 61, 62 or 63 during a calendar year, the limit on catch-up contributions, as defined in Code §414(v), is the adjusted dollar amount described in Code §414(v)(2)(E), which is generally 150% of the limit which would otherwise apply.

**ARTICLE 9 – SIMPLE 401(k)
INCREASE IN SIMPLE 401(K) DEFERRAL LIMIT – SECURE 2.0 §117**

- 9.1 **Application.** This Article 9 will apply only if the Plan is a SIMPLE 401(k) plan subject to Code §401(k)(11) and Employer elects in Section 2.9(a) or (b) for this Article to apply. It is effective as of January 1, 2024, unless otherwise specified in Section 2.9(c).
- 9.2 **Increased Limits.** The maximum amount of elective deferrals a Participant can make to the Plan in a calendar year is the adjusted dollar amount described in Code §408(p)(2)(E)(ii). If the plan permits catch-up contributions described in Code §414(v), the maximum catch-up contribution is the applicable dollar amount described in Code §414(v)(2)(iii). In general, the increased deferral and catch-up limits are 10% higher than the limits which would otherwise apply. However, the increased catch-up contribution under this Section 9.2 does not apply in any year in which the participant is subject to the provisions of Article 8. For example, if the SIMPLE catch-up limit for a calendar year is \$4,000, a participant turns 60 in that year, and both Articles 8 and 9 apply, then the catch-up limit for that participant is \$6,000.
- 9.3 **Increased Contributions.** If the Employer exceeds the Employee Threshold for a calendar year, then the required Employer Contribution for that year shall be (a) a nonelective contribution of 3% of SIMPLE Compensation (as defined in Treas. Reg. §1.401(k)-4(e)(5)) for each Participant whose SIMPLE Compensation is at least \$5,000, or (b) a matching contribution equal to 100% of each such Participant's elective deferrals but not exceeding 4% of SIMPLE Compensation or such lower percentage as the Employer may elect under Code §408(p)(2)(C)(ii)(II).
- 9.4 **Participant Notice.** The annual notice to Participants described in Treas. Reg. §1.401(k)-4(d)(3) will include a description of the increased limits pursuant to Section 9.2 and, if applicable, the increased Employer contributions under Section 9.3.
- 9.5 **Definitions.** The following definition applies for this Article 9 and Section 2.9:
 - (a) The Employer exceeds “**the Employee Threshold**” for a calendar year if the Employer had more than 25 Employees who received at least \$5,000 of Compensation from the Employer for the preceding calendar year, as determined under the rules of Notice 2024-2, Q&A E-3.

**ARTICLE 10 – 401(k), 403(b), Gov’t 457(b)
ROTH CATCH-UP DEFERRALS – SECURE 2.0 §603**

- 10.1 **Application.** This Article 10 will apply if the Plan is a 401(k) Plan, a 403(b) Plan, or a Governmental 457(b) Plan which permits Catch-Up Deferrals. This Article is effective January 1, 2026, unless an earlier effective date is specified in Section 2.10(a).
- 10.2 **Definitions.** The following definitions apply to this Article and to Section 2.10:
- (a) A “**Deferral**” is an elective deferral, sometimes described as an elective contribution or a salary reduction agreement contribution. All Deferrals are Pre-Tax Deferrals unless they are Roth Deferrals. The Plan may describe Deferrals as “Elective Deferrals.”
 - (b) A “**Roth Deferral**” is a Deferral which a Participant irrevocably designates as a Roth Deferral under Code §402A at the time of deferral and which is subject to income tax when made to the Plan or is treated as a Roth Deferral under the provisions of this Article.
 - (c) A “**Catch-Up Deferral**” is a Deferral by a Catch-Up Eligible Participant which exceeds an applicable limit, as defined in Treas. Reg. §1.414(v)-1(b). Catch-Up Deferrals do not include contributions described in Code §402(g)(7) or Code §457(b)(3) (special catch-ups for 403(b) and 457(b) plans, respectively).
 - (d) “**Catch-Up Eligible**” describes Participant defined in Treas. Reg. §1.414(v)-1(g)(3), subject to the provisions of this Article. A person who is not Catch-Up Eligible cannot make Catch-Up Deferrals.
 - (e) An “**HPI**” (or Highly Paid Individual) with regard to any calendar year is a Participant whose FICA Wages from the Employer for the preceding calendar year exceeded \$145,000 as adjusted under Code §414(v)(7)(E) and as determined in accordance with IRS guidance, including Treas. Reg. §1.414(v)-2 or any successor rule.
 - (f) A **Self-Employed HPI** with regard to any calendar year is a Highly Compensated Employee—defined under Code §414(q) and further defined in the Plan—who would be an HPI under subsection (e) if “net earnings from self-employment” for purposes of Code §1402(a) were used in place of FICA Wages to determine HPI status. Except as provided in Section 2.10(b), this Article does not limit the ability of Self-Employed HPIs who are not otherwise HPIs described in subsection (e) to make Catch-Up Deferrals.
 - (g) An individual’s “**FICA Wages**” are the individual’s wages as defined in Code §3121(a) for purposes of the taxes imposed by Code §§3101(a) and 3111(a). In determining FICA Wages, the Plan Administrator may elect to apply one or more of the optional rules described in Treas. Reg. § 1.414(v)-2(b)(4).
 - (h) A “**Roth Rollover**” is a rollover described in Code §402A(c)(4) (including rollovers with regard to amounts not otherwise distributable, as described in Code §402A(c)(4)(E)). The Plan may refer to these rollovers as “In-Plan Roth Rollovers” (IRRs) and/or “In-Plan Roth Transfers” (IRTs).
- 10.3 **No Catch-Up Deferrals.** If Section 2.10(b)(2) is selected, then this Section will apply. Catch-Up Deferrals are not permitted in the Plan. All Participants shall be treated as though they were not Catch-Up Eligible. The balance of this Article will not apply to the Plan.
- 10.4 **No HPI Catch-Up Deferrals.** If Section 2.10(b)(3) is selected, then this Section will apply. HPIs are not Catch-Up Eligible. If Section 2.10(b)(3)a. is selected, then Self-Employed HPIs are not Catch-Up Eligible, regardless of whether they are also HPIs described in Section 10.2(e). If Section 2.10(b)(3)a. is not selected, then the Plan Administrator may operationally determine, in its discretion, that one or more Self-Employed HPIs are not Catch-Up Eligible and shall notify the affected Self-Employed HPIs before the beginning of the calendar year that they are not Catch-Up Eligible. The balance of this Article will not apply to the Plan.
- 10.5 **Roth Catch-Ups.** If Section 2.10(b)(2) or 2.10(b)(3) are not selected, then this Section shall apply.

(a) **Roth Deferrals Available.** All Participants who are eligible to make Pre-Tax Deferrals are also eligible to make Roth Deferrals. However, if Section 2.10(b)(1)a. is selected, then Roth Deferrals are limited to Catch-Up Deferrals; and Participants may not elect Roth Deferrals other than Catch-Up Deferrals. See Section 2.10(b)(1) regarding the effective date of this subsection.

(b) **HPI Catch-Ups Must Be Roth.** All Catch-Up Deferrals of HPIs must be Roth Deferrals. Unless Section 2.10(c)(1) is selected, all HPIs are deemed to have irrevocably elected Roth treatment for any Catch-Up Deferrals. However, the Plan shall provide to HPIs the effective opportunity to opt out of such a deemed election with regard to future deferrals. The determination of whether an HPI's Deferrals satisfy this Section shall be made with regard to the timing rules of Treas. Reg. §1.414(v)-2(b)(1) and the correction rules of Treas. Reg. §1.414(v)-2(c). Any deemed Roth election shall cease to apply in accordance with Treas. Reg. §1.401(k)-1(f)(5)(iv)(B).

(c) **Roth Rollovers.** If Section 2.10(d)(2) is selected, Participants may make Roth Rollovers, subject to the limitations of Section 2.10(d) and any applicable existing Plan provisions relating to Roth Rollovers. See Section 2.10(d) regarding the effective date of this subsection. If Section 2.10(d)(2) is not selected, then this Amendment does not modify Plan provisions relating to Roth Rollovers.

(d) **Treatment of Roth Deferrals.** Except to the extent explicitly provided in the Plan or as described in the applicable Section 2.10(e) elections, Plan provisions that apply to Pre-Tax Deferrals—including distribution provisions—shall also apply to Roth Deferrals. However, this subsection (d) shall not modify any Plan provision that expressly provides for different treatment of Roth and Pre-Tax Deferrals.

**ARTICLE 11 – DC, 403(b), Gov't 457(b)
ROTH EMPLOYER CONTRIBUTIONS – SECURE 2.0 §604**

- 11.1 **Application.** This Article 11 will apply only if (1) the Plan is a Defined Contribution Plan, a 403(b) Plan, or a Governmental 457(b) Plan, and (2) the Employer elects in Section 2.11(a) for this Article 11 to apply, effective on the date specified in Section 2.11(a).
- 11.2 **Election Authorized.** A Participant may elect—subject to the limitations provided in this Article, in Section 2.11, and in any additional policies adopted by the Employer or Plan Administrator—that some or all Employer Contributions for the Participant which are nonforfeitable at the time contributed will be characterized as Roth Employer Contributions. The Participant may make an election with regard to an Employer Contribution only if the Participant is fully vested in that contribution. For example, if a Participant is only 40% vested in Matching Contributions, the Participant cannot elect Roth treatment for any portion of those contributions.
- 11.3 **Treatment; Separate Accounting.** The Plan Administrator will establish one or more Roth Employer Contribution Accounts for each Participant who elects Roth Employer Contributions. The Plan Administrator will credit only Roth Employer Contributions and earnings thereon (allocated on a reasonable and consistent basis) to such an Account. Except as otherwise provided by law or as the circumstances may require, the Plan Administrator will treat a Roth Employer Contribution the same as the corresponding Pretax Employer Contribution. For example, a safe harbor matching contribution that the Participant has elected to treat as a Roth Employer Contribution shall be subject to the same rules that apply to other safe harbor matching contributions.
- 11.4 **Operating Rules.** Participant elections under this Article will be governed by the principles of Treas. Reg. §1.401(k)-1(f). The Participant must make any designation of an Employer Contribution as a Roth contribution no later than the time that the contribution is allocated to the Participant's account and the election must be irrevocable. Roth Employer Contributions are included in the Participant's gross income when made and are subject to separate accounting rules. In addition, to the extent the Plan permits a Participant to designate Employer Contributions as Roth contributions, the Participant must have an effective opportunity to make (or change) that designation at least once during each Plan Year. If a Participant validly elected to receive a Pretax or Roth Employer Contribution, but the Plan Administrator or a vendor mistakenly

classified it incorrectly, the Plan Administrator will re-classify the contribution, plus the earnings thereon, consistent with the Participant's election. The Plan will not treat Roth Employer Contributions as Compensation for any purpose.

11.5 **Definitions.** The following definitions apply for this Article 11 and Section 2.11:

- (a) An “**Employer Contribution**” is a Matching Contribution or a Nonelective Contribution.
- (b) A “**Matching Contribution**” is (1) any matching contribution described in section 401(m)(4)(A), and (2) any matching-type contribution to a Governmental 457(b) Plan on account of a Participant's elective deferral under that Plan.
- (c) A “**Nonelective Contribution**” is a contribution made by the Employer which is not an elective deferral or a Matching Contribution.
- (d) A “**Roth Employer Contribution**” is a contribution described in Code §402A(a)(2) or (3). Such contributions are not excludable from the Participant's income and are nonforfeitable.
- (e) A “**Pretax Employer Contribution**” is an Employer Contribution which is not a Roth Employer Contribution.

**ARTICLE 12 – 401(k)
STARTER 401(k) – SECURE 2.0 §121**

- 12.1 **Application.** This Article 12 will apply only if the Plan is a 401(k) plan and Employer elects in Section 2.12(a) for this Article to apply. It is effective as of the date specified in Section 2.12(a).
- 12.2 **Contributions.** The Plan is an Automatic Contribution Arrangement as more fully set forth in the Plan (after application of Article 7 of this Amendment, if applicable). The automatic contribution provisions of the Plan call for a uniformly determined default Elective Deferral percentage that is not less than 3% or more than 15% of compensation, and those provisions apply to all Participants (other than those who make an affirmative deferral election or who have filed an election not to defer). In no event shall the default deferral percentage fall outside that range. No contributions other than Elective Deferrals and rollover contributions may be made to the Plan.
- 12.3 **Only Plan.** The Plan is and shall be the only Retirement Plan with respect to which contributions are made or benefits are accrued after the Effective Date in Section 2.12(a). However, if the Employer is involved in an acquisition, disposition, or similar transaction described in Code §410(b)(6)(C)(i), the Employer remains eligible to maintain the Plan under this amendment for two additional Plan Years following the Plan Year in which the Employer last satisfied the requirements. For purposes of this section, the term “Retirement Plan” refers to a plan described under Code §§401(a), 403(b), 457(b) or 219(g)(5), other than a plan covering only collectively bargained employees described in Code §410(b)(3)(A).
- 12.4 **Participation.** Each Employee of the Employer who meets the age and service conditions specified in the Plan, which may not exceed the limitations of Code §410(a)(1) (age 21/1 Year of Service) shall enter the Plan on his or her entry date (or such earlier time as may be specified in the Plan), other than Employees described in Code §410(b)(3) or (4) (nonresident aliens without US Source income and certain collective bargaining employees). Other exclusions, such as those which apply to leased employees, reclassified employees, or employees of nonparticipating related employers, will not apply.
- 12.5 **Deferral Limitation.** A Participant's annual Elective Deferrals may not exceed the amount as in effect under Code §401(k)(16)(D) (\$6,000 in 2024) under which the Treasury adjusts the limit in \$500 increments. However, if the Plan permits Catch-Up Deferrals, a Catch-up Eligible Participant may also make Catch-up Deferrals not in excess of the limitation determined under Code §401(k)(16)(D)(iii) (\$1,000 in 2024).

- 12.6 **Annual Notice.** The Plan will provide to each Participant an annual notice which complies with the timing and content requirements which apply to a qualified automatic contribution arrangement (QACA) under Code §401(k)(13)(E) and Treas. Reg. §1.401(k)-3(d), (k)(4).
- 12.7 **Testing Exemptions.** The Plan is not subject to nondiscrimination testing under Code §401(k)(3) or the corresponding Plan provisions. The Plan is not subject to the top-heavy provisions of Code §416 or the corresponding Plan provisions.
- 12.8 **Definitions.** The following definitions will apply for purposes of Section 2.12 and this Article.
- (a) “**Elective Deferrals**” means elective contributions that are made by the Employer on behalf of the Participants that are not includible in gross income under Code §§125, 402(e)(3), 402(h), or 403(b), and Roth elective deferrals described under Code §402A.
 - (b) “**Catch-up Deferrals**” means additional Elective Deferrals described in Code §414(v).
 - (c) “**Catch-up Eligible Participant**” means an eligible participant described in Code §414(v)(5) who would attain age 50 before the end of the calendar year.
 - (d) “**Employer**” includes any Related Employer or Affiliated Employer described in Code §414(b), (c), (m), or (o).

**ARTICLE 13 - DC
TOP-HEAVY CONTRIBUTIONS – SECURE 2.0 §310**

- 13.1 **Application.** This Article 13 applies if the Plan is a Defined Contribution Plan, unless the Employer elects in Section 2.13(a) that it shall not apply. It is effective for Plan Years beginning after December 31, 2023, unless a different effective date is specified in Section 2.13(b).
- 13.2 **No Top-heavy Contributions for Otherwise Excludable Employees.** The Employer is not required to make a Top-heavy Contribution for a Participant who is an Otherwise Excludable Employee. This Article does not affect the eligibility of an Otherwise Excludable Employee to any other contribution or benefit under the Plan.
- 13.3 **Definitions.** The following definitions apply for this Article 13 and Section 2.13:
- (a) A “**Top-heavy Contribution**” is a contribution described in Code §416(c). The Plan may describe this as a “Top-heavy Minimum Allocation.”
 - (b) An “**Otherwise Excludable Employee**” means any Employee not meeting the age or service requirements of Code §410(a)(1) (without regard to subparagraph (B) thereof).
- 13.4 **Exclusion from Integrated Formula Tier 1.** If the Plan uses a four-tier permitted disparity allocation formula, then for any plan year in which this Article 13 is effective, Otherwise Excludable Employees who are not otherwise eligible to receive an allocation of nonelective contributions shall be excluded from the first tier of the allocation formula.

**ARTICLE 14 – 401(k), 403(b), Gov’t 457(b)
MATCH STUDENT LOAN REPAYMENTS – SECURE 2.0 §110**

- 14.1 **Application.** This Article 14 will apply only if (1) the Plan is a 401(k) Plan, a 403(b) plan or a Governmental 457(b) plan and (2) the Employer elects in Section 2.14(a) for this Article to apply. It is effective on the date indicated in Section 2.14(a). The Plan Administrator may establish reasonable administrative procedures to implement this Article.
- 14.2 **Student loan matching contributions.** The Employer will make Student Loan Matching Contributions for a

Plan Year at the same rate as Deferral Matching Contributions for that Plan Year. Such contributions shall vest at the same rate as Deferral Matching Contributions. All Participants eligible to receive allocations of Deferral Matching Contributions, and only such Participants, are eligible to receive allocations of Student Loan Matching Contributions. However, the Employer, in Section 2.14(b), may specify that Participants in a disaggregated plan under Treas. Reg. §1.410(b)-7(c)(4) with regard to collectively bargained employees (see Treas. Reg. §1.410(b)-7(c)(4)(ii)(B)) will not be eligible to receive allocations of Student Loan Matching Contributions.

14.3 **Nondiscrimination and related rules.** The following rules apply to Student Loan Matching Contributions:

- (a) For purposes of Section 14.2, and the coverage and nondiscrimination requirements of Code §401(a)(4) and §410(b), and any related Plan provisions, Student Loan Matching Contributions shall not be treated as being unavailable to a Participant solely because the Participant does not have a Qualified Education Loan.
- (b) Student Loan Payments shall be treated as elective deferrals solely for purposes of satisfying safe harbor requirements of Code §401(k)(11), (12), (13), or (16), or §401(m)(11), (12), or (13) and any related Plan provisions. They shall not otherwise be treated as elective deferrals or as contributions to the Plan.
- (c) In determining whether the Plan, if it is a 401(k) plan, satisfies the requirements of the ADP Test, the Plan may apply the Test separately with regard to all the employees who receive allocations of Student Loan Matching Contributions, in accordance with Notice 2024-63 or any subsequent guidance.
- (d) The Plan Administrator may rely on a Participant's certification of Qualified Student Loan Payments. The Plan Administrator may establish reasonable procedures to verify Qualified Student Loan Payments and for a Participant to claim Student Loan Matching Contributions. In connection with such procedures, the Plan Administrator may impose an annual deadline, not sooner than three months after the close of the Plan Year, by which a claim must be made.
- (e) The Plan may allocate Student Loan Matching Contributions annually, or more often, even if that differs from the frequency of allocating Deferral Matching Contributions.

14.4 **Limitation.** The maximum QSLP for a Plan Year is the excess of the applicable limitation under Section 402(g) on the first day of the Plan Year (or, if less, the Participant's total compensation as described under Code §415(c)(3)), reduced by the Participant's elective deferrals for the year.

14.5 **Certification.** A payment is a QSLP for a Plan Year only if the Plan receives certification of the following information with regard to the payment: (1) the amount of the loan payment; (2) the date on which the loan payment was made; (3) that the payment was made by the Participant; (4) that the loan being repaid is a qualified education loan and was used to pay for qualified higher education expenses of the Participant, the Participant's spouse, or the Participant's dependent; and (5) that the loan was incurred by the Participant. This certification may be provided in any manner consistent with Notice 2024-63, or any subsequent guidance.

14.6 **Definitions.** The following definitions apply for this Article 14 and Section 2.14:

- (a) A "**Student Loan Matching Contribution**" is a matching contribution on account of a Participant's Qualified Student Loan Payments.
- (b) A "**Qualified Student Loan Payment**" or "**QSLP**" means a payment made by a Participant during a Plan Year in repayment of a Qualified Education Loan incurred by the Participant to pay Qualified Higher Education Expenses of the Participant, the Participant's spouse, or the Participant's dependent, but only (1) if the employee completes the certification requirements of Section 14.5 with regard to such loan, and (2) to the extent such payments in the aggregate for the Plan Year do not exceed the limitation described in Section 14.4. A loan is incurred by the participant only if the Participant has a legal obligation to make the payment under the terms of the loan. A payment qualifies as a QSLP only for the

Plan Year in which the payment is made. The Employer may require, as a condition of treating a payment as a QSLP, that the payment be made through payroll deduction.

- (c) A “**Qualified Education Loan**” means a loan defined in Code §221(d)(1).
- (d) “**Qualified Higher Education Expenses**” means the cost of attendance (as defined in §472 of the Higher Education Act of 1965, as in effect on the day before the date of the enactment of the Taxpayer Relief Act of 1997) at an eligible educational institution (as defined in Code §221(d)(2)).
- (e) A “**Deferral Matching Contribution**” is a matching contribution on account of a Participant’s elective deferrals.
- (f) The “**ADP Test**” means the test described in Code §401(k)(3)(A)(ii), and the corresponding Plan provisions.

ARTICLE 15 – ALL INCREASE IN CASH-OUT LIMIT – SECURE 2.0 §304

- 15.1 **Application.** This Article 15 will apply unless the Employer elects in Section 2.15(a) that it shall not apply. It is otherwise effective for distributions made after December 31, 2023, unless Section 2.15(b), (c) or (g) is selected.
- 15.2 **\$7,000 Limit.** Any reference in the Plan to a Cash-Out Limit of \$5,000 shall be increased to \$7,000. If Section 2.15(d) is selected, the \$7,000 Cash-Out Limit applies regardless of the corresponding limit prior to this amendment. This Article is subject to any modifications described in Section 2.15. In no event shall the limit on automatic rollovers of Mandatory Distributions under Code §401(a)(31)(B) be less than the limit on Mandatory Distributions.
- 15.3 **Definitions.** The following definitions apply for this Article 15 and Section 2.15:
 - (a) For a Qualified Plan or a 403(b) Plan, the “**Cash-Out Limits**” are the limit on Mandatory Distributions, QJSA Provisions, and any limit on the availability of distribution options other than lump sum distributions. For a 457(b) Plan, the “**Cash-Out Limits**” are Mandatory Distributions and the limit on *de minimis* distributions under Treas. Reg. §1.457-6(e).
 - (b) “**Mandatory Distributions**” refer to distributions described in Code §411(a)(11), or otherwise provided under a 457(b) Plan, which may be immediately distributed without the consent of the Participant.
 - (c) “**QJSA Provisions**” refer to the ability to immediately distribute (pursuant to Code §417(e)(1)) amounts that would otherwise be subject to the qualified joint and survivor annuity or qualified preretirement survivor annuity provisions of Code §401(a)(11) and Code §417 or to any analogous provision in the Plan. The QJSA Provisions include the limitation on making certain loans without spousal consent provided under Treas. Reg. §1.401(a)-20, Q&A 24.

ARTICLE 16 - ALL REQUIRED MINIMUM DISTRIBUTIONS – SECURE §§ 114, 401; SECURE 2.0 §§107, 201, 202, 204

- 16.1 **Application.** This Article 16 will apply to all plans, regardless of type. The Plan will comply with the provisions of Code § 401(a)(9), as amended by SECURE and SECURE 2.0, effective as of the dates specified in those statutes. For calendar years beginning after 2024, the plan will make RMDs as required by Treas. Reg. §1.401(a)(9)-1 through -9, and, to the extent they are consistent with such regulations, the provisions of the Plan as amended by this Article. The purpose of Section 2.16 and this Article 16 is to delineate optional provisions which relate to RMDs and to provide a frame of reference for practitioners in applying the law. Except as otherwise provided in Section 2.16, this Article specifically supersedes any prior or

contemporaneous amendment addressing RMDs. Note that Sections 16.5 – 16.7 are not addressed in the FIS Cycle 4 Defined Contribution preapproved plans.

- 16.2 **Delay of Required Beginning Date.** A Participant's RBD shall not be earlier than April 1 of the calendar year following the year the Participant attains RMD Age as determined in accordance with Treas. Reg. § 1.401(a)(9)-2. This Amendment does not modify any Plan provision implementing a uniform RBD, as described in Treas. Reg. § 1.401(a)(9)-2(b)(4). This Section is effective for distributions after December 31, 2019.
- 16.3 **Spousal Distributions.** If a Participant dies prior to the Participant's RBD, and the Participant's sole Designated Beneficiary is the Participant's surviving spouse, then the RMDs to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained RMD Age, if later. However, this Section will apply only if the Plan, prior to this Amendment, permitted a surviving spouse to delay RMD distributions as described in Code § 401(a)(9)(B)(iv). This Section is effective for distributions after December 31, 2019.
- 16.4 **Optional Distribution Timing.** The Employer operationally may delay implementation of Sections 16.2 and 16.3 with regard to the timing and form of some or all distributions paid in 2020 or between January 1, 2023 and July 31, 2023. Distributions pursuant to this Section, which are not RMDs, will be treated as eligible rollover distributions for purposes of the direct rollover provisions of Code §401(a)(31), except to the extent otherwise permitted in IRS guidance. See Notice 2023-54, § IV.
- 16.5 **Spouse Using ULT.** This Section 16.5 applies if the Plan is a Defined Contribution Plan and is effective January 1, 2024. It is limited to situations in which a Participant dies and his or her surviving spouse is the sole designated beneficiary.
- (a) If the Participant dies before the RBD, then any RMDs paid under the Life Expectancy Rule to the spouse shall be determined under the ULT if the Participant would have attained RMD Age after 2023.
- (b) If the Participant dies after 2022 and on or after the RBD, then, unless the surviving spouse elects otherwise, any RMDs paid under the Life Expectancy Rule to the spouse shall be determined under the ULT, as described more fully in Prop. Treas. Reg. §1.401(a)(9)-5(g)(3)(ii)(C).
- 16.6 **Roth accounts.**
- (a) **Amount of RMD.** In determining the amount of an RMD to be paid to a Participant from a Defined Contribution Plan for a DCY beginning after December 31, 2023, the Plan shall disregard amounts in designated Roth accounts (as defined in Code §402A(b)(2)). This provision will not apply to DCYs beginning after the Participant's death.
- (b) **Amounts which satisfy RMD.** Distributions from a Participant's designated Roth account may not be used to satisfy the RMD rules for DCYs which begin prior to the Participant's death. This limitation applies generally for DCYs beginning after December 31, 2023, but the Employer operationally may delay implementation of this paragraph 16.6(b) until such time as Prop. Treas. Reg. § 1.401(a)(9)-5(g)(2)(iii) is finalized and applicable.
- 16.7 **Commercial Annuities.** The Plan Administrator may adopt and implement nondiscriminatory policies relating to the purchase and use of commercial annuities in connection with RMDs. Such policies shall comply with Code §401(a)(9), and with IRS guidance as modified by SECURE §§201, 202, and 204.
- 16.8 **New RMD Tables.** Effective January 1, 2022, any Plan reference to the life expectancy tables detailed in Treas. Reg. §1.401(a)(9), such as the ULT, the Single Life Table, or the Joint and Last Survivor Table, refers to these tables as published in Treas. Reg. §1.401(a)(9)-9 from time to time, and is subject to adjustment as described in Treas. Reg. §1.401(a)(9)-9(f).

16.9 **CARES Extension.** This Section 16.9 will apply to all plans other than Defined Benefit Plans and 457(b) Plans sponsored by tax-exempt employers and is effective for plan years beginning after December 31, 2019. It does not apply if the Employer has selected Section 2.16(h). The beneficiary of a CARES 5-Year Account will have the option to extend the deadline to distribute the account for one year. The default in the absence of a beneficiary election will be to extend the distribution, unless the Employer elects in Section 2.16(g) for the default to be not to extend unless the beneficiary requests it. A CARES 5-Year Account is the remaining account of a Participant who died during the years 2015-2019, to the extent the account is subject to the 5-Year Rule. Also see Article 24 regarding the CARES 2020 RMD Holiday.

16.10 **Beneficiary Distributions.** This Section 16.10 will apply to all plans other than Defined Benefit Plans. This Article will not apply to qualified annuities described in SECURE §401(b)(4)(B). In general, this Section applies to Participants who die on or after the SECURE 410 Effective Date. See Section 16.10(c) regarding the limited application of this Section to certain accounts of Participants who died before the SECURE 410 Effective Date.

(a) **Death before RBD.** If the Participant dies before the Participant's RBD, the Plan will distribute or commence distribution of the Participant's Vested Accrued Benefit not later than as follows:

(1) **No Designated Beneficiary.** If there is no Designated Beneficiary as of September 30 of the year following the calendar year of the Participant's death, the Beneficiary's entire interest will be distributed under the 5-Year Rule.

(2) **Eligible Designated Beneficiary (EDB).** If the distributee of a Participant's account is an EDB, the Beneficiary's entire interest will be distributed under the Life Expectancy Rule unless the 10-Year Rule applies. The Employer may elect application of the Life Expectancy Rule or the 10-Year Rule in Section 2.16. In the absence of an election in Section 2.16, the Plan's provisions with regard to election of the 5-Year Rule will apply, substituting the 10-Year Rule for the 5-Year Rule. A permitted Beneficiary election must be made no later than the earlier of December 31 of the calendar year in which distribution would be required to begin under the Life Expectancy Rule, or by December 31 of the calendar year which contains the tenth anniversary of the Participant's (or, if applicable, surviving spouse's) death.

(3) **Other Designated Beneficiaries.** If the distributee of the Participant's account is a Designated Beneficiary who is not an Eligible Designated Beneficiary, then the Beneficiary's entire interest will be distributed under the 10-Year Rule.

(b) **Death after RBD.** If the Participant dies on or after the Participant's RBD, the Participant's remaining interest will be distributed at least as rapidly as under the method of distribution being used as of the date of the participant's death, using the Life Expectancy Rule. See Treas. Reg. § 1.401(a)(9)-5(d). If the Beneficiary is not an EDB, the Plan will distribute the remaining account in full no later than December 31 of the tenth year following the year of the Participant's death.

(c) **Beneficiary Death.** If an EDB receiving distributions under the Life Expectancy Rule dies before receiving distribution of the Beneficiary's entire interest in the Participant's account, the Plan will distribute that interest in full no later than December 31 of the 10th year following the year of the EDB's death. Similarly, if a Participant died before the SECURE 410 Effective Date, and the Beneficiary died after such Effective Date, but prior to receiving full distribution of the Beneficiary's interest, the Plan will distribute that interest in full no later than December 31 of the tenth year following the year of the Beneficiary's death.

(d) **Minor child.** If a child of the Participant was receiving distributions under the Life Expectancy Rule, when the child reaches the age of Majority, the Plan will distribute the child's account in full no later than 10 years after that date, provided the child is not otherwise an Eligible Designated Beneficiary, such as a disabled or chronically ill individual (as defined in Treas. Reg. § 1.401(a)(9)-4(e)(4) and (5)).

(e) **Optional Relief.** The Plan operationally may apply the relief granted in Notices 2022-53, 2023-54, and 2024-35.

16.11 **Definitions.** The following definitions apply for this Article 16 and Section 2.16:

- (a) An “**RMD**” is a Required Minimum Distribution as described in Code §401(a)(9).
- (b) A Participant’s “**RBD**” is the Participant’s Required Beginning Date as described in Code §401(a)(9)(C), and Treas. Reg. § 1.401(a)(9)-2.
- (c) With regard to RMDs during the 2020, 2021, and 2022 calendar years, a Participant’s “**RMD Age**” is age 70½ if the Participant was born before July 1, 1949, and age 72 if the Participant was born after June 30, 1949. With regard to distributions after December 31, 2022, a Participant’s “**RMD Age**” is age 70½ if the Participant was born before July 1, 1949, age 72 if the Participant was born between July 1, 1949 and December 31, 1950, age 73 if the Participant was born between January 1, 1951 and December 31, 1959, and otherwise age 75.
- (d) A “**DCY**” is a Distribution Calendar Year as defined in Treas. Reg. §1.401(a)(9)-5.
- (e) The “**Life Expectancy Rule**” for distributing RMDs is described in Treas. Reg. § 1.401(a)(9)-3(c)(4).
- (f) The “**5-Year Rule**” for distributing RMDs is described in Treas. Reg. § 1.401(a)(9)-3(c)(2).
- (g) The “**10-Year Rule**” for distributing RMDs is described in Treas. Reg. § 1.401(a)(9)-3(c)(3).
- (h) The “**SECURE 410 Effective Date**” is the date determined under SECURE § 410(b). For most plans that date is January 1, 2020. In the case of a governmental plan (as defined in Code §414(d)), the date is January 1, 2022. The SECURE 410 Effective Date in the case of a collectively-bargained plan will be the date determined in SECURE §401(b)(2).
- (i) The “**ULT**” is the Uniform Lifetime Table in Treas. Reg. §1.401(a)(9)-9(c).
- (j) Whether a distributee of a Participant’s account is a “**Designated Beneficiary**” is determined under Treas. Reg. § 1.401(a)(9)-4.
- (k) An “**EDB**” is an Eligible Designated Beneficiary as determined under Treas. Reg. § 1.401(a)(9)-4(e).
- (l) Whether a child has reached the age of “**Majority**” is determined under Code §401(a)(9)(F) and applicable regulations and guidance issued thereunder. Generally, a child reaches the age of Majority on his or her 21st birthday.
- (m) **Separate share rule.** All references in this Article to a Participant’s Account and a Beneficiary’s interest in that account will be applied separately to each separate account determined under Treas. Reg. §1.401(a)(9)-8(a).
- (n) A “**CARES 5-Year Account**” means the remaining account of a Participant who died during the years 2015-2019, to the extent the account is subject to the 5-Year Rule.

**ARTICLE 17 – DC, 403(b), Gov’t 457(b)
EMERGENCY PERSONAL EXPENSE DISTRIBUTION (EPED) – SECURE 2.0 §115**

17.1 **Application.** This Article 17 will apply only if (1) the Plan is a Defined Contribution Plan, a 403(b) plan or a Governmental 457(b) plan and (2) the Employer elects in Section 2.17(a) for this Article to apply. It is effective on the date indicated in Section 2.17(a).

17.2 **Distribution Authorized.** Except as limited by Section 2.17, a Participant may request a distribution of up to the Maximum Amount as an EPED. The Participant may request the distribution whether or not the Participant has severed employment unless Section 2.17(d) is selected. However, if the Plan is a Money

Purchase Pension Plan (or the account from which the distribution is withdrawn was transferred from a Money Purchase Pension Plan), and the Participant has not separated from service, the Participant may not take an EPED prior to attaining the earlier of Normal Retirement Age or age 59½. The Plan Administrator may adopt a policy imposing reasonable administrative conditions for EPEDs.

- 17.3 **Rollover.** A Participant who received one or more EPEDs from this Plan may, if the Plan then permits the Participant to make rollover contributions, make one or more contributions in an aggregate amount not to exceed the amount of such EPEDs. Such contributions may be made at any time during the 3-year period beginning on the day after the date on which such distribution was received. The Plan will treat such a contribution as a rollover contribution made by direct trustee-to-trustee transfer within 60 days of distribution.
- 17.4 **Reliance.** The Plan Administrator may rely on an individual's written or electronic representation that the individual is eligible to receive an EPED.
- 17.5 **Timing.** In no event shall a Participant receive more than one EPED in a calendar year from any plan maintained by the Related Employer Group. If a Participant receives an EPED during a calendar year, the Participant shall not be eligible to receive another EPED during the following three calendar years if (1) Section 2.17(f) is selected, or (2) the Participant has not "repaid" the distribution. The Participant will be treated as having repaid the distribution if the sum of the Participant's elective deferrals, after-tax contributions, and rollover contributions made under Section 17.3 and made after receiving the EPED are at least equal to the amount of the EPED.
- 17.6 **Definitions.** The following definitions apply for this Article 17 and Section 2.17:
- (a) An "EPED" is an Emergency Personal Expense Distribution described in Code §72(t)(2)(I)(iv) and Notice 2024-55, §A for the purposes of meeting unforeseeable or immediate financial needs relating to necessary personal or family emergency expenses.
 - (b) The "Maximum Amount" with regard to any Participant is the lesser of (i) \$1,000 or (ii) the excess of the Participant's vested interest in the accounts available for an EPED (as limited in Section 2.17) over \$1,000. The Maximum Amount shall be reduced by EPEDs to the Participant from any plan maintained by the Related Employer Group.
 - (c) A plan maintained by the "Related Employer Group" includes any plan maintained by the Employer or by any related employer described in Code §414(b), (c), (m), or (o).

**ARTICLE 18 – 401(k), PS, 403(b), Gov't 457(b)
DOMESTIC ABUSE VICTIM DISTRIBUTION (DAVD) – SECURE 2.0 §314**

- 18.1 **Application.** This Article 18 will apply only if (1) the Plan is a 401(k), a Profit-Sharing Plan, a 403(b) plan or a Governmental 457(b) plan and (2) the Employer elects in Section 2.18(a) for this Article to apply. However, it will not apply to accounts subject to the joint and survivor annuity rules of Code §401(a)(11) and Code §417. It is effective on the date indicated in Section 2.18(a)
- 18.2 **Distribution Authorized.** Except as limited by Section 2.18, a Participant may request a distribution of up to the Maximum Amount as a DAVD. The Participant may request the distribution whether or not the Participant has severed employment unless Section 2.18(d) is selected. The Plan Administrator may adopt a policy imposing reasonable administrative conditions for DAVDs. Such policy may include frequency limitations on the number of such distributions separate from limitations which apply to other in-service distributions.
- 18.3 **Rollover.** A Participant who received one or more DAVDs from this Plan may, if the Plan then permits the Participant to make rollover contributions, make one or more contributions in an aggregate amount not to exceed the amount of such DAVDs. Such contributions may be made at any time during the 3-year period beginning on the day after the date on which such distribution was received. The Plan will treat such a contribution as a rollover contribution made by direct trustee-to-trustee transfer within 60 days of distribution.

18.4 **Reliance.** The Plan Administrator may rely on an individual's written or electronic representation that (1) the individual is eligible for a domestic abuse victim distribution and (2) the distribution is made during the 1-year period beginning on any date on which the individual is a victim of Domestic Abuse.

18.5 **Definitions.** The following definitions apply for this Article 18 and Section 2.18:

(a) A "DAVD" is an "eligible distribution to a domestic abuse victim" described in Code §72(t)(2)(K)(iii) and Notice 2024-55, §B. A distribution is a DAVD only if it is made to an individual during the one-year period beginning on any date on which the individual is a victim of Domestic Abuse by a spouse or domestic partner.

(b) "Domestic Abuse" means physical, psychological, sexual, emotional, or economic abuse, including efforts to control, isolate, humiliate, or intimidate the victim, or to undermine the victim's ability to reason independently, including by means of abuse of the victim's child or another family member living in the household.

(c) The "Maximum Amount" with regard to any Participant is the lesser of (i) \$10,000 (adjusted for changes in the cost-of-living under Code §72(t)(2)(K)(vii)) or (ii) 50% of the Participant's vested interest in the accounts available for a DAVD (as limited in Section 2.18). The Maximum Amount shall be reduced by DAVDs to the Participant from any plan maintained by the Employer or by any related employer described in Code §414(b), (c), (m), or (o).

**ARTICLE 19 – Qualified, 403(b)
TERMINALLY ILL INDIVIDUAL DISTRIBUTION (TIID) – SECURE 2.0 §326**

19.1 **Application.** This Article 19 will apply only if the Employer elects in Section 2.19(a) for this Article to apply and the Plan is a Qualified Plan or a 403(b) Plan. It is effective on the date indicated in Section 2.19(a).

19.2 **Distribution Authorized.** Except as limited by Section 2.19, a Participant who is otherwise eligible under the terms of the Plan to an in-service distribution may request that the in-service distribution be characterized as a Terminally Ill Individual Distribution (TIID). This provision is subject to any applicable limitations or special rules in Section 2.19(b). The Plan will not characterize a distribution as a TIID if it is made after the Participant has severed employment with the Employer. The Plan Administrator may adopt a policy imposing reasonable administrative conditions for TIIDs. Note that this Article does not create a new distributable event.

19.3 **Rollover.** A Participant who received one or more TIIDs from this Plan may, if the Plan then permits the Participant to make rollover contributions, make one or more contributions in an aggregate amount not to exceed the amount of such TIIDs. Such contributions may be made at any time during the 3-year period beginning on the day after the date on which such distribution was received. The Plan will treat such a contribution as a rollover contribution made by direct trustee-to-trustee transfer within 60 days of distribution.

19.4 **Definition.** The following definition applies for this Article 19 and Section 2.19:

(a) A "TIID" is a distribution described in Code §72(t)(2)(L) and Notice 2024-2, §F, made to a terminally ill individual (as defined in Notice 2024-2, Q&A F-4 or any successor guidance) on or after the date the individual is certified by a physician as terminally ill. The Participant must provide the Plan Administrator with a copy of the physician's certificate, as described in Notice 2024-2 Q&A F-6 and F-13, before the distribution is made.

**ARTICLE 20 – All
DISASTER RELIEF – SECURE 2.0 §331**

- 20.1 **Application; Effective Date.** This Article 20 will apply to all plans. Sections 20.4, 20.5, and 20.6 will not apply to a 457(b) Plan of a Tax-Exempt Employer. In general, the effective date of this Article is January 1, 2020, but see Section 20.8.
- 20.2 **Disaster Relief Policy.** The Plan may make Qualified Disaster Recovery Distributions (QDRDs), unless otherwise specified in Section 2.20(a). In Section 2.20, the Employer may limit the accounts from which QDRDs are available and specify whether QDRDs are limited to accounts in which the Participant is fully vested. If QDRDs are authorized, the Plan Administrator shall adopt a uniform, nondiscriminatory disaster relief policy authorizing Qualified Individuals to receive the relief described in this Article, as authorized in the policy. The disaster relief policy may (1) specify the Qualified Disasters for which relief applies, (2) limit the amount available with respect to a Qualified Disaster Distribution to an amount less the Maximum Amount, (3) provide lower loan limits than those described in Section 20.5, (4) impose (within the limitations described in this Section and the Adoption Agreement) different conditions or different relief for different Qualified Disasters, or (5) impose other reasonable nondiscriminatory limitations. Relief shall be available on a consistent basis for all Participants impacted by a covered disaster. With regard to disasters declared after the adoption of this Amendment, the Plan will inform impacted Participants of the relief available under this Article. The requirement that policies and relief under this Article not be discriminatory is automatically satisfied with regard to 457(b) Plans and other plans that are not subject to Code §401(a)(4).
- 20.3 **QDRD Availability; Limitation.** A Qualified Individual may take one or more QDRDs as authorized in the Plan's disaster relief policy. The total amount of QDRDs to a Qualified Individual pursuant to this Amendment from all plans maintained by the Employer, or any Affiliated Employer, will not exceed the Maximum Amount per Qualified Disaster, or such lesser amount as prescribed in the policy. The Qualified Disaster Distributions from the Plan to a Qualified Individual will not exceed the amount of the individual's vested account balance or the present value of the individual's vested accrued benefit. If the Plan is a Defined Benefit Plan, and the Participant has not separated from service, the Participant may not take a QDRD prior to attaining the earlier of Normal Retirement Age or age 59½. To the extent the Plan is subject to the joint and survivor annuity rules of Code §401(a)(11) and §417, those rules shall apply to QDRDs.
- 20.4 **Repayment of QDRDs.** If the Plan permits rollover contributions, then, in accordance with the Plan's disaster relief policy, an individual who receives a Qualified Disaster Distribution (from this Plan or another eligible retirement plan as defined in Code §402(c)(8)(B)), at any time during the 3- year period beginning on the day after receipt of the distribution, may make one or more contributions to the Plan, as rollover contributions, in an aggregate amount not to exceed the amount of such distribution.
- 20.5 **Increased Loan Limit.** Notwithstanding the loan limitation that otherwise would apply under the plan's loan policy, if the Plan's disaster relief policy so provides, the Plan may determine the loan limit under Code §72(p)(2)(A) for a loan to a Qualified Individual, made during the Loan Relief Period, by substituting "\$100,000" for "\$50,000," and by substituting "the present value of the nonforfeitable accrued benefit of the employee under the Plan (or loan program or policy)" for "one-half of the present value of the nonforfeitable accrued benefit of the employee under the Plan."
- 20.6 **Suspension and Extension of Repayments.** If a Qualified Individual has an outstanding loan from the Plan on or after the first day of the Loan Suspension Period, then, to the extent provided in the Plan's disaster relief policy: (1) if the date for any repayment of such loan occurs during the Loan Relief Period, the due date is extended for the Extension Period; (2) the Plan will adjust any subsequent repayments to reflect the extension of the due date under (1) and any interest accrued during the extension; and (3) the Plan will disregard the period of extension described in (1) in determining the 5-year period and the loan term under Code §72(p)(2)(B) or (C). The disaster relief policy may specify whether the suspension and extension described herein will apply automatically or will be available upon the Qualified Individual's request.
- 20.7 **Recontribution of Home Purchase Withdrawal.** A Participant who received a hardship distribution during the Hardship Distribution Period to purchase or construct a principal residence in a Qualified Disaster Area, but who, on account of the disaster, did not use the funds to purchase or construct a principal residence, may, to the extent provided in the Plan's disaster relief policy, make one or more contributions to the Plan, as

rollover contributions, during the Recontribution Period, in an aggregate amount not to exceed the amount of such hardship distribution. This Section 20.7 will not apply to CARES or to 457(b) Plans.

20.8 **Construction; Effective Date.** This Article will be interpreted and applied in accordance with the provisions of the Disaster Laws and IRS Guidance related thereto. The effective date of this Article with regard to any Qualified Disaster is the date the disaster was declared, or such later date specified in the Plan's disaster relief policy. If the Plan has previously been amended to provide for the disaster relief described in this Section, such amendment shall be treated as part of the Plan's disaster relief policy and amended to the extent necessary to conform to this Article.

20.9 **Definitions.** This Section is intended to provide relief authorized in the Laws specified in this subsection (F), as provided in the Plan's disaster relief policy. There are definitions which vary with regard to the Laws, which are described in this subsection.

(a) The "**Maximum Amount**" with regard to any Qualified Disaster is \$100,000 except as provided in Section 20.9(d), or a lesser amount specified in the Disaster Law or the Plan's disaster relief policy.

(b) A "**Major Disaster**" is a disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

(c) "**Qualified Individuals.**" Participants, alternate payees and beneficiaries of deceased participants can be treated as Qualified Individuals, as defined in the relevant Disaster Law. The Plan Administrator may rely on an individual's certification that the individual satisfies a condition to be a Qualified Individual unless the Plan Administrator has actual knowledge to the contrary.

(d) "**Disaster Laws.**" This Article provides for the relief outlined in the disaster relief laws (the "Disaster Laws"). In general, each Disaster Law defines the **Major Disasters** to be treated as **Qualified Disasters**, the persons who can be treated as **Qualified Individuals**, the distributions which can be **Qualified Disaster Distributions**, the **Loan Relief Period**, the **Loan Suspension Period**, the **Extension Period**, the **Hardship Distribution Period** and the **Recontribution Period**. Different laws use different terms to describe these concepts, but the underlying concepts are the same. The Disaster Laws include: (1) The Taxpayer Certainty and Disaster Tax Relief Act of 2020, §301 et seq.; (2) the Coronavirus Aid, Relief, and Economic Security Act (CARES), §2201 et seq and IRS Notice 2020-50; and (3) the SECURE 2.0, §331, which relates to Major Disasters declared by the President after December 27, 2020. The Maximum Amount with regard to this Act shall not exceed \$22,000.

ARTICLE 21 – 403(b) INCREASE IN 403(b) HARDSHIP SOURCES – SECURE 2.0 §602

21.1 **Application.** This Article 21 will apply if the Plan is a 403(b) Plan unless the Employer elects in Section 2.21(a) for this Article not to apply or the Plan does not provide for hardship distributions. It applies for distributions after December 31, 2023, unless 2.21(b) or (c) is selected.

21.2 **Modification of amounts that may be withdrawn on account of a hardship.** Except as otherwise provided in Section 2.21, in addition to amounts which can be withdrawn on account of hardship prior to this amendment, the following amounts are available for hardship distributions: QNECs (defined in Code §401(k)(3)(D)(ii)(I)), QMACs (defined in Code §401(m)(4)(C)), and the earnings on such amounts and on elective deferrals.

ARTICLE 22 – DC, 403(b), 457(b)
QUALIFIED LONG-TERM CARE DISTRIBUTION (QLTCD) – SECURE 2.0 §334

22.1 **Application.** This Article 22 will apply only if the Employer elects in Section 2.22(a) for this Article to apply and the Plan is a Defined Contribution Plan, a 403(b) Plan, or a 457(b) Plan. It is effective on the date indicated in Section 2.22(a).

22.2 **Distribution Authorized.** Except as limited by Section 2.22, a Participant may receive a QLTCD from amounts that are fully taxable, as described in Code § 402(l)(3).

22.3 **Definition.** The following definition applies for this Article 22 and Section 2.22:

(a) A “QLTCD” is a qualified long-term care distribution described in Code § 401(a)(39). The total QLTCDs distributed to a Participant during a calendar year cannot exceed the least of (1) the amount paid by or assessed to the Participant during the year for or with respect to certified long-term care insurance for the Participant, the Participant’s spouse, or such other family member of the Participant as permitted by Treasury regulations, (2) 10% of the Participant’s vested account balance, or (3) \$2,500, adjusted for inflation under Code § 401(a)(39)(B)(ii). No distribution shall be treated as a QLTCD unless a long-term care premium statement with respect to the employee has been filed with the Plan as provided in Code § 401(a)(39)(E).

(b) “Certified long-term care insurance” has the meaning provided in Code § 401(a)(39)(C).

ARTICLE 23 – Qualified, 403(b), Gov’t 457(b)
PENSION-LINKED EMERGENCY SAVINGS ACCOUNT – SECURE 2.0 §127

23.1 **Application.** This Article 23 will apply only if (a) the Plan is a Qualified Plan, a 403(b) Plan, or a Governmental 457(b) Plan and (b) the Employer elects in Section 2.23(a) that this Article applies. If applicable, this Article applies effective as of the date specified in Section 2.23(a)

23.2 **Definitions.** The following definitions apply to this Article and to Section 2.23:

(a) A “PLESA” is a Pension-Linked Emergency Savings Account, as described more fully in Code §402A(e). The Plan Administrator shall establish a PLESA for each Participant who makes PLESA contributions.

(b) An “HCE” is a Highly Compensated Employee, defined under Code §414(q), and as may be further defined in the Plan.

(c) A “PLESA Participant” is an Employee who is not then an HCE and is eligible to contribute to a PLESA under the terms of this Article and as elected in Section 2.23(b).

(d) A “PLESA Holder” is an individual with a balance in a PLESA, which could include HCEs and former Employees.

23.3 **PLESAs Established.** The Plan permits PLESA Participants to contribute to a PLESA. The Plan Administrator will establish a PLESA for each Participant who contributes to a PLESA. HCEs are not PLESA Participants. HCEs who are PLESA Holders may withdraw from their PLESA, but may not make PLESA contributions unless and until they are no longer HCEs. To the extent not specifically addressed in this Article, the principles of Code §402A(e) will apply in interpreting and applying this Article. If the Plan is subject to ERISA, also see ERISA §801-804.

23.4 **PLESA Contributions.** PLESA contributions are salary reduction contributions, similar to Roth elective deferrals to a 401(k) Plan. The Plan Administrator may prescribe such forms, notices, and nondiscriminatory policies as it deems necessary or desirable to implement this Article.

23.5 **Automatic Enrollment.** If selected at Section 2.23(c), PLESA Participants will be deemed to have elected to

contribute to their PLESA an amount equal to the automatic contribution rate times their Compensation. PLESA Participants shall have the effective opportunity to opt out of that contribution or to contribute at a different rate. The Plan Administrator may establish procedures for implementing automatic contributions and opt-outs in accordance with Code §402A(e)(2)(C).

23.6 Contribution Limitations. The following limitations shall apply to PLESA contributions:

(a) **Maximum Amount.** The Plan will not accept PLESA contributions which would cause a PLESA Participant's PLESA to exceed the lesser of the statutory maximum (initially \$2,500, as adjusted under Code § 402A(e)(3)(A)) or the limit elected under Section 2.23(d). The Plan Administrator, may, in its discretion, choose to disregard earnings on PLESA investments in computing this limitation. If a PLESA contribution would cause this limitation to be exceeded, the Plan Administrator may take any action authorized under Code §402A(e)(3)(B).

(b) **402(g) Limit (Qualified and 403(b) Plans).** PLESA contributions will be treated as elective deferrals subject to the limitations of Code §402(g) and Code §401(a)(30) and aggregated with other elective deferrals (if any) subject to that limit in the Plan. If any excess deferrals are distributed under Code §402(g)(2)(A) to a participant, such amounts shall be distributed first from any PLESA of the Participant to the extent contributions were made to such account for the calendar year. This Paragraph (b) does not apply to 457(b) Plans.

23.7 Matching Contributions. If the Employer makes matching contributions with regard to elective deferrals in the Plan, the Employer shall take a Participant's PLESA contributions in determining the amount of the matching contribution as though they were elective deferrals. Such matching contributions shall be allocated to the same account as other matching contributions; they are not allocated to the Participant's PLESA. Matching contributions on account of a Participant's PLESA contributions during a plan year shall not exceed the maximum amount under Section 23.6(a). For purposes of calculating this limit, matching contributions are treated first as attributable to elective deferrals other than PLESA contributions. The Plan may, but is not required to, establish reasonable restrictions on the frequency or amount of matching contributions with respect to PLESA contributions, solely to the extent necessary to prevent manipulation of the rules of the plan to cause matching contributions to exceed the intended amounts or frequency, to the extent permitted under Notice 2024-22 or other IRS guidance.

23.8 Withdrawals. A PLESA Holder may withdraw from his or her PLESA, in whole or in part, at the PLESA Holder's discretion. The Plan shall permit at least one such withdrawal each calendar month and shall distribute the amount of such withdrawal as soon as practicable. The Plan Administrator may establish procedures for requesting and processing withdrawals, provided that such procedures comply with Code §402A(e)(2)(D) and applicable guidance.

ARTICLE 24 – DC, 403(b), Gov't 457(b)

WAIVER OF 2020 REQUIRED MINIMUM DISTRIBUTIONS (RMDs) – CARES § 2203

24.1 Application. This Article 24 will apply only to defined contribution plans, including 401(k) Plans, Profit-Sharing Plans, Money Purchase Pension Plans, 403(b) Plans, and Governmental 457(b) Plans. It applies only if not excluded under Section 1.6(a) and subject to the elections in Section 2.24.

24.2 Waiver; default provision. This Section 24.2 will apply unless Section 2.24(c) is selected or to the extent 2.24(d) overrides it. Notwithstanding the provisions of the Plan relating to RMDs, whether a Participant or Beneficiary who would have been required to receive 2020 RMDs, and who would have satisfied that requirement by receiving distributions that are (1) equal to the 2020 RMDs, or (2) Extended 2020 RMDs will receive those distributions is determined in accordance with the option chosen in Section 2.24. Notwithstanding the option chosen in Section 2.24, a Participant or Beneficiary will be given an opportunity to make an election as to whether or not to receive those distributions. If the Plan permits a Beneficiary of a deceased Participant to make the election to use the 5-year rule or the life expectancy rule, the deadline to make the election may be extended to reflect the adoption of Code §401(a)(9)(I). (Also see Section 16.9.)

- 24.3 **Direct rollovers.** Notwithstanding the provisions of the Plan relating to required minimum distributions under Code §401(a)(9), and solely for purposes of applying the direct rollover provisions of the Plan, certain additional distributions in 2020, as elected by the Employer in Section 2.24(e)-(h), will be treated as eligible rollover distributions. If no election is made by the Employer in Section 2.24, then a direct rollover will be offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(I).
- 24.4 **Definitions.** The following definitions apply for purposes of this Article and Section 2.24:
- (a) “**2020 RMDs**” means required minimum distributions the Plan would have been required to distribute in 2020 (or permitted to pay in 2021 for the 2020 calendar year for a Participant with a required beginning date of April 1, 2021) but for the enactment of Code §401(a)(9)(I).
 - (b) “**Extended 2020 RMDs**” means one or more payments in a series of substantially equal distributions (that include the 2020 RMDs) made at least annually and expected to last for the life (or life expectancy) of the Participant, the joint lives (or joint life expectancy) of the Participant and the Participant’s designated Beneficiary, or for a period of at least 10 years.
 - (c) “**RMD**” means a required minimum distribution under Code § 401(a)(9).
- 24.5 **Distribution methods.** A Participant or Beneficiary receiving payment of 2020 RMDs or 2020 Extended RMDs pursuant to this Article 5 may receive them in any method (including installments or partial distributions) which would have been permitted under the terms of the Plan if the amounts would have been RMDs but for the enactment of Code §401(a)(9)(I).

**ARTICLE 25 – 401(k), 403(b)
QACA MAXIMUM AUTOMATIC DEFERRAL – SECURE §102**

- 25.1 **Application.** This Article 25 will apply only if (1) the Plan is a 401(k) Plan or a 403(b) Plan, and (2) the Employer elects in Section 2.25 for this Article 25 to apply, effective on the date specified in Section 2.25(a). It applies only if not excluded under Section 1.6(b).
- 25.2 **Higher Maximum Contribution.** If the Plan includes a QACA, then the automatic deferral percentage which applies to a Participant (referred to as the “qualified percentage” in Treas. Reg. §1.401(k)-12(j)(2)) shall not exceed 10% of the Participant’s Compensation during the Initial Period and shall not exceed 15% of the Participant’s Compensation after the Initial Period.
- 25.3 **Validation; Policy.** If the Employer amends or has amended the plan (effective for a Plan Year beginning on or after the effective date specified in Section 2.25) to provide for an automatic deferral percentage which does not exceed the limitations of Section 25.2, the amendment is valid notwithstanding any contrary limitations in the Plan which would limit the automatic deferral percentage to 10%. The Plan Administrator may adopt a reasonable, uniform policy in applying the increased limit provided by this Article 25 to QACA automatic escalation provisions in effect prior to the effective date of the Article.
- 25.4 **Relationship to Article 7.** If, when, and to the extent that the Plan is subject to the mandatory automatic enrollment provisions of Article 7, then the provisions of Article 7 and Section 2.7 shall govern to the extent of any inconsistency with this Article and Section 2.25.
- 25.5 **Definitions.** The following definitions apply for this Article 25 and Section 2.25:
- (a) “**QACA**” means a Qualified Automatic Contribution Arrangement described in Code §401(k)(13).
 - (b) The “**Initial Period**” for a Participant begins when the Participant first has contributions made pursuant to a default election under the QACA for a Plan Year and ends on the last day of the following Plan Year.

ARTICLE 26 – DC, 403(b), Gov't 457(b)
QUALIFIED BIRTH/ADOPTION DISTRIBUTION (QBAD) – SECURE §113

- 26.1 **Application.** This Article 26 will apply only if (1) the Plan is a Defined Contribution Plan, a 403(b) Plan, or a Governmental 457(b) Plan, and (2) the Employer elects in Section 2.26(a) for this Article 26 to apply, effective on the date specified in Section 2.26(a). It applies only if not excluded under Section 1.6(b).
- 26.2 **Distribution Authorized.** Except as limited by Section 2.26 (b), (c), (e), a Participant may request a distribution of up to \$5,000 (per child or Eligible Adoptee) as a QBAD, whether or not the Participant has severed employment (unless Section 2.26(d) applies). This \$5,000 limit shall be reduced by QBADs to the Participant made with respect to the same child or Eligible Adoptee by other plans maintained by the Employer or a related employer described in Code §414(b), (c), (m), or (o). However, if the Plan is a Money Purchase Pension Plan (or the account from which the distribution is withdrawn was transferred from a Money Purchase Pension Plan), and the Participant has not separated from service, the Participant may not take a QBAD prior to attaining the earlier of Normal Retirement Age or age 59½. The Plan Administrator may adopt a policy imposing frequency limitations or other reasonable administrative conditions for QBADs.
- 26.3 **Rollover.** A Participant who received one or more QBADs from this Plan may, if the Plan then permits the Participant to make rollover contributions, make one or more contributions in an aggregate amount not to exceed the amount of such QBADs. The Plan will treat such a contribution as a rollover contribution made by direct trustee-to-trustee transfer within 60 days of distribution. Also see Article 36.
- 26.4 **Reliance.** The Plan Administrator may rely on an individual's reasonable representation that the individual is eligible to receive a QBAD unless the Plan Administrator has actual knowledge to the contrary.
- 26.5 **Status.** A QBAD is not an eligible rollover distribution for purpose of the obligation to permit a direct rollover under Code §401(a)(31), the notice requirement of Code §402(f), or the mandatory withholding rules of Code §3405(c)(1).
- 26.6 **Definitions.** The following definitions apply for this Article 26 and Section 2.26:
- (a) A “QBAD” is a Qualified Birth or Adoption Distribution described in Code §72(t)(2)(H)(iii). A QBAD must be made during the 1-year period beginning on the date on which a child of the Participant is born or on which the legal adoption of an Eligible Adoptee by the Participant is finalized.
- (b) An “Eligible Adoptee” is an individual, other than a child of the Participant's spouse, who has not attained age 18 or is physically or mentally incapable of self-support. An individual is considered physically or mentally incapable of self-support if that individual is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or to be of long-continued and indefinite duration. This provision shall be applied in a manner consistent with Part D of IRS Notice 2020-68.

ARTICLE 27 – Qualified, Gov't 457(b)
IN-SERVICE PENSION DISTRIBUTIONS – BAMA §104

- 27.1 **Application.** This Article 27 will apply only if (1) the Plan is a Money Purchase Pension Plan, a Defined Benefit Plan, or a Governmental 457(b) Plan, or, as described in Section 27.3, a 401(k) or Profit-Sharing Plan, and (2) the Employer elects in Section 2.27 for this Article 27 to apply, effective on the date specified in Section 2.27(a). It applies only if not excluded under Section 1.6(b) or (c).
- 27.2 **Distribution at 59½.** A Participant can take an in-service distribution at age 59½, or, if later, the age (if any) specified in Section 2.27(b). Such a distribution will be limited to the vested portion of the Participant's accrued benefit or account and will be subject to all Plan provisions related to in-service distributions, including any applicable frequency or vesting limitations. If the Plan is a Governmental 457(b) Plan, the Plan can operationally permit distributions as early as January 1 of the calendar year the Participant attains 59½ (or such later age).

- 27.3 **Limited application to transferred assets in Profit-Sharing and 401(k) Plans.** If the Employer elects in Section 2.27 for this Article 27 to apply, this Article 27 will apply to an account in a 401(k) Plan or a Profit-Sharing Plan which holds assets transferred from a Money Purchase Pension Plan or a Defined Benefit Plan.

**ARTICLE 28 - Qualified
ADOPTION OF PLAN AFTER YEAR END – SECURE §201**

- 28.1 **Application.** This Article 28 will apply only if the Plan is a Qualified Plan. It is effective for Plan Years beginning after December 31, 2019.
- 28.2 **Retroactive Plan Adoption .** If the Employer adopted the underlying Plan to which this Amendment relates after the close of a taxable year, but prior to the due date (including extensions) of the Employer’s federal income tax return for that taxable year, the Plan is treated as having been adopted as of the last day of the taxable year if the Plan’s initial effective date is any date within that taxable year. However, no Participant may make elective deferrals to the Plan prior to the date it was adopted, except as provided in Article 29.

**ARTICLE 29 – 401(k)
SOLE PROPRIETOR RETROACTIVE DEFERRALS – SECURE 2.0 §317**

- 29.1 **Application.** This Article 29 will apply only if the Plan is a 401(k) Plan. It is limited to a plan retroactively adopted (pursuant to Code §401(b)(2) and Article 28) by a sole proprietor with regard to a sole proprietorship which has no employees (other than the sole proprietor). It is effective for Plan Years beginning after December 29, 2022.
- 29.2 **Deadline for First Year Deferral.** Any elective deferrals under the Plan for the first Plan Year which are made by the sole proprietor before the deadline (determined without regard to any extensions) for filing his or her income tax return for the tax year for which the Plan is treated as adopted under Code § 401(b) shall be treated as having been made before the end of such first plan year.

**ARTICLE 30 - Qualified
RETROACTIVE INCREASE IN EMPLOYER CONTRIBUTIONS – SECURE 2.0 §316**

- 30.1 **Application.** This Article 30 will apply only if the Plan is a Qualified Plan. It is effective for Plan Years beginning after December 31, 2023.
- 30.2 **Optional Amendment.** After the close of a Plan Year, the Employer may amend the Plan to increase benefits or contributions with regard to the immediately prior Plan Year. The amendment may provide that it shall be effective as of any date within the prior Plan Year. Any such amendment shall not increase the amount of matching contributions (as described in Code §401(m)(4)(A).) Such an amendment must be adopted before the time prescribed by law (including extensions) for filing the return of the Employer for the taxable year which includes the date of the amendment. Such an amendment must otherwise comply with all applicable qualification requirements, including nondiscrimination and contribution limits.

**ARTICLE 31 – DC, 403(b)
DIFFICULTY OF CARE PAYMENTS – SECURE §116**

- 31.1 **Application.** This Article 31 will apply only if the Plan is a Defined Contribution Plan or a 403(b) Plan. It is effective for Plan Years beginning after December 31, 2015.
- 31.2 **Inclusion in 415 Compensation.** The amount of a Participant’s Compensation solely for purposes of determining the annual addition limit under Code §415(c)(1)(B) is increased by the amount of Difficulty of Care Payments the Employer makes to the Participant.
- 31.3 **Definition.** A “Difficulty of Care Payment” is a payment described in Code §131(c)(1) made in connection with qualified foster individuals.

ARTICLE 32 – 401(k), 403(b)
ADP SAFE HARBOR NONELECTIVE PLANS – SECURE §103; SECURE 2.0 §401

- 32.1 **Application.** This Article 32 will apply only if the Plan is a 401(k) or a 403(b) Plan. It is effective for Plan Years beginning after December 31, 2019.
- 32.2 **No need for safe harbor notice.** If the Employer makes a Safe Harbor Nonelective Contribution, then the Plan can use the ADP Safe Harbor, whether or not Participants receive a Safe Harbor Notice, and the Plan Administrator is not required to provide a Safe Harbor Notice. However, the Plan is required to provide a Safe Harbor Notice if the plan utilizes the ACP safe harbor described in Code §401(m)(11) or (12).
- 32.3 **Retroactive adoption.** Unless the Plan at any time during the Plan Year is a Safe Harbor Match Plan, then the Employer may amend the Plan at any time within twelve months after the end of the Plan Year to provide (A) that the Employer will make a Safe Harbor Nonelective Contribution for the entire Plan Year, (B) that the Plan qualifies for the ADP Safe Harbor for the Plan Year, and (C) that the Plan will not be required to perform the ADP Test for the Plan Year. However, if the Employer adopts the amendment on or after the 30th day before the close of the Plan Year, the Safe Harbor Nonelective Contribution must be at least 4% of the Participant's Compensation.
- 32.4 **Definitions.** The following terms have the meaning set forth in this paragraph as more fully provided in the plan terms pertaining to the related subject matter.
- (a) A “**Safe Harbor Nonelective Contribution**” means a contribution described in Code §401(k)(12)(C) or Code §401(k)(13)(D)(i)(II) of at least 3% of Compensation.
- (b) The “**ADP Test**” means the test provided in Code §401(k)(3)(ii).
- (c) The “**ADP Safe Harbor**” means the safe harbor provided by Code §401(k)(12)(A) or Code §401(k)(13).
- (d) A “**Safe Harbor Match Plan**” is a Plan which provided during the Plan Year that Participants would receive a matching contribution described in Treas. Reg. §1.401(k)-3(c) or Treas. Reg. §1.401(k)-3(k)(2).
- (e) A “**Safe Harbor Notice**” is a notice described in Code §401(k)(12)(D) or Code §401(k)(13)(E).
- (f) A “**QACA**” is a Qualified Automatic Contribution Arrangement described in Code §401(k)(13).

ARTICLE 33 – 457(b)
457(b) DEFERRAL ELECTIONS – SECURE 2.0 §306

- 33.1 **Application; Effective Date.** This Article 33 will apply to 457(b) Plans. It is effective January 1, 2023.
- 33.2 **Policy.** The Plan Administrator may adopt or revise a salary reduction agreement policy addressing contributions pursuant to salary reduction agreements of Participants. With regard to a Governmental 457(b) Plan, the policy may provide that a Participant's salary reduction agreement may take effect at any time prior to the date the compensation is currently available to the Participant.

ARTICLE 34 – 401(k), 403(b)
DE MINIMIS FINANCIAL INCENTIVES – SECURE 2.0 §113

- 34.1 **Application.** This Article 34 will apply only if the Plan is a 401(k) Plan or a 403(b) Plan. It is effective for Plan Years beginning after December 29, 2022.
- 34.2 **Optional Provision of De Minimis Financial Incentives.** A de minimis financial incentive (not paid for with plan assets) may be provided to Participants who elect to have the Employer make contributions under the arrangement in lieu of receiving cash, as described in Notice 2024-2, § D or any subsequent guidance.

**ARTICLE 35 – DC, 403(b), Gov’t 457(b)
REPEAL OF DEEMED IRA MAXIMUM AGE – SECURE §107**

- 35.1 **Application.** This Article 35 will apply only if the Plan permits deemed IRA contributions (sometimes called “designated IRA” contributions) described in Code §408(q). It is effective January 1, 2020.
- 35.2 **No Maximum Age.** To the extent the Plan otherwise permits a Participant to make deemed IRA contributions, the Participant may make such contributions regardless of whether the Participant has attained age 70½ or any other age. This provision does not create new deemed IRA contribution rights, but removes any age-based restriction if such contributions are otherwise permitted under the Plan.

**ARTICLE 36 - DC, 403(b), Gov’t 457(b)
QUALIFIED BIRTH/ADOPTION DISTRIBUTION (QBAD) – SECURE 2.0 §311**

- 36.1 **Application.** This Article 36 will apply only if the Plan permits Qualified Birth and Adoption Distributions (“QBADs”) as described in Code §72(t)(2)(H). It is effective as of December 29, 2022. Also see Article 26.
- 36.2 **Rollover Deadline.** A Participant who received one or more QBADs from this Plan may, if the Plan then permits the Participant to make rollover contributions, make one or more contributions in an aggregate amount not to exceed the amount of such QBADs. Such contributions may be made at any time during the 3-year period beginning on the day after the date on which such distribution was received. The Plan will treat such a contribution in the same manner as a rollover contribution made by direct trustee-to-trustee transfer within 60 days of distribution. QBADs received from the Plan prior to December 29, 2022 can be rolled over to the Plan if received by the Plan no later than December 31, 2025, or prior to Plan termination (if earlier than December 31, 2025).

**ARTICLE 37 – 401(k), 403(b), Gov’t 457(b), PS
HARDSHIP DOCUMENTATION POLICY – SECURE 2.0 §312**

- 37.1 **Application.** This Article 37 will apply to any plan that permits Hardship Distributions, including 401(k) Plans, 403(b) Plans, and Governmental 457(b) plans, and Profit-Sharing Plans. It is effective for Plan Years beginning after December 29, 2022.
- 37.2 **Policy.** The Plan Administrator may adopt and modify from time to time a uniform policy regarding the documentation required in connection with a Hardship Distribution. Such a policy may, but is not required to, provide for reliance upon an employee’s written certification as described in Code §§401(k)(14)(C), 403(b)(7)(D), 403(b)(11), or 457(d)(4) (or as otherwise determined by the Plan Administrator for Hardship Distributions not subject to these Code provisions) in the absence of the Plan Administrator’s actual knowledge to the contrary.
- 37.3 **Definition.** The following definition applies for this Article 37:
- (a) A “**Hardship Distribution**” is (1) a distribution from a 401(k) Plan or a 403(b) Plan which is on account of an immediate and heavy financial need described in Treas. Reg. §1.401(k)-1(d)(3)(ii)(B); (2) a distribution from a Governmental 457(b) Plan which is on account of an unforeseeable emergency described in Treas. Reg. §1.457-6(c)(2)(i); or (3) a distribution on account of hardship from a profit-sharing plan or other qualified plan under the stated event standard of Treas. Reg. § 1.401-1(b)(1)(ii).

**ARTICLE 38 – Governmental
INSURANCE DISTRIBUTIONS FROM GOVERNMENTAL PLANS – SECURE 2.0 §328**

- 38.1 **Application.** This Article 38 will apply only if the Plan is a Governmental Plan. It is effective for distributions made after December 29, 2022.

- 38.2 **Optional Direct Distribution.** If and to the extent the Plan permits plan distributions to pay for certain insurance of eligible retired public safety officers pursuant to Code §402(l), such payment may be made directly to the provider of the insurance by deduction from a distribution from the Plan or made directly to the Participant.

**ARTICLE 39 – 401(k), 403(b)
ROLLOVERS FROM SIMPLE IRA ACCOUNTS PERMITTED – SECURE 2.0 §332(B)**

- 39.1 **Application.** This Article 39 will apply only if the Plan is a 401(k) Plan or 403(b) Plan. It is effective for rollovers after December 31, 2023.
- 39.2 **SIMPLE IRA Rollovers.** The Plan Administrator may adopt a policy permitting the plan to accept rollover contributions from terminated SIMPLE IRA arrangements described in Code §72(t)(6)(B). Such rollover contributions will thereafter be subject to the distribution restrictions which apply to elective deferrals.

**ARTICLE 40 – DC, 403(b), Gov't 457(b)
DISTRIBUTIONS OF DISCONTINUED LIFETIME INCOME INVESTMENTS – SECURE §109**

- 40.1 **Application.** This Article 40 will apply only if (1) the Plan is a Defined Contribution Plan, a 403(b) Plan, or a Governmental 457(b) Plan. It is effective for Plan Years beginning after December 31, 2019.
- 40.2 **Distributions authorized.** The Plan Administrator may authorize Participants to request, and as soon as practicable after a Participant makes the request, the Plan will make, a distribution of a Discontinued Lifetime Income Investment. Distribution under this Article is limited to the 90-day period prior to the date on which the Lifetime Income Investment is no longer authorized to be held as an investment option under the Plan. Such distribution will be in the form of a Qualified Distribution, or in the form of a Qualified Plan Distribution Annuity Contract, as determined by the Plan Administrator. The Plan Administrator will administer this section in a reasonable, nondiscriminatory manner, and may authorize distributions of some Discontinued Lifetime Income Investments and not others.
- 40.3 **Definitions.** The terms “Lifetime Income Investment,” “Qualified Distribution” and “Qualified Plan Distribution Annuity Contract” have the meanings set forth in Code §401(a)(38)(B). A “Discontinued Lifetime Income Investment” is a Lifetime Income Investment which will no longer be authorized to be held as an investment option under the Plan.

**ARTICLE 41 – DC, 403(b)
COLLECTION OF PEP CONTRIBUTIONS – SECURE 2.0 §105**

- 41.1 **Application.** This Article 41 will apply only if the Plan is a Pooled Employer Plan (“PEP”) described in ERISA §3(43). It is effective for Plan Years beginning after December 31, 2022.
- 41.2 **Named Fiduciary.** The Pooled Plan Provider (“PPP”) of the Plan or another Named Fiduciary, other than an Employer in the Plan, will be responsible for collecting contributions to the Plan. The PPP or other Named Fiduciary shall implement written contribution collection procedures that are reasonable, diligent, and systematic.

**ARTICLE 42 – 403(b)
403(b) TERMINATION DISTRIBUTIONS – SECURE §110**

- 42.1 **Application.** This Article 42 will apply only if the Plan is a 403(b) Plan. It is effective January 1, 2009.
- 42.2 **Custodial Accounts.** In connection with distributions upon termination of the Plan, the Plan may treat the delivery of a custodial account as a distribution, pursuant to Rev. Rul. 2020-83.

ARTICLE 43 – 401(k)
ADDITIONAL SIMPLE NONELECTIVE CONTRIBUTIONS – SECURE 2.0 §116

- 43.1 **Application.** This Article 43 will apply only if the Plan is a 401(k) Plan which satisfies the requirements of a SIMPLE plan in Code § 401(k)(11) and Treas. Reg. § 1.401(k)-4. It is effective for calendar years beginning on or after January 1, 2024.
- 43.2 **Nonelective contributions.** The Employer may make nonelective contributions of a uniform percentage (up to 10%) of Compensation, but not to exceed the limit in Code § 408(p)(2)(A)(iv) in any year, for each Participant who has at least \$5,000 of Compensation from the Employer for the year.

ARTICLE 44 – All
TRIBAL QDROS – SECURE 2.0 §339

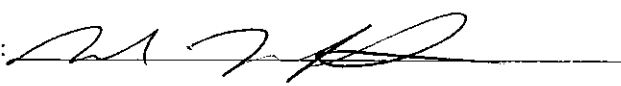
- 44.1 **Application.** This Article 44 is effective for domestic relations orders received after December 31, 2022.
- 44.2 **Tribal QDROS.** The term “QDRO” means an order described in Code § 414(p)(1)(B) and includes an order issued pursuant to a domestic relations law of an Indian tribal government, a subdivision thereof, or an agency or instrumentality of either, which otherwise meets the requirements of Code § 414(p)(1)(A).

ARTICLE 45
IMPACT OF RESTATEMENTS

- 45.1 **General Rule.** Section 1.7 states the general rule regarding the application of restatements of preapproved plans. The intent is that a restatement of the plan, regardless of when the restatement is adopted, will not alter the elections and provisions of this Amendment, except to the extent that the restatement incorporates the general provisions of those provisions. However, when a preapproved plan restatement does incorporate the provisions of this Amendment, it is important that the IRS-approved language controls, so that the plan can rely on the opinion letter. The purpose of this Article is to provide guidance on the extent to which certain restatements will have controlling effect. Note that the Cycle 3 defined benefit restatement does not address any issue covered in this Amendment.
- 45.2 **Cycle 2 403(b) Plans.** The Relius Cycle 2 403(b) preapproved plans address the matters discussed in Articles 20, 25, 26, 31, 32, 35, 40, and 42.
- 45.3 **Cycle 4 Defined Contribution Plans.** At this writing, the IRS has not reviewed the FIS Cycle 4 Defined Contribution preapproved plans. However, based on the documents submitted to the IRS and the Cumulative Lists the IRS has provided, we anticipate that the Relius Cycle 4 Defined Contribution preapproved plans will address the matters discussed in Articles 5, 6, 8, 9, 11 - 13, 15, 17, 18, 20, 24 - 27, 29, 31, 32, 36, 38, 40, 43, 44 and all of Article 16 other than Sections 16.5, 16.6, and 16.7.

This Amendment has been executed 260609.

Name of Employer: Missoula Rural Fire District

Signed By: 

CERTIFICATE OF APPROPRIATION/REVENUES
(as applicable)

The undersigned Treasurer/Finance Officer hereby certifies with respect to the Loan Agreement (the "Loan Agreement"), by and between MRED (the "Borrower") and the Board of Investments (the "Board") that:

1. The governing body of the Borrower have or will prepare the budget for fiscal year 2026 and include in the budget an amount designated and sufficient to make the Loan Repayments (as defined in the "Loan Agreement") due in fiscal year 2026.

Dated: 26.06.09

Borrower Name: MRED



By (print name) Michael Langguth
Its Treasurer/Finance Officer



MISSOULA RURAL FIRE DISTRICT

April 28, 2026

To: Paul Finlay, Fire Chief
Cory Horsens, Deputy Chief

Re: **20811 Gilman Creek Road**

On April 20, 2026, a Criteria for Annexation inspection was conducted by the Community Risk Reduction Division of the Missoula Rural Fire District for the above-referenced address. The property owner was contacted and has also received a signed copy of this Annexation Criteria Form (ACF) for their records. We explained that once we received the signed copy of the ACF to acknowledge their understanding and receipt of the form, we would submit this Petition for Annexation and ACF to the Deputy Chief and Fire Chief for their consideration.

After this inspection, the Community Risk Reduction Division recommends annexation of 20811 Gilman Creek Road into the Missoula Rural Fire District.

Respectfully submitted,

Peter V. Giardino

Peter V. Giardino
Deputy Fire Marshal Signature



MISSOULA RURAL FIRE DISTRICT

To: MRFD Board of Trustees
From: Fire Chief Paul Finlay and Deputy Chief Cory Horsens
Re: **Recommendation for Annexation: 20811 Gilman Creek Road**

Dear Chair Murphy and Members of the Board of Trustees:

Upon our review, we concur with the findings of the Community Risk Reduction Division.

Therefore, it is our recommendation to the Board that the property listed above should be annexed into the Missoula Rural Fire District.

Sincerely,

4-30-26

Cory Horsens, Deputy Fire Chief
Missoula, Rural Fire District

Date

5/13/26

Paul Finlay, Fire Chief
Missoula Rural Fire District

Date



MISSOULA RURAL FIRE DISTRICT

PETITION FOR ANNEXATION

We, the undersigned, being taxpaying freeholders and whose names appear upon the last completed assessment roll, do hereby petition the Board of County Commissioners to annex to the Missoula Rural Fire District, the following parcel:

3281102 20811 GILMAN CREEK RD MISSOULA, MT 59804

Taxpayer ID:

Property Address:

04-2198-08-3-01-04-0000

N/A

Geo Code:

Subdivision Name (if applicable)

S08, T13 N, R21 W, C.O.S. 4343, ACRES 35.47, TRACT 2

Legal Description (*Quarter, Section, Township, Range, Lot #, Block, COS #, etc.*)

Name of Insurance Company – Property Insurance

Cameron J. Schmitz

Insurance Phone Number

camschmitz34@gmail.com

Contact Name for this Petition

503-899-9291
Contact's Phone Number

Contact's Email Address

Property Owner Signature(s)

Printed Name(s)

Mailing Address

[Signature] 12/6/25
(sign and date)

Cameron J. Schmitz

20811 GILMAN CREEK
RD MISSOULA, MT 59804

[Signature]
(sign and date)

Faith Schmitz

20811 GILMAN CREEK RD
MISSOULA, MT 59804

(sign and date)

FOR OFFICE USE ONLY:

Annexation accepted and approved this 9 day of June, 2026
by the Board of Trustees for the Missoula Rural Fire District.

Signature: [Signature]

Title: Chair



Annexation Criteria Form

Property Information

Property Address: 20811 Gilman Creek Road
Property Tax ID: 3281102

Zip Code: 59804
Station: MRFD Station 6 (6)

Inspection Information

Inspector: Giardino, Pete

Date Completed: 04/20/2026

Notes

Notes:

Signatures

Signatures

Table with 3 columns: Name, Signatures, Signature Date. Rows include Pete Giardino Inspector and Faith Schmitz Occupant.

Fire Chief Signature Date:

Handwritten date: 4/20/26

Signature Name: (Please Print Name):

Blank line for signature name

Fire Chief Signature:

Blank line for fire chief signature

Board Chair Person Signature Date:

Handwritten date: 6/9/26

Board Chair Person Name (Please Print):

Handwritten name: Michael Langguth

Board Chair Person Signature:

Handwritten signature of Michael Langguth

Annexation

Fire Department Services

Question	Answer	Notes
What is the distance to the closest MRFD fire station (enter station #)	12 Miles from Station 6	
What is the distance to the closest mutual/auto aid partner (enter agency and station #)	16 Miles from FTN #7	

Means of Access

Question	Answer	Notes
Are there buildings more than 400 sf (ground floor area) and/or public occupancies with structural components?	Yes	
Is there clear openings through gates at least 2 feet wider than the means of access it controls?	Yes	
Number of means of access.	1	
Can the fire department realistically access the property after a snow event or icy conditions? (*CRITICAL*)	Yes	

Roadways/Fire lanes

Question	Answer	Notes
Are roadways constructed of a hard, all-weather surface designed to support all imposed loads of MRFD apparatus? (*CRITICAL*)	Yes	
Are the roadways a minimum clear width of 16 ft?	Yes	
Is there at least 13 ft 6 in. nominal vertical clearance over the full width of the roadway? (*CRITICAL*)	Yes	
Do the curves/turns in the roadway have a minimum radius of 60 ft to the outside of the turn?	Yes	
Is/Are bridge(s) present that require access to the property/structure(s) (*CRITICAL*)	Yes	
Is/Are bridge(s) designed to support the imposed load of all MRFD fire apparatus. (*CRITICAL*)	Yes	
Is the load limit clearly posted at both approaches to the bridge?	No	
Has the vegetation adjacent to the roadway been mitigated?	Yes	

Grades

Question	Answer	Notes
Are there any road/driveway grades steeper than 10 percent?	No	

Dead Ends

Question	Answer	Notes
Is there a dead-end roadway more than 300 ft in length?	Yes	

If yes, is there an appropriate turnaround for fire apparatus? (*CRITICAL*)	Yes	
Is there a dead end/cul-de-sac that exceeds 1200 ft in length?	Yes	
If yes, are there approved intermediate turnarounds at a maximum of 1200 ft intervals? (*CRITICAL*)	Yes	

Driveways

Question	Answer	Notes
Is the driveway longer than 150 ft?	Yes	
If yes, is there an appropriate turnaround for fire apparatus? (*CRITICAL*)	Yes	
Is the driveway a minimum of 12 feet in width and 13 ft 6 in. in vertical clearance?	Yes	
If the driveway is longer than 300 ft, are there pullouts?	No	

Signage/Premises Identification

Question	Answer	Notes
Are the road and address signs made of appropriate materials and properly located?	Yes	

Building Access

Question	Answer	Notes
Is there adequate fire apparatus access provided to within 150 ft of any point of the exterior wall of each building? (300 ft for a sprinklered building) (*CRITICAL*)	Yes	

Building Separation

Question	Answer	Notes
Are building separations greater than 30 ft?	Yes	

Automatic Fire Protection/Fire Warning Systems

Question	Answer	Notes
Is the building(s) protected by an automatic sprinkler system in accordance with NFPA 13, 13R or 13D?	No	
Does the building(s) have a local/supervised fire alarm system in accordance with NFPA 72?	No	

Water Supply

Question	Answer	Notes
What is the distance to the nearest fire hydrant?	11 Miles from Ranch Club Road	
What is the distance to the nearest water storage (cistern or draft site) that meets NFPA 1142 requirements?	9.3 Miles from Kona Ranch Road Fishing Access	Kona Ranch Road Fishing Access is an approved MRFD draft site. Old Harpers Bridge could be considered, as well as Deep Creek as a seasonal draft site.
Are connections at either water source (if applicable) appropriate for MRFD use?	Yes	Hydrant on Ranch Club Road has appropriate connections.

Building Construction

Question	Answer	Notes
Non-combustible roof?	No	
Soffits enclosed?	Yes	
Soffit, attic and crawl space vents screened?	Yes	
Non-combustible siding?	Yes	
Double pane windows?	Yes	
Is/Are deck(s) present?	Yes	
Is/Are decks(s) non-combustible?	No	
Are decks fire resistant?	Yes	

Vegetation Clearance From Structures

Question	Answer	Notes
30-100 ft, Reduced Fuel Zone-Is a fuel break provided by the disruption of the vertical and/or horizontal continuity of flammable/combustible vegetation?	Yes	
0-30 ft, Defensible Space Zone-Is all flammable vegetation and combustible growth clear of this area? (*CRITICAL*)	Yes	
Is there a potential difference in the wildfire vs structure response capability? (Explain in comments)	No	

Tax Year: 2026

Scale: 1:16377.59 Basemap: Imagery Hybrid



Summary

Primary Information

Property Category: RP	Subcategory: Non-Qualified Ag
Geocode: 04-2198-08-3-01-04-0000	Assessment Code: 0003281102
Primary Owner: SCHMITZ CAMERON J 20811 GILMAN CREEK RD MISSOULA, MT 59804 Note: See Owners section for all owners	Property Address: 20811 GILMAN CREEK RD MISSOULA, MT 59804
Certificate of Survey: 4343	Legal Description: S08, T13 N, R21 W, C.O.S. 4343, ACRES 35.47, TRACT 2
Last Modified: 3/21/2026 18:35:19 PM	

General Property Information

Neighborhood: 204.015	Property Type: Improved Property
Living Units: 2	Levy District: 04-1593-23-2
Zoning: n/a	Ownership: 100
LinkedProperty: No linked properties exist for this property	
Exemptions: No exemptions exist for this property	
Condo Ownership: General: n/a	Limited: n/a

Property Factors

Topography: n/a	Fronting: n/a
Utilities: n/a	Parking Type: n/a
Access: n/a	Parking Quantity: n/a
Location: n/a	Parking Proximity: n/a



Cadastral Property Report

Tax Year: 2026

Land Summary

Land Type:	Acres:	Value:
Grazing	n/a	n/a
Fallow	n/a	n/a
Irrigated	n/a	n/a
Continuous Crop	n/a	n/a
Wild Hay	n/a	n/a
Farmsite	n/a	n/a
ROW	n/a	n/a
NonQual Land	34.47	n/a
Total Ag Land	34.47	n/a
Total Forest Land	n/a	n/a
Total Market Land	1	n/a

Deed Information

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
7/15/2022	1078	408	7/15/2022	n/a	Warranty Deed
8/28/2015	952	11	10/6/2015	n/a	Warranty Deed
7/7/1999	0588	01706	N/A	n/a	n/a
5/10/1996	0471	00913	N/A	n/a	n/a

Owners

Party #1

Default Information:	SCHMITZ CAMERON J 20811 GILMAN CREEK RD MISSOULA, MT 59804
Ownership %:	100
Primary Owner:	Yes
Interest Type:	Conversion
Last Modified:	7/21/2022 10:40:11 AM

Party #2

Default Information:	SCHMITZ FAITH 20811 GILMAN CREEK RD MISSOULA, MT 59804
Ownership %:	100
Primary Owner:	Yes
Interest Type:	Conversion
Last Modified:	7/21/2022 10:40:11 AM

Appraisals

Tax Year: 2026

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2025	241894	816140	1058034	COST
2024	196999	663420	860419	COST
2023	196999	663420	860419	COST

Market Land

Market Land Item #1

Method: Acre	Type: 1 Ac. beneath Improvements (for dwlg on NQ Ag Land)
Width: n/a	Depth: n/a
Square Feet: n/a	Acres: 1
Class Code: 2002	Value: n/a

Dwellings

Dwelling #1

Dwelling Information

Dwelling Type SFR	Style 08 - Conventional	Year Built 2000
Residential Type: SFR	Style: 08 - Conventional	Roof Material: 10 - Asphalt Shingle
Year Built: 2000	Roof Type: 3 - Gable	Attic Type: 3 - Fully Finished (40%)
Effective Year: n/a	Exterior Walls: 1 - Frame	Exterior Wall Finish: 5 - Maintenance Free Aluminum/Vinyl/Steel
Story Height: 2.0	Degree Remodeled: n/a	
Grade: 6		
Class Code: 3501		
Year Remodeled: n/a		

Mobile Home Details

Manufacturer: n/a	Serial #: n/a
Width: n/a	Length: n/a
Model: n/a	

Basement Information

Foundation: 2 - Concrete	Finished Area: 204
Daylight: N	Basement Type: 2 - Part
Quality: 3 - Typical	

Heating/Cooling Information

Type: Central	System Type: 2 - Hot Water/Water Radiant
Fuel Type: 3 - Gas	Heated Area: 2153

Living Accomodations

Tax Year: 2026

Bedrooms: 3		Family Rooms: n/a				
Full Baths: 3		Half Baths: n/a				
Addl Fixtures: 4						
Additional Information						
Fire Places		Stacks: n/a				
Stories: n/a		Prefab/Stove: n/a				
Openings: n/a						
Garage Capacity: n/a		Cost & Design: n/a				
Flat Add: n/a		% Complete: n/a				
Description: n/a						
Dwelling Ammenities						
View: n/a		Access: n/a				
Area Used in Cost						
Basement: 542		Addl Floors: n/a				
First Floor: 1611		Second Floor: 1120				
Half Story: n/a		Unfinished Area: n/a				
Attic: 211		SFLA: 2942				
Depreciation Information						
CDU: n/a		Physical Condition: Good (8)				
Desirability Property: Good (8)		Location: Good (8)				
Depreciation Calculation						
Age: 24		Pct Good: 0.8				
RCNLD: n/a						
Additions / Other Features						
Lower Addns	First	Second	Third	Area	Year	Cost
n/a	11 - Porch, Frame, Open	n/a	n/a	210	n/a	n/a
n/a	34 - Deck, Concrete	n/a	n/a	296	n/a	n/a
n/a	33 - Deck, Wood	n/a	n/a	326	n/a	n/a
n/a	19 - Garage, Frame, Finished	n/a	n/a	528	n/a	n/a
No additional features exist for this property						

Dwelling #2

Dwelling Information

Dwelling Type	Style	Year Built
SFR	08 - Conventional	2000
Residential Type: SFR	Style: 08 - Conventional	
Year Built: 2000	Roof Material: 10 - Asphalt Shingle	
Effective Year: n/a	Roof Type: 3 - Gable	
Story Height: 1.0	Attic Type: 0 - None	
Grade: 4	Exterior Walls: 1 - Frame	

Tax Year: 2026

Class Code: 3501
Year Remodeled: n/a

Exterior Wall Finish: 5 - Maintenance Free Aluminum/Vinyl/Steel
Degree Remodeled: n/a

Mobile Home Details

Manufacturer: n/a
Width: n/a
Model: n/a

Serial #: n/a
Length: n/a

Basement Information

Foundation: 2 - Concrete
Daylight: n/a
Quality: n/a

Finished Area: n/a
Basement Type: 0 - None

Heating/Cooling Information

Type: Central

System Type: 2 - Hot Water/Water Radiant

Fuel Type: 3 - Gas

Heated Area: n/a

Living Accomodations

Bedrooms: 2

Family Rooms: n/a

Full Baths: 2

Half Baths: n/a

Addl Fixtures: 2

Additional Information

Fire Places
Stories: n/a
Openings: n/a

Stacks: n/a
Prefab/Stove: n/a

Garage Capacity: n/a

Cost & Design: n/a

Flat Add: n/a

% Complete: n/a

Description: n/a

Dwelling Ammenities

View: n/a

Access: n/a

Area Used in Cost

Basement: n/a

Addl Floors: n/a

First Floor: 880

Second Floor: n/a

Half Story: n/a

Unfinished Area: n/a

Attic: n/a

SFLA: 880

Depreciation Information

CDU: n/a

Physical Condition: Good (8)

Desirability
Property: Good (8)

Location: Fair (6)

Depreciation Calculation

Age: 24

Pct Good: 0.75

RCNLD: n/a

Additions / Other Features

Tax Year: 2026

Lower Addns	First	Second	Third	Area	Year	Cost
n/a	11 - Porch, Frame, Open	n/a	n/a	72	n/a	n/a
n/a	11 - Porch, Frame, Open	n/a	n/a	72	n/a	n/a

No additional features exist for this property

Other Buildings

Outbuilding/Yard Improvement #1

Type: Residential

Description: RPA2 - Concrete

Quantity: 1

Year Built: 2000

Grade: A

Condition: Res Average

Functional: n/a

Class Code: 3501

Dimensions

Width/Diameter: 24
Size/Area: 600
Bushels: n/a

Length: 25
Height: n/a
Circumference: n/a

Commercial

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land Item #1

Acre Type: NQ - Non Qualified Ag Land
Class Code: 1701

Irrigation Type: n/a
Timber Zone: n/a

Productivity

Quantity: n/a
Units: Non Qual

Commodity: n/a

Valuation

Acres: 34.47
Value: n/a

Per Acre Value: n/a

Conservation Easements



Cadastral Property Report

Tax Year: 2026

Conservation Easement #1	
Conservation Easement Org Code: CNTY	
Grantee: County Government	
Deed Information: n/a	
Tax Year: 2026	Acres: 35
Date Created: 11/24/1980 0:0:0 AM	

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