

Special District Association of Colorado

SDA NEWS

MAY 2024

Supporting Community-Based Government

Elizabeth Fire Protection District
Offers Free Virtual Leadership
Training for Firefighters

Upcoming SDA Events!

DEO Introduction Workshop

May 22

**Annual Regional
Workshops**

June 10-24



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Designed by Emmett Jordan



Join Us on May 22 for Our Newly-Created DEO Introduction Workshop!

Calling first-time DEOs! Have you thought about being a DEO? Or will you be a DEO for the first time in 2025? If you answered “yes,” then plan to join us on Wednesday, May 22 for a DEO Introduction Workshop designed especially for you!

As we look ahead to the upcoming special district election in 2025, you have an extraordinary opportunity to serve our local communities by becoming a Designated Election Official (DEO). The role of a DEO is not just a civic duty; it's a chance to actively contribute to the democratic process, ensuring that our communities thrive through well-managed and fair elections.

To help prepare you for this crucial position, we have a very special training event scheduled for Wednesday, May 22 from 9:00 am-3:30 pm at Parker Water and Sanitation District. The cost is \$50 per person which includes lunch and snacks.

Together with a panel of election experts, we are hosting a full day session focused exclusively on DEOs. Covering everything from local election protocols to DEO legal obligations to strategies for maintaining confidence in decision making, we will offer a full day's worth of crucial information you need to become a first-time DEO. We will even take a deep dive into a glossary of election-related terms specific to Colorado as well as a comprehensive review of Colorado's election laws applicable to DEOs. In addition, our panel of experts includes experienced DEOs who will share their insights and answer all your questions with their first-hand knowledge of this vital position.

Ann Terry, SDA's CEO, is very excited about this new training option and the tremendous resource it will be for people looking to become involved in the electoral process. “Local government is the closest form of governance to the people, allowing for more direct representation and responsiveness to the unique needs of our communities. As a DEO, you have the chance to contribute to this system by overseeing an election process that reflects the diverse voices and opinions within your district.”

Registration is now open so be sure to visit the SDA website at www.sdaco.org for all the details and to register! 🍌



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We'll See You Soon at the 2024 SDA Annual Regional Workshops!

The SDA team and the law firm of Collins Cole Flynn Winn & Ulmer, PLLC are pleased to be hitting the road in June to bring you these lively and educational trainings. And this year we will have a new format and new information!

These workshops apply to all types of districts and are sure to provide a wealth of valuable information for your district. We will cover a wide variety of important topics such as minutes, meeting formats, open meetings, conflicts of interests, public records, and CSD Pool programs to help your district be safer, just to name a few. On top of all this, we will give you the scoop on this year's legislative changes and how they affect your district. And, there will of course be plenty of time to answer all your questions, big or small.

Whether you are a Board member or district employee, a seasoned professional or brand new to your position, we will have something for everyone (don't forget these workshops are for all district types, not just Title 32 districts). **Did we mention that every attendee will also receive a copy of the 2024 SDA Board Member Manual and the legislative update for 2024?**

Having this many pertinent and timely issues discussed all in one place is an opportunity you can't afford to miss!

Registration is now open so it's the perfect time to sign up to attend the workshop nearest you! Simply go to the SDA website at www.sdaco.org and fill out the easy registration form. The cost is \$40 per person.

We can't wait to see you in June!

SALIDA

Monday, June 10
8:00 am-12:30 pm

The SteamPlant Event Center Riverside Annex

CLIFTON

Tuesday, June 11
8:00 am-12:30 pm
Clifton Water District

VAIL

Wednesday, June 12
8:00 am-12:30 pm

Vail Recreation District
Golf and Nordic Clubhouse

GRANBY

Thursday, June 13
8:00 am-12:30 pm

Grand Fire Protection District

EATON

Friday, June 14
8:00 am-12:30 pm

Eaton Area Park and Recreation District

FOUNTAIN

Monday, June 17
8:00 am-12:30 pm

Fountain Sanitation District

PARKER

Tuesday, June 18
8:00 am-12:30 pm

Parker Water and Sanitation District

FREDERICK

Thursday, June 20
8:00 am-12:30 pm

Carbon Valley Recreation Center

DURANGO

Friday, June 21
8:00 am-12:30 pm

Durango Fire Protection District

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Monday, June 24
8:00 am-12:30 pm

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Save the Date for the 2024 Legislative Wrap-Up Webinar!

Want to learn more about what happened during the 2024 Legislative Session that will affect your district? Looking for a sneak peek of what's to come next year?

Then save the date for Wednesday, June 26 at 12:00 pm for our informative legislative wrap-up webinar! We'll summarize the 120-day Session in 60 minutes or less!

SDA's Legislative Team will provide an overview of the 2024 Legislative Session, including the bills and

issues that proved to be the most pertinent for special districts.

District Managers and Board members alike will benefit from this valuable presentation, which will highlight what the new legislation may mean for your district. You'll also get the inside scoop on what's on the horizon for the 2025 Legislative Session!

This is one you don't want to miss! Please watch your emails and the SDA website at www.sdaco.org for all the details as they become available. 🍷



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Make Sure to Pay Your SDA Renewal by July 1... *or You Will Lose Your 25% Discount!*

Many of you renewed your 2024 SDA membership by March 1 and received a 25% discount, which is fantastic! Now, just make sure you **pay** your dues by July 1 or you will lose the discount!

If you have any questions, please feel free to contact Karla Boughey, our Membership Services Coordinator, at 303-863-1733. 🍷



It's Almost June... **Is Your Audit Report Complete?**

Unless your district is exempt, hopefully your auditor has finished or is close to finishing your audit and delivering the audit report to the district Board. If not, then he or she only has until June 30 to complete it. The district, in turn, has 30 days from receipt to file a copy of the audit and audit report with the Colorado Office of the State Auditor.

One more thing, if your district had, as of December 31, 2023, any authorized but unissued general obligation debt, then you also need to submit a copy of your audit report (or application for exemption from audit, if applicable) to the Board of County Commissioners or the governing body of the municipality. 🍷



Elizabeth Fire Protection District Offers Free, Virtual Leadership Training for Firefighters

By Susan M. Thornton, MS



...the District is now offering a second training cycle and plans to continue the 90-minute, virtual monthly sessions...

The Elizabeth Fire Protection District is offering a no cost virtual leadership training program for firefighters of all ranks in partnership with Google, the Elizabeth Firefighters Community Foundation, and Applied Leadership Partners.

The District's Chief, TJ Steck, says he learned of the unique virtual training model when he was invited to join an online training session developed in Montana for Fire Chiefs. "I was extremely impressed with the training and the opportunities it offered for rural districts," he says. "All you needed to join was a computer and an internet connection."

Google and SDA Key to Establishing the Training

Through a friend who had a contact at Google, Chief Steck learned that Google had excess funds that they wanted to use to help fire departments in Colorado after the Marshall Fire. He says he immediately thought about the Montana model he had experienced and then contacted Google

to "sell them" on the premise of helping small departments statewide.

Next, he contacted Ann Terry, CEO of SDA, for ideas on who could help facilitate the program. Chief Steck was pleased when "Ann suggested an outstanding training team, Applied Leadership Partners," he says.

The goal of the first training session was to provide leadership education to 100 firefighters, Chief Steck states. So, he was surprised and delighted when 300 firefighters from nearby districts tuned into the first day of training.

The first class proved so popular that the District is now offering a second training cycle and plans to continue the 90-minute, virtual monthly sessions "as long as funding holds out." Officially called the Colorado Fire Leadership Series, each month focuses on a different topic and is available to firefighters of any rank across the state.

Google provided \$30,000 for the first training cycle and \$20,000 for the second, Chief Steck says. None of the cost of the training

has fallen to the District itself. “The training doesn’t cost our taxpayers anything,” Chief Steck notes, “and it is invaluable.”

Applied Leadership Partners

Leading the two training cycles have been Brandon Young and Blayne Smith, Principals with Applied Leadership Partners.

Brandon’s background includes 25 years of experience across military, corporate, and nonprofit sectors. A former U.S. Army Ranger, Brandon served four rotations in Afghanistan and eventually moved with his wife and two children to the Denver metro area, where he earned a Master of Divinity degree in Leadership from the Denver Seminary.

The firm’s other principal is Blayne Smith, a former Army Special Forces officer (Green Beret) with more than 200 combat missions in Iraq and Afghanistan. Blayne also has 25 years of experience in leadership across the corporate, nonprofit, and small business sectors and holds a Master’s Degree in Business Administration from the University of Florida. In addition, Blayne is father to two sons and one daughter.

The pair, who have taught at both the District’s first and second leadership training cycles, say it has been “super encouraging” that participants from entry-level firefighters to supervisors have been very engaged and “asking great questions.”

Brandon says it’s a “great opportunity” to interact with hard-working people who are serving their community every day. “That’s a real inspiration for Blayne and me,” he states, calling it “a highlight of our careers.”

Moreover, Blayne says that it is exciting to bring leadership development training to rural areas that may not have a budget to offer such training themselves or to send firefighters to outside classes.

He notes that leadership “does not have to be a lonely place,” pointing out that “we are all surrounded by other leaders who

are working hard for their communities, and with proper training, everyone can be a bit more effective for the people they serve.”

Second Training Cycle Under Way

The second training cycle, which began in February of 2024, features a series of six virtual modules which focus on a different topic each month:

- » Cultures of Excellence
- » Foundations of Leadership
- » Empowerment and Accountability
- » Difficult Conversations
- » Inspiration, Motivation, and Effort
- » Common Operating Picture

Brandon says that the module titled “Difficult Conversations” equips leaders to lean into the discomfort of having difficult conversations that are essential to enabling team effectiveness.

He states, “We talk about the importance of addressing key issues and the barriers that keep us from having those difficult conversations. We also provide a useful framework so that leaders can be more confident and more successful.”

In addition, Blayne explains the idea that often there is “executive-level truth.” But at the same time, there is also the truth seen by firefighters, who have boots on the ground or “ground-level truth.” Together, he says, the two can equal “the whole truth.”

Enthusiastic Trainees

Chief David Wolf, Assistant Chief of Special Operations for both the Grand Fire Protection District and Grand Lake Fire Protection District, attended the first cycle of the leadership training program. Chief Wolf says that he was also joined by a handful of resident firefighters and volunteers.

“These are people who usually don’t get opportunities to go to state or national conferences, but who gained access to this training



...it is exciting to bring leadership development training to rural areas that may not have a budget to offer such training...

Continued on page 13

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Elizabeth Fire Protection District

- » The Elizabeth Fire Department was established in 1947 as an all-volunteer department. Following a destructive fire in its service area, it became a District in 1977.
- » The District has three fire stations and a fourth that is shared with the Rattlesnake Fire Protection District.
- » The District's general fund mill levy is 11.7 mills, with a capital mill levy of an additional 1.97 mills.
- » It protects about 16,000 residents and covers 111 square miles with 35 full-time, part-time, and reserve firefighters. The reserve firefighters are paid a stipend of \$120 per month if their training and other hours are up to date.
- » The District experiences about 1,600 calls each year, the majority of which are for medical issues among the large number of retired people in the area it serves.



from home. It also meant that after the session ended, we were able to continue the conversation and dive into how it applies within our agency through their eyes.”

Chief Wolf hopes that all current or aspiring leaders will seek opportunities to continue their personal growth.

As he says, “I most appreciated the opportunities and prompts it gave me to engage with others in my agency about their thoughts. It started conversations about what we were doing, but also about what we *could* do. It got wheels turning throughout the ranks and prompted valuable conversations.”

Chief Jess Solze, who heads the all-volunteer Hugo Fire Protection District, is similarly enthusiastic after having attended the first training cycle. He says the class was “invaluable in creating an atmosphere where everyone feels valued, no matter what their role.”

This, he believes, will help him recruit and retain volunteers, adding that finding and keeping committed volunteers is increasingly difficult.

Chief Solze's District is truly rural. Its 25 volunteer firefighters serve

about 2,000 residents over 534 square miles, and they average about one call per day. He says that 80% of those calls are for emergency medical services.

Enthusiasm for the Work of SDA

Chief Steck looks back on the advice and guidance he received from Ann as he established the Colorado Fire Leadership Series. “None of this would have happened without Ann’s participation and support,” he says.

Brandon also has enthusiastic praise for the leadership demonstrated by SDA for special districts across the state. “As a Coloradan, I feel blessed for SDA’s significant impact on the entire State of Colorado,” he says, pointing out that SDA not only conducts training, but advocates at the Legislature “to ensure that Coloradans are safe and have the critical services that keep our communities thriving.”

For more information on the Colorado Fire Leadership Series and to register for upcoming sessions, please visit <https://elizabethfpd.colorado.gov> and click on “Colorado Fire Leadership Series” at the top of the front page. 🍌

...the class was “invaluable in creating an atmosphere where everyone feels valued, no matter what their role.”



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Young v. Colorado Department of Corrections and Diversity, Equity, and Inclusion

By Dianne Criswell, SDA Chief Legal Counsel

This article provides an update on a recent decision by the Tenth Circuit, *Young v. Colorado Department of Corrections*, 94 F.4th 1242 (10th Cir. 2024), in which the Court held that, by itself, equity, diversity, and inclusion (“EDI”) training did not create a hostile work environment or adverse employment action in violation of federal law. However, the Court remarked that Mr. Young’s objections to the EDI training content were reasonable. This type of claim is on the rise and may require districts to review and update employee training programs and materials.

Background to the Claim

Mr. Young formally complained that the EDI training required by his employer, the Colorado Department of Corrections (DOC), was racially discriminatory. Mr. Young, who is white, alleged that the mandatory training made negative generalizations and advocated different treatment on the basis of race. When his employer informed him that his complaint would not be investigated, Mr. Young resigned. Mr. Young then filed a claim against the DOC for violation of Title VII and the Equal Protection Clause, arguing that the training created a racially hostile work environment.

Tenth Circuit Decision

In its March 11, 2024 decision, the Tenth Circuit Court concluded that the lower court’s dismissal of Mr. Young’s claims was proper for the following reasons:

- » The EDI training did not occur more than once;
- » Mr. Young was not punished or disciplined for his disagreement with the training materials;
- » No specific acts of insult or ridicule because of training were alleged; and
- » There were no injuries which could be addressed because Mr. Young resigned and was not seeking reinstatement or other remedy for himself.

Therefore, the Court held that Mr. Young failed to sufficiently allege claims that the EDI training was a hostile work environment or other impermissible employment actions in violation of federal law.

Although the Tenth Circuit Court affirmed the dismissal of Mr. Young’s claims, the judge writing for the majority indicated that the content of the EDI training was troubling and could promote discrimination in the workplace, stating that “[t]he rhetoric of these programs sets the stage for actionable misconduct by organizations that employ them.” The concurring judge, who agreed with the result, disagreed with the analysis of the majority decision, asserting that the Court need not comment on EDI training, the potential for future legal challenges, or address whether Mr. Young plausibly alleged some of the elements of an employment discrimination claim.

Conclusion

Special district employers work diligently to create a workplace culture that promotes employee success, which may include EDI topics in employee training and materials. The Tenth Circuit decision in *Young v. Colorado Department of Corrections* does not mean that these topics must be eliminated. Rather, it may require a review and revision of employee training and materials. Content that focuses on stereotypes or simplifies EDI issues may be viewed with skepticism if a legal challenge is filed. Further, training required for some employees in an organization, but not all, may be perceived as setting different expectations. Finally, consulting with legal counsel may be prudent to ensure compliance with state and federal anti-discrimination laws. Regardless of whether your district has implemented EDI topics in its employee training, approaching these issues in a nuanced and thoughtful manner may be the best course. 🍌

...the Court remarked that Mr. Young’s objections to the EDI training content were reasonable. This type of claim is on the rise and may require districts to review and update employee training programs and materials.



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Guest article by the Colorado Special Districts Property and Liability Pool

The Colorado Special Districts Property and Liability Pool remains committed to our more than 2,500 public entities as *Your Risk Management Partner*. Each month, we are focusing on a different program or service we offer our membership, either at no-cost or at a discounted rate. This month's highlight is on our HR resources.

HR Helpline (Powered by Zywave)

This online HR resource portal—powered by Zywave—features a broad database of sample HR policies, employment forms, and best practices suited for special districts with HR departments of all sizes—and especially for those with departments consisting of a single individual!

This resource provides members with:

- » Compliance postings to ensure your workplace meets all local, state, and federal guidelines
- » Live and on-demand webinars available for continuing education credits
- » Access to the HR Hotline and on-demand certified HR professionals
- » Robust content libraries including info on discipline and termination, employee benefits, wellness, and more
- » Access to HR apps such as job description builders, performance review builders, and interview builders

This resource is **free to members**, and every employee at your organization can have their own login. For more information, visit csdpool.org/HR or email info@csdpool.org.

CPS HR Consulting

For pressing employment or personnel issues, it may be critical to seek outside support and guidance. CPS HR Consulting is a self-supported public agency that understands the issues facing the public sector and has served as a trusted advisor for over 30 years.

Through our partnership, members receive up to ten hours of complimentary human resources consultations per year. And after those initial ten hours, members can obtain continued services at our pre-approved, discounted rate. Possible consultation topics include:

- » Job posting guidelines
- » One-on-one HR training
- » Candidate screening
- » Policy reviews
- » Investigation assistance
- » Strategy development

If you are facing a time-sensitive HR issue, you need help focusing on an HR project, or you are looking to update or validate current policies, CPS HR Consulting is an excellent resource at CSD Pool members' disposal annually. If you are interested in using this resource, you can visit csdpool.org/HR for more information.



Pre-Loss Legal

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This resource is only available to members with Liability coverage, but it is **free to members**. Assistance is subject to a limit of \$5,000 for any one potential occurrence, wrongful act, or audit defense. This service can be used multiple times in each coverage period but cannot exceed \$10,000 per member.

To request services, simply complete the request form on csdpool.org/HR and email to the parties listed.

As *Your Risk Management Partner*, we remain committed to providing specialized coverages tailored for public entities, exemplary claims support, and safety and loss prevention services to ensure everyone within the organization—from Board members to supervisors and staff—has the tools they need to succeed. If you have any questions about the resources mentioned here, please visit **csdpool.org** or email us at **info@csdpool.com**.

Don't Forget to Submit Your Nominations for the 2024 SDA Annual Awards!

Do you know a Manager (remember, they have to be an employee of the district, not a management firm) or Board member who has made extraordinary contributions in his or her role? If so, now is your chance to nominate an exceptional person for a 2024 SDA Annual Award!

Each year at the SDA Annual Conference, we have the pleasure of honoring outstanding individuals with awards and recognitions in the following categories:

- » Manager of the Year
- » Board Member of the Year

This year the awards will be presented at the Annual Awards Luncheon on Tuesday, September 10 during the SDA Annual Conference in Keystone.

To submit a nomination for either of these awards, please visit the SDA website at www.sdaco.org to complete the easy online form.

Completed nomination forms are due no later than Wednesday, May 29.

If you have any questions about the awards, please contact Anthoney Sandoval at 303-863-1733 or anthoney@sdaco.org.

SDA is pleased for the opportunity to recognize the people who demonstrate remarkable dedication to serving the citizens of our state. We look forward to receiving your nominations! 🍌



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