

**ELK CREEK, INTER-CANYON, AND NORTH FORK  
FIRE PROTECTION DISTRICTS  
TAXPAYER COSTS FOR ATTEMPTED CONSOLIDATION  
2021-2025**

**REPORT**

**BY**

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Director, Elk Creek Fire Protection District



**March 3, 2026**

**Disclaimer:** This report presents information that the author believes is essential in order that the citizens, voters, taxpayers, and leadership of the Elk Creek Fire Protection District understand the functioning of their fire district.

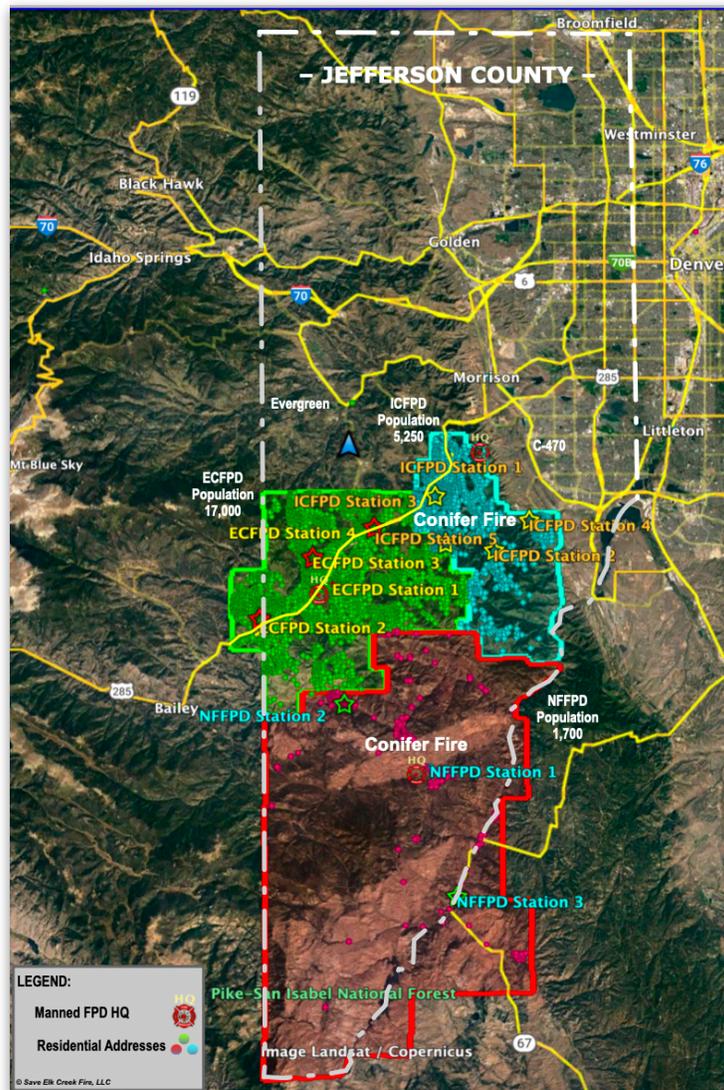
**Acknowledgements:** The author is grateful to the community members of the Elk Creek Fire Protection District who asked the important questions that inspired this report as well as those who helped gather, verify, and organize the information and conclusions presented here.

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# ELK CREEK, INTER-CANYON, AND NORTH FORK FIRE PROTECTION DISTRICTS TAXPAYERS COSTS FOR ATTEMPTED CONSOLIDATION 2021-2025

## EXECUTIVE SUMMARY

**INTRODUCTION:** For a number of years, Fire Chiefs Ware, Shirlaw, and Rogers of the [Elk Creek](#), [Inter-Canyon](#), and [North Fork](#) Fire Protection Districts (FPDs), respectively, have sought consolidation of the three fire districts. See Figure 1 below for a perspective of the differing population densities, geographic areas, and topographies involved.



**FIGURE 1:** Elk Creek, Inter-Canyon, and North Fork FPDs. Source: Google Earth™ and Jefferson, Park, and Douglas County Voter Data. Note: the three fire districts comprise ~50%+ of rural Jefferson County.

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After a study commissioned by Elk Creek, Indian Hills, Inter-Canyon, and North Fork FPDs recommended a number of ways by which the fire districts could more effectively cooperate—see the *Cooperative Services Feasibility Study, November 2021 (Consolidation Study)*<sup>1</sup> undertaken by AP Triton (an industry consultancy)—thus, early in 2022 the three Fire Chiefs began their aggressive campaign for the consolidation/merger of the three fire districts.<sup>2</sup>

**CONSOLIDATION ATTEMPT UTILIZING  
CRS TITLE § 32-1-601—CONSOLIDATION IN 2023**

In summer 2022, starting with a community outreach program which purported to poll fire district residents regarding their fire protection and emergency medical services needs, the Fire Chiefs soon intensified their campaign for consolidation by turning that outreach program into a full-on marketing campaign—using a push-poll designed by survey consulting experts Magellan Strategies—actions that were designed solely to sell the electorate on fire district consolidation combined with a common property tax mill levy increase to 16 mills.<sup>3</sup>

While the fire districts properly used CRS Title § 32-1-601—Consolidation as the legal mechanism to put the question to their respective electorates in November 2023, the Elk Creek FPD electorate determined that consolidation with Inter-Canyon and North Fork FPDs was not in their best interests by voting consolidation down by 51% NO and 49% YES.

Moreover, a report published in April 2024 by this Director estimated that the direct cost to fire district taxpayers for their failed 2021-2023 consolidation efforts was ~\$343,000. For details of an accounting for the spending for that attempted consolidation during that period, see: [Estimated Cost of Consolidation 2021–2023](#) and below [Costs of Consolidation Summary A](#).

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<sup>1</sup> The much discussed *Cooperative Services Feasibility Study, November 2021* authored by AP Triton can be found: [here](#)

<sup>2</sup> The Fire Chiefs tell us that they have been working towards consolidation of the three fire districts for many years; however, their latest efforts began with the 2021 *Consolidation Study* but then ended abruptly—but likely, only temporarily—with the January 22, 2026 legal withdrawal by the Elk Creek FPD Board of Directors from the May 2023 *Pre-consolidation Intergovernmental Agreement*.

<sup>3</sup> Push-polling is a well known form of political campaigning in which, "...a person or organization attempts to manipulate or alter prospective voters' views under the guise of conducting an opinion poll." For details about push-polling, see: [push-polling](#)

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**CONSOLIDATION ATTEMPT IMPROPERLY UTILIZING  
CRS TITLE § 32-1-501-EXCLUSION IN 2024**

After receiving what would turn out to be poor advice from their various legal counsel, beginning in August 2024 the three Fire Chiefs and their respective Boards of Directors surprised the electorate by deciding that they would again aggressively attempt consolidation of the fire districts. However, in their zeal, fire district leadership improperly utilized CRS Title § 32-1-501 – Exclusion, a sleight-of-hand legal maneuver the Fire Chiefs called "Unification", a made-up marketing term designed to hide their underhanded actions from the unsuspecting voters.

Illicit actions towards attempted consolidation by the Fire Chiefs culminated in the November 21, 2024 vote by the Elk Creek FPD Board of Directors to approve an Resolution and Order of Exclusion, constructed to improperly exclude all existing real property from the boundaries of Elk Creek FPD such that all district residential and commercial properties could then be moved into North Fork FPD, thereby, expanding its geographic boundaries to encompass the entire area of Elk Creek FPD, which would then be designated for Dissolution as a legal entity improperly utilizing CRS Title § 32-1-701 – Dissolution. Thus, Neil Whitehead III and this Director promptly appealed that subject board action, while at the same time, North Fork and Inter-Canyon FPDs continued their "unification" as Conifer FPD, see below Costs of Consolidation Summary B.<sup>4</sup>

**APPEAL OF IMPROPER BOARD ACTIONS TO JEFFERSON COUNTY COMMISSIONERS  
AND  
COLORADO 1ST JUDICIAL DISTRICT COURT IN 2024-2025**

After a year-long legal battle, first in a hearing before the Jefferson County Commissioners and then at the Colorado 1st Judicial District Court, on November 21, 2025 the parties filed a Joint Request for Consent Decree with the Court, whereupon, Judge Christopher Zenisek answered with an order in which Elk Creek FPD stipulated that, "*Absent a change in the law, the District shall not use the exclusion procedures of Part 5 of Article 1 of Title 32 of the Colorado Revised Statutes [CRS Title § 32-1-501] to accomplish, directly or indirectly, a consolidation of the District with another special district.*" We firmly believe that this stipulation is a tacit admission that their attempted use of this section of the special district statute was improper.

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<sup>4</sup> The only reason that consolidation succeeded in this case is that there was no objector(s), that is, there was no controversy before the court of jurisdiction.

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Given all of the power of the Elk Creek FPD behind them plus with a more than \$7M in taxpayer dollars held in reserve, why else would this Board of Directors every settle our appeal? The question answers itself. For details, see: [Explainer, Joint Request for Consent Decree](#).<sup>5</sup>

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**TOTAL COST OF 2021-2025: CONSOLIDATION STUDY, 1ST CAMPAIGN, ELECTION, IMPROPER 2ND CAMPAIGN, BOARD ACTIONS, AND APPEAL**<sup>6</sup>

- ❖ CONSOLIDATION STUDY = \$70,000
- ❖ CONSOLIDATION CAMPAIGN AND ELECTION OF 2023 = \$273,000
- ❖ "UNIFICATION" CAMPAIGN AND BOARD ACTIONS 2024 = \$139,490
- ❖ APPEAL OF BOARD ACTIONS 2024-2025 = \$79,700
- ❖ TOTAL COST OF ATTEMPTED CONSOLIDATION 2021-2025 = \$562,190

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**THINGS WE DO NOT KNOW, SINCE THE FIRE DISTRICTS REFUSE TO GIVE US THE INFORMATION:**

- a. The entity that owns, operates, maintains, and is legally responsible for the content present on the "[mountainfireresources.com](http://mountainfireresources.com)" website (now inactive).
- b. The hours/materials that paid and volunteer staff provided during 2022-2023 in support of the pro-consolidation campaign conducted by Elk Creek, Inter-Canyon, and North Fork FPDs.
- c. The hours/materials that paid and volunteer staff provided during

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<sup>5</sup> See Costs of Consolidation Summary B for a detailed breakdown of costs.

<sup>6</sup> A strong argument can be made that the approximately \$300,000 in 2025 tax revenues uncollected by Inter-Canyon and North Fork FPD should be added to the cost of consolidation 2021-2025. Indeed, this political gimmick created by North Fork, Inter-Canyon, and Elk Creek FPD leadership—feigning that they were staying inside the requirements of CRS Title § 32-1-501—Exclusion—by temporarily lowering the North Fork FPD mill levy rate from 12.896 to 12.000 mills, turned out to be an irresponsible farce. However, we have not entered those lost revenues—equivalent to the purchase price of a fully equipped, newly built ambulance—into our calculations.

For the details of how the greater inherent taxing authority possessed by North Fork FPD—as the surviving legal entity in both of the proposed consolidations—remains a significant barrier for any future consolidation of Elk Creek FPD and Conifer FPD, see: [North Fork FPD | Conifer FPD Taxing Authority](#)

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2024 in support of the pro-consolidation campaign conducted by Elk Creek, Inter-Canyon, and North Fork FPDs.

**CONCLUSION:** During the consolidation efforts 2021-2023, the three fire district Fire Chiefs and Boards of Directors spent an estimated \$343,000 on a failed attempt to consolidate the fire districts. This is viewed by many as a questionable expenditure of taxpayer dollars and waste of scarce resources.

Consequently, the improper utilization of CRS Title § 32-1-501-Exclusion and CRS Title § 32-1-401-Inclusion during the 2024 consolidation attempt, in direct contravention of the "Will of The People", cost the taxpayers \$219,190. Taken together, these expenditures—totaling \$562,190—are the very definition of irresponsibility. More importantly, when opportunity costs are recognized, the burden on the fire district taxpayers becomes immeasurable!

This long episode in the history of our mountain community illustrates that it is crucial that Elk Creek FPD leadership focus on the core mission of the fire district as set forth in CRS Title § 32—Special Districts.

A mission that can only be accomplished at the direction of fire district leadership through a community-oriented communication campaign focused on a professionally conducted Needs Assessment<sup>7</sup> that can lead the community to a common vision. Such an effort requires that transparency with respect to policy-making, financial management, and operating procedures of the District be returned to local control.

/s/ Charles F Newby

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<sup>7</sup> For an excellent practical resource that explains the art and science of Needs Assessment, please see [A Guide to Assessing Needs](#), Watkins et al, The World Bank 2012, used with permission.

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### **Costs of Consolidation Summary A**

**TABLE I:** Summary of Costs for Consolidation Efforts 2021-2023.

<b>SUMMARY OF CONSOLIDATION COST TO TAXPAYERS 2021-2023</b>	<b>COST</b>
Consolidation Effort Study [2021]	\$70,000.00
Consolidation Effort Campaign [2022-2023]	\$198,000.00
Consolidation Effort Ballot Election [2023]	\$75,000.00
<b>ESTIMATED DIRECT COST TO TAXPAYERS =</b>	<b>\$343,000.00</b>

#### **BREAKDOWN OF COSTS FOR CONSOLIDATION EFFORTS 2021-2023**

##### **Cooperative Services Feasibility Study = \$70,000**

- Cooperative Services Feasibility Study conducted by consulting firm AP Triton = **~\$41,665**
- Fire district personnel participation in the study = **~\$25,000**
- Legal fees<sup>8</sup> = **~\$2,500**

##### **Consolidation Effort Campaign = \$198,000**

- Marketing campaign implemented by consultant Turn Corps<sup>9</sup> which included a push-poll style "community survey" conducted by polling firm Magellan Strategies = **~\$123,232**
- Fire district leadership participation = **~\$56,250**
- Legal fees = **~\$18,230**

##### **Consolidation Effort Ballot Elections = \$75,000**

- Elk Creek, Inter-Canyon, & North Fork FPDs Designated Election Official = **~\$28,000**
- Jefferson, Park, & Douglas County election charges = **~\$34,000**
- Legal fees = **~\$1,000**
- State of Colorado ballot election subsidy = **~\$12,000**

<sup>8</sup> During 2021, Elk Creek, Inter-Canyon, North Fork, and Indian Hills FPDs started a joint consolidation effort; however, in 2022 Indian Hills FPD dropped out of consideration due to differences in the long-term vision among the Fire Chiefs.

<sup>9</sup> Turn Corps has been renamed the Public Alignment Communication but their business model has not changed.

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## **COSTS OF CONSOLIDATION SUMMARY B**

**TABLE II:** Summary of Costs for Consolidation Efforts 2024–2025.

<b>SUMMARY OF CONSOLIDATION COST TO TAXPAYERS 2024-2025</b>	<b>COST</b>
<b>Consolidation Effort Campaign [2024]</b>	\$139,490.00
<b>Defense of Appeal/Complaint [2024–2025]</b>	\$79,700.00
<b>ESTIMATED DIRECT COST TO TAXPAYERS =</b>	<b>\$219,190.00</b>

### **BREAKDOWN OF COSTS FOR CONSOLIDATION EFFORTS 2024-2025**

#### **Consolidation Effort Campaign [2024] = \$139,490**

- Marketing campaign implemented by the three Fire Chiefs as well as the office of the PIO which included a push-poll styled as a "strategic plan community survey", collaterals, labor, & materials<sup>10</sup> = **~\$114,490**
- Legal fees = **~\$25,000**

#### **Appeal/Complaint Defense [2024, 2025, & 2026] = \$79,700**

- Elk Creek FPD Fire Chief & PIO communications at 10% time labor & materials = **~\$29,700**
- Legal fees<sup>11</sup> = **~\$50,000**

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<sup>10</sup> The marketing campaign conceived by the Fire Chiefs had its kickoff with the now infamous August 17, 2024 "interview" of Inter-Canyon Fire Chief Shirlaw by Elk Creek FPD PIO Bethany Urban wherein the fire chief famously makes multiple false claims about the "dire emergency facing the three fire districts", including claims that, "*We've been working on luck. .... We're barely covering our calls. .... We're not even coordinated!*" and then, "*Look at the call acuity... .... We're one call away from disaster. Absolutely!*" (Urban "Interview" of Shirlaw at [9M:12S]), which can be found here: [Chief Shirlaw "Unification" Interview August 2024](#)

See also the following explainer for the truth regarding the long-term trends in call frequency and call acuity–based on actual JEFFCOM911 call log data–within the three fire districts, [Explainer: The JEFFCOM911 Computer Aided Dispatch System](#) and how our JEFFCOM911 state-of-the-art In fact, computer-aided dispatch system automatic coordination emergency response within the three fire districts.

<sup>11</sup> Costs in legal fees charged by Elk Creek FPD Legal Counsel Lyons Gaddis were publicly disclosed by PIO Bethany Urban in an interview with 9News reporter Janelle Finch which aired December 30, 2025. You can find that interview here: [Janelle Finch 9News Interview December 30, 2025](#)