



**MINUTES OF THE MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS  
GILPIN COUNTY, COLORADO**

**Tuesday, January 9th, 2024**

A regular meeting was held on Tuesday, January 9th, 2024, at the Gilpin County Historic Courthouse and online via Zoom. Chair Mornis called the meeting to order at 9:00 a.m. In attendance were Chair Marie A. Mornis, Commissioner Sandy Hollingsworth, Commissioner Susan Berumen, County Manager Ray Rears, County Attorney Brad Benning, and Deputy Clerk to the Board Lyndsey Denton.

**Agenda Review.** The agenda was reviewed and proposed changes were discussed. Commissioner Berumen suggested to move public comment up on the agenda to go before the adoption of the Appointment List. There was also discussion to remove an item from the agenda. Commissioner Hollingsworth moved, "Delete the item for the Local Liquor Licensing Authority for Last Shot to postpone to a later date, and change the order to have Public or Press Comment as item two on the agenda." Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

**Conflicts of Interest.** County Attorney Benning asked each Commissioner if they had any conflicts of interest with any items on today's meeting agenda. Commissioner Mornis stated that she serves as an officer on the County Republican Committee and the public hearing for their Special Event Liquor License is on today's agenda. She decided to recuse herself from the item for the Special Event Liquor License, to avoid the appearance of impropriety. The other two commissioners stated no conflicts.

**Public or Press Comment.** Comments included:

- Jim Crawford, 273 E Dory Drive, spoke about the selection for the newspaper of record and expressed his support of using both The Mountain-Ear (TME) and the Weekly Register Call (WRC) as the Newspaper of Record.
- Donna Okray Parman, 529 High Point Circle, spoke about her views in support of the WRC as the newspaper of record.
- Philip Gibbs, 2107 Dory Hill Road, shared his thoughts regarding the newspaper of record in support of TME.
- Bob Sweeney, 22095 E Chestnut Place, Aurora, CO, expressed his views in support of the WRC as the newspaper of record for Gilpin County, as the current Publisher of the WRC.
- Eric Douglas, 1327 Golden Gate Drive, expressed his support for TME as the newspaper of record.
- Barbara Hardt, 245 Apollo Drive, shared information regarding the newspaper of record, as the Publisher for TME. She requested that the Board of County Commissioners consider TME as the newspaper of record for 2024, as they meet all qualifications.

**Resolution 24-01, Adopting the List of Official Appointments for 2024.** County Manager Ray Rears presented the resolution with the list of official appointments for 2024. He noted that the table was mostly pre-filled with prior year appointments, however, the Board could amend it at their discretion.

**Appointment of the Chair.** Commissioner Mornis shared that she was very honored to be the Chair in 2023. She expressed that every commissioner should have a chance to be the Chair, and nominated Commissioner Berumen to be the Chair for 2024. Commissioner Hollingsworth seconded the nomination for Commissioner Berumen as Chair. Commissioner Hollingsworth moved to nominate Commissioner Berumen to serve as Chair of the Board of County Commissioners. Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.





Chair Berumen switched chairs with Commissioner Mornis to signify the changing of the Chair of the Board of County Commissioners. Commissioner Hollingsworth led the audience in a round of applause.

Appointment of the Chair Pro Tem. Commissioner Mornis nominated herself as the Chair Pro Tem. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0. Commissioner Hollingsworth led the audience in a round of applause.

Appointment of the Newspaper of Record. There was lengthy discussion regarding the newspaper of record. County Attorney Benning shared the legal aspects and statutes regarding the newspaper of record, including the legal definition of publishing. He stated his view that both are valid newspapers and either could be appointed as the newspaper of record. He has no concern with either paper. There was Board discussion regarding cost and accuracy of both newspapers; disclosing that the WRC is nearly four times the cost as TME, and the WRC had various critical errors to legal notices previously. There was also mention that having two newspapers of record bodes a heavier workload on staff, and staff gave feedback that they had easier transactions with TME. There was acknowledgment of the WRC being the newspaper of record for other local jurisdictions, and the long history it has had within Gilpin County. The Newspaper of Record was defined as the official place that Public Notices are published, and that both newspapers can be supported through other types of publishing. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to, "Appoint The Mountain-Ear as the official Newspaper of Record for Gilpin County and acknowledge that it does meet statutes." Chair Berumen seconded the motion, which passed by a vote of 2 to 1. Commissioner Mornis opposed.

The Board discussed the remaining draft list of annual appointments for 2024. Chair Berumen asked for a motion to adopt the list in its entirety. Commissioner Mornis made a motion to adopt Resolution 24-01, Adopting the List of Official Appointments for 2024, with the amendments as Commissioner Berumen as Chair, Commissioner Mornis as Pro Tem, and Sheriff Armstrong as the Emergency Manager." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

The official appointments for 2024 are as follows:

- Chair, Board of County Commissioners – Susan Berumen
- Chair Pro-Tem, Board of County Commissioner – Marie A. Mornis
- Commissioner to Convey Real Property – Susan Berumen
- Board of Adjustment – Board of County Commissioners (BoCC)
- Local Liquor Licensing Authority – Board of County Commissioners (BoCC)
- County Manager – Ray Rears
- County Attorney – Bradford Benning
- Administrative Assistant to the Board – Lyndsey Denton
- Budget Officer – Joe Allaire
- Chief Building Official – Michael Theisen & Kyle Parag from Charles Abbott Associates (CAA)
- Emergency Manager – Kevin Armstrong
- Road Supervisor – Michael DuBrava
- Depository Banks for Gilpin County – Wells Fargo, ColoTrust, ColoTrust General
- Newspaper of Record – The Mountain-Ear
- Locations of Public Notice of Public Meetings – Old Courthouse building front; Gilpin County website
- Staff Authorized to Use Facsimile Signatures – Joe Allaire and Lyndsey Denton
- Board of Equalization – Board of County Commissioners
- Human Services Director – Janey Barker
- Board of Health – Board of County Commissioners







**Consent Agenda.** Commissioner Mornis moved to adopt the consent agenda to include the Clerk & Recorder’s End of Month Report for December 2023, the Treasurer’s Report for November 2023, and the approval of Meeting Minutes for December 12, 2023, and December 19, 2023 Meetings. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Proclamation for National Radon Action Month.** Alisa Witt, Public Health Director, presented the proclamation for National Radon Action Month. The month of January has been designated by the Environmental Protection Agency as Radon Action Month. She shared the importance of testing and mitigating for radon. There are radon test kits available via the Gilpin County Public Health Office, the Gilpin County Library, and the CSU Extension Office. Director Witt read the proclamation out loud and Chair Berumen read the final statement, declaring the month of January 2024, as Radon Action Month for Gilpin County. Commissioner Hollingsworth moved to, “Adopt the Proclamation for National Radon Action Month in Gilpin County”. Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**New Employee Introductions.** Chanda Johnson, Human Resources Director introduced the departments with new hires. The Commissioners offered welcomes to each.

- County Manager Rears introduced Alisa Witt as the new Public Health Director, promoted from the Public Health Coordinator; as Gilpin County has worked to establish its independent Public Health Department and has ended the agreement with Jefferson County Public Health at the end of 2023.
- John Combs, Public Works Director introduced Jon Arbogash, as a new Transfer Station Equipment Operator.

**Resolution 24-17, Adopting the List of Committee & Board Appointments for 2024.** Samuel Bower, Administrative Analyst, presented the resolution with the list of various committee and board appointments. He noted that the list is mostly carried over from 2023 appointments, and the Board has full discretion to amend the list as they would like. There was discussion and revisions made to the list, and decided to remove the alternates from each committee. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-17, “Adopting the List of Official Committee & Board Appointments, as discussed, for 2024.” Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**Local Liquor Licensing Authority.** Commissioner Mornis recused herself from the room for this agenda item for a potential conflict of interest. Commissioner Hollingsworth moved to recess as the Board of County Commissioners and convene as the Local Liquor Licensing Authority for Gilpin County. Commissioner Berumen seconded the motion, which passed by a vote of 2 to 0. Commissioner Mornis abstained from the vote.

**PUBLIC HEARING - Local Liquor Licensing Authority (LLA) Approving a Special Event Liquor Permit for the Gilpin County Republican Central Committee.** Chair Berumen opened the public hearing at 10:20 a.m. Sahari McCormick, Clerk & Recorder, presented the Special Event Liquor License application for the Gilpin County Republican Central Committee Lincoln Day Luncheon, being held on February 10, 2024, at the Gilpin County Fairgrounds Barn. Chair Berumen opened the hearing to public comment. There were no comments received. Chair Berumen closed the hearing for public comment. Clerk McCormick noted that the Public Notice was published in the December 28, 2023 edition of the Mountain-Ear, all fees are paid, and the application is complete. She recommended approval. It was clarified by the applicant, Jessica Kays, that only beer will be served, and the luncheon is welcome to all. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt the application, “Approving the application for the Gilpin County Republican Central Committee to have a Special Event Liquor License”. Commissioner Berumen seconded the motion, which passed by a vote of 2 to 0. Commissioner Mornis had recused herself. Chair Berumen closed the public hearing at 10:23 a.m.





*(The legal recording of the public hearing, including any public comment, is an audio file available through the Clerk and Recorder's Office.)*

**Local Liquor Licensing Authority (LLLA) Approving a Liquor License Renewal for Z Stop Gas Station –** Sahari McCormick, Clerk & Recorder presented the annual renewal application for the Z Stop gas station. She noted that the application is complete and recommended approval at the local level. There was discussion regarding the license type and the expiration date, both were clarified by staff. Chair Berumen asked for a motion. Commissioner Mornis moved to approve the application, "Approving the Liquor License Renewal for the Z Stop Gas Station". Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Board of County Commissioners.** Commissioner Hollingsworth moved to adjourn as the Local Liquor Licensing Authority and reconvene as the Board of County Commissioners. Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**Clear Creek Economic Development Corporation (CCEDC) Updates and Rural Resilience Event Discussion.** Lindsey Valdez, President CCEDC, submitted the agenda item, but was not present at the meeting. County Manager Rears filled in to present the information and the tentative agenda for the CCEDC Rural Resilience Event on February 8-9<sup>th</sup> 2024, for local business and elected officials, and invited the Board of County Commissioners to the 2-day event. It was noted that the event would be a noticed, public meeting and that it requires an RSVP.

**Resolution 24-07, Authorizing the Gilpin County Sheriff to Submit a Grant Application to the Colorado Department of Homeland Security and Emergency Management for the Emergency Management Performance Grant-Local Emergency Management Support Program, and a Commitment to Accept Funds if Awarded by the Same.** Sheriff Kevin Armstrong presented the resolution, noting that before he can submit the application, there must be Board approval to receive funds from the State of Colorado. There was discussion and an amendment to the resolution regarding the grant match amount. It was clarified that \$55,000 was budgeted for this grant, so the resolution should reflect the budgeted amount. Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-07 "Authorizing the Gilpin County Sheriff to Submit a Grant Application to the Colorado Department of Homeland Security and Emergency Management for the Emergency Management Performance Grant-Local Emergency Management Support Program, and a Commitment to Accept Funds if Awarded by the Same with the amendment not to exceed \$55,000, with a total project cost not to exceed \$110,000." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-18, Authorizing the Gilpin County Sheriff to Submit a Grant Application to the Colorado Department of Local Affairs for the Peace Officer Behavioral Health Support and Community Partnership Program, and a Commitment to Accept Funds if Awarded by the Same.** Sheriff Kevin Armstrong presented the resolution, noting that Board approval is required for this ongoing annual grant. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-18 "Authorizing the Gilpin County Sheriff to Submit a Grant Application to the Colorado Department of Local Affairs for the Peace Officer Behavioral Health Support and Community Partnership Program, and a Commitment to Accept Funds if Awarded by the Same." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-06, Accepting the American Rescue Plan Act 6.1, State and Local Federal Recovery Funds Grant for Gilpin County Public Health Core Services.** Alisa Witt, Public Health Director, presented the resolution to accept American Rescue Plan Act (ARPA) funds to make up for a reduction in the annual funding by the state, noting that it took a while for it to go through the state legislature. The funds are unrestricted as long as they are used for core services for Public Health. It was also noted the that this amount is reflected in the 2024







budget revenue, and is not additional funding. It is just making up for the shortfall. Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-06, "Accepting the American Rescue Plan Act 6.1, State and Local Federal Recovery Funds Grant for Gilpin County Public Health Core Services in the amount of \$44,048.00." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-05, Awarding a Contract for a Medical Director for Gilpin County Public Health.** Alisa Witt, Public Health Director, presented the resolution for awarding a contract to Dr. Mark Johnson for Medical Director services for Gilpin County Public Health. The State requires all Public Health agencies to have a medical doctor for Public Health, if the Director is not a medical doctor. Director Witt noted that contract is valid for January 1 – December 31, 2024 and Dr. Johnson has agreed to fill in as the medical director for the short-term, until a more permanent director can be secured. It was clarified that \$8,000 was budgeted for medical director services, and the resolution and the contract would need to be amended to reflect the correct budgeted amount. It was also clarified by Director Witt that if the budgeted amount was expended, there are funds available elsewhere to reallocate, if necessary. Chair Berumen asked for motion. Commissioner Mornis moved to adopt Resolution 24-05 "Awarding a Contract for a Medical Director for Gilpin County Public Health on a month-to-month basis, not to exceed \$8,000 per year." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-08, Accepting the Department of Local Affairs (DOLA) Limiting Gaming Impact Funds.** Joe Allaire, Finance Director, presented the resolution for accepting the DOLA Limited Gaming Local Impact Funds. In 2023, per Resolution 23-56, the Board of County Commissioners approved a list for the local entities that were eligible to apply for funding through the DOLA Limited Gaming Impact Grant Program. The County's application was then sent to DOLA for consideration, and they have given notice of the awarded funds. Gilpin County will receive \$2,233,783.30. The amount received was nearly as much as what was applied for, apart from Eagles Nest, which no longer exists. It was clarified that funds the County receives will be in turn given to the local entities that were previously approved per Resolution 23-56, predominantly law enforcement and emergency responder entities, and does not add to the county general fund. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-08, "Approving the Disbursement of the Limited Gaming Impact Grant Program Payment to the County of Gilpin, State of Colorado, in the amount of \$2,233,783.30." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-09, Approving the Annual List of Take-Home Vehicles for On-Call Employees and Positions.** Joe Allaire, Finance Director, presented the annual list of take-home vehicles for on-call employees and positions. County Manager Rears noted that this will also be a work session topic to discuss later in the year, but recommended approval since it is an annual requirement. The Board can amend the list after the work session, as it also does not include the Office of Emergency Management (OEM) Director, as that position is currently vacant. It was clarified that the miles' driven calculation is based on the days eligible staff are scheduled; employees do not take vehicles home every day. It was also noted that having a take-home vehicle has helped with recruitment and retention, specifically for the Sheriff's Office. It was clarified by Director Allaire that the vehicles still depreciate the same way from an accounting stand point. Maintenance and fuel costs were also discussed. Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-09, "Approving the Annual List of Take-Home Vehicles for On-Call Employees and Positions with the intention of having a work session later this year." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-10, Appointing a Trustee to the Board of Trustees of the Gilpin County Public Library District.** Michael Carlson, Library Director, presented the resolution to appoint a Trustee to the Gilpin County Public Library Board of Trustees (BOT). His recommendation is to reappoint Harv Mastalir, as he has served the past





three years as the Board President, and Harv has sent a letter of interest for reappointment. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-10, "Appointing a Trustee to the Board of Trustees of the Gilpin County Public Library District, specifically Harv Mastalir, to serve a 5-year term, effective January 1, 2024 – December 31, 2028". Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-11, Amending the Memorandum of Understanding with the Colorado Department of Early Childhood (CDEC) for the Colorado Child Care Assistance Program (CCCAP).** David Josselyn, Community Benefits Program Manager, presented the resolution to reaffirm the existing Memorandum of Understanding (MOU) with the CDEC to reaffirm the CCCAP for 2024. The MOU allows the County to provide financial assistance to low-income families struggling to pay for child care needs. It was clarified that this program is for childcare for Gilpin County residents wherever they can find providers that accept CCCAP, not just childcare in Gilpin County. Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-11 "Amending the Memorandum of Understanding with the Colorado Department of Early Childhood for the Colorado Child Care Assistance Program". Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-12, Approving the Highway Users Tax Fund (HUTF) Annual Certification Report for 2023.** John Combs, Public Works Director and Craig Connell, Right-of-Way Specialist, presented the resolution to approve the HUTF annual certification mileage report for 2023. This is an annual report that must be submitted to the state in order to receive the HUTF payments. It was noted by Director Combs that Mr. Connell does an excellent job compiling the report. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-12, "Approving the Highway Users Tax Fund (HUTF) Annual Certification Report for 2023". Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-13, Canceling Property Taxes Determined to be Uncollectible.** Mary Lorenz, Treasurer, presented the resolution to cancel two property taxes determined to be uncollectible. This is an annual statutory requirement for Board approval to cancel any property taxes deemed to be uncollectible. She noted the reasons why each property tax was uncollectible, and that both are fairly negligible amounts. Commissioner Mornis moved to adopt Resolution 24-13, "Canceling Taxes Determined to be Uncollectible." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-15, Authorizing the Execution of Agreement for Consulting Services with R. Jortberg Associates, LLC.** April Nielsen, Assessor presented the resolution to execute an agreement for consulting services with R. Jortberg Associates, to assist with assessments of commercial gaming properties. The consultant's expertise was highlighted; that they will provide the most accurate assessments of these commercial gaming properties, in order to best serve the residents of Gilpin County. It was also noted that this was included in the 2024 budget, and this agreement has been in place for several years, but is renewed annually. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-15, "Authorizing the Execution of Agreement for Consulting Services with R. Jortberg Associates, LLC, not to exceed \$43,921.20". Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-14, Appointing a Member to the Gilpin County Planning Commission.** Rob Gutierrez, Community Development Director, presented the resolution for appointing members to the Planning Commission. There was one vacancy that was advertised, due to the withdraw of one member in 2023. There were six applications received for the vacancy. The current Planning Commission interviewed all applicants and are recommended Sean Dow to the vacant seat, based on the interview. The Planning Commission also recommended the reappointment of three members whose term expired at the end of 2023. It was clarified that members did not vote for themselves for reappointment. There was discussion recommending that







reappointment process and bylaws be reviewed, as the three reappointments were not solicited for. However, it was noted by Director Gutierrez that the Board of County Commissioners has the authority to appoint whomever they choose, these are only recommendations by the Planning Commission. Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-14, "Appointing Members to the Gilpin County Planning Commission of new appointment Sean Dow, and the reappointments of Won Cho, Rea Wrobel and Roxy Goss". Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-04, Appointing a Voting Member to the Gilpin Advertising Panel (GAP).** Lyndsey Denton, Deputy Clerk to the Board / GAP Secretary presented the resolution on behalf of the GAP, to appoint a member to a new three-year term. Due to the short time-frame since the inception and inaugural appointments in August 2023, the GAP recommended to the Board of County Commissioners to reappoint the current expiring member to a three-year term. It was also mentioned that there was no solicitation for new members to apply, but the current member, John Bryan, did submit a letter of interest. All future annual appointments will be solicited for, and the bylaws will be reviewed to coincide with other Advisory Boards/Commissions. Commissioner Hollingsworth moved to adopt Resolution 24-04, "Appointing a voting member to the Gilpin Advertising Panel, specifically reappointing John Bryan to a three-year term expiring January 1<sup>st</sup>, 2027." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**Colorado State Registrar of Historic Properties Designation for Russell Gulch Cemetery Discussion.** James Shrout, Historic Preservation Liaison, presented information regarding the upcoming pending State designation of the Russell Gulch Cemetery, also known as, the Independent Order of Oddfellows Cemetery, to the Colorado State Registrar of Historic Properties. He proposed a letter of support to be sent on behalf of the Board of County Commissioners in support of the nomination, since they approved local designation in 2023. There was discussion regarding the site and other local historic properties that are recognized on the State Registrar. The Board agreed to send a letter of support for the State Designation of the Russell Gulch Cemetery.

**Resolution 24-02, Authorizing the Execution of Contingent Ground Lease Agreement with Gilpin County Senior Living.** Brad Benning, County Attorney, presented the Agreement and invited former Senator Jeanne Nicholson to the table for the presentation and discussion. Senator Nicholson asked for approval of the lease, with the intention to discuss the lease with the Gilpin County Senior Living (GCSL) Board at their next meeting on January 22, 2024, and respond with any revisions after that date. There was discussion as to whether to approve the resolution or wait until GCSL has reviewed it. The resolution authorizes the County Manager to execute the contract once it has been negotiated, so it can be approved with this resolution. The location and size of the complex was discussed, and will be determined at another date. Senator Nicholson mentioned that the Roworth property in Central City is of interest to GCSL. County Manager Rears mentioned that it is county owned. The lease term was also discussed in relation to long-term population trends, and the future need for senior living in the county. It was noted that currently, the population of seniors in Gilpin County is disproportionately higher than the rest of the state. Commissioner Hollingsworth moved to adopt Resolution 24-02, "Authorizing the Execution of Contingent Ground Lease Agreement with Gilpin County Senior Living". Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-03, Imposing a Temporary Stay on the Processing of 1041 Permit Applications.** County Attorney Benning overviewed the resolution, noting that no one can apply for those portions of those regulations for six months, beginning January 9, 2024, per C.R.S. 30-24-121, in order to amend the current 1041 Regulations. It was clarified that any permit applications for large projects now in process may be temporarily paused if they do not have a complete permit application submitted, and any new projects would be paused until the expiration of July 9, 2024. The 1041 Regulations give the County more input into large projects within unincorporated Gilpin County, pertaining to the impacts the projects have on the county. The Board desires to update the regulations in order to better serve the community and protect the natural resources. Chair





Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-03, "Imposing a Temporary Stay on the Processing of 1041 Permit Applications". Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

**Resolution 24-16, Awarding a Contract for Outside Legal Counsel for 1041 Regulations.** Brad Benning, County Attorney presented the resolution seeking to award a contract for outside counsel, to Sullivan Green Seavy, LLC, specifically to assist with amending the 1041 Regulations. There is a budgeted amount for outside counsel for \$35,000 for 2024, and the resolution would be amended to reflect the budgeted amount. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-16, "Authorizing the Agreement for Outside Legal Counsel for 1041 Regulations with the amount not to exceed \$35,000 and authorizes the County Manager to execute the contract." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

**County Attorney's Report.** County Attorney Benning presented his report, highlighting Water Rights Investigations and work with consultants on several matters plus finalizing Senior Living Lease for submittal on Dec. 28<sup>th</sup>, 2023. He is working on a Roads Definitions Memo. He noted his work with UCCWA on end of year matters and wrap up. He reviewed questions and responded regarding plastic and Styrofoam use legislation going into effect. Contract review and follow-up; helping revise errors in contracts by contractors for Public Health and the Sheriff's Office. Preparation, meeting agenda, and emails to lot owners in Gilpin Water & Sewer Co. to schedule 2024 annual meeting. He worked with Coroner in regard to Petition to Release decedent's body to mortuary. He prepared the resolution relative to a temporary stay on 1041 permit processing so regulations can be revised. He reviewed the email from Small Business Administration (SBA) regarding the former Eagles Nest building and its contents. SBA encumbered collateral and has requested assistance from Gilpin County to assist in turning the Collateral into money for SBA. He will make a follow up call. He has also had several CORA request discussions with the Paralegal, Sarah Baciak.

**County Manager's Report.** County Manager Rears gave his report; noting his work on regular and work session agenda schedule and preparation. There will be a Special BoCC meeting on January 16, 2024, for certifying the mill levy due to timing of new deadlines set by the state and waiting for other taxing districts to set their mill levy. He highlighted a Press Release regarding the Colorado Broadband Office awarding a grant to Maverix Broadband for \$8.67 Million to expand fiber optic broadband in Nederland, Gilpin County, and unincorporated Boulder County. This is a significant win for the county and rural Colorado, and thanked the Board, staff, and neighboring jurisdictions for their hard work with the Broadband efforts. He noted the staffing updates with new hires and open positions. The Board of County Commissioners meeting recordings are up to date on the website, and will be retained for thirteen months going forward. Efforts are being made to go back, update, and repost older recordings, but is not certain how far back they are available, since the website policy was just updated for the thirteen-month retainage. All Public Hearing audio must be kept forever, based on statute, but video recordings of meetings are not a requirement. He presented the tentative Work Session schedule and some topics for 2024. The schedule was overviewed and discussed, with approximately one work session per month.

**Board of County Commissioners Report.** Commissioner Mornis shared that she enjoyed her Christmas vacation and time away. Commissioner Hollingsworth gave her report; noting her attendance Multi-Agency Coordination (MAC) meeting in December. She attended the CCI legislative meeting for housing and human services. All three commissioners attended the reunification plan tour on January 4<sup>th</sup>. She attended the NOCO meeting regarding trail mapping and recreational management projects, and attended a CCI sponsored luncheon for Colorado Human Services Directors and Commissioners with State Legislators. Commissioner Berumen gave her report; noting her work with CCI/CCAT legislature review.







Upcoming meetings where two or more Commissioners may be in attendance: January 16, 2024, a special meeting for certifying county mill levies; January 23, 2024 regular meeting. Meetings will be at 9:00 a.m. at the Historic Courthouse. It was also noted that Monday, January 15<sup>th</sup>, 2024, is a county observed holiday for Martin Luther King Jr. Day, and most county offices will be closed.

**Public or Press Comment.** Chair Berumen opened the meeting to public or press comment.

- Barbara Hardt, 245 Apollo Drive, thanked the Board for the appointment of the Mountain Ear as the newspaper of record.
- Donna Okray Parman, 529 High Point Circle, expressed her gratitude for Commissioner Mornis as her time as the Chair and congratulated Chair Berumen in her new position as Chair. She spoke on a number of other items, all of which would be followed up by County Manager Rears. County Manager Rears shared that if any accommodations are needed, to contact the Administration office 24-hours in advance.

**Adjourn to Executive Session.** Chair Berumen asked for a motion to adjourn to executive session. Commissioner Hollingsworth made a motion to, "Adjourn to Executive Session for discussion of a personnel matter under C.R.S. §24-6-402(4)(f)(I) Personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

There being no further public business to come before the Board of County Commissioners, they adjourned at 1:08 p.m.

Approved this 13<sup>th</sup> day of February, 2024.

Susan Berumen  
Susan Berumen, Chair

Lyndsey Denton  
Lyndsey Denton, Deputy Clerk

Sandy Hollingsworth  
Sandy Hollingsworth, Commissioner

Marie A. Mornis  
Marie A. Mornis, Commissioner

