

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

Tuesday, January 23, 2024

A regular meeting was held on Tuesday, January 23, 2024, at the Gilpin County Old Courthouse and online via Zoom. Chair Berumen called the meeting to order at 9:01 a.m. In attendance were Chair Susan Berumen, Commissioner Sandy Hollingsworth, Commissioner Marie A. Mornis, County Manager Ray Rears, County Attorney Brad Benning, and Deputy Clerk Sharon Cate.

Agenda Review. Commissioner Mornis added the memorandum of understanding to attach to Resolution 24-34. Commissioner Hollingsworth removed the January 9, 2024, meeting minutes, as not all had read them, then moved to accept the agenda changes. Commissioner Mornis seconded the motion, which by a vote of 3 to 0.

Conflicts of Interest. In response to a question from County Attorney Benning regarding potential conflicts of interest with any items on the agenda, Commissioner Hollingsworth noted the proposed updated fees schedule for County operations, and asked if her open building permit was cause for her to abstain from voting on that item. She also noted that she is Gilpin County's Commissioner representative on the Gateway to the Rockies Opium Council, and asked if she should abstain from voting on its membership appointment. County Attorney Benning responded that she could vote on both. Commissioner Mornis cited the proposed resolution for hiring an in-house information technology (IT) employee and said she is currently in a political race with the current IT provider. She asked if she should abstain from the vote. County Attorney Benning said he saw no conflict.

Public or Press Comment. Chair Berumen opened the meeting to public or press comment. Comments included:

Donna Okray Parman, 521 Highpoint Circle, expressed her views on: the lack of a handicap parking spaces in second level lot; online access to the meeting packet; seniors' insurance option at the Community Center; difficulty with a wi-fi connection at the Community Center; and new, proposed rates for visitors.

Jeremy Fey spoke as a resident and apologized to Commissioner Mornis for his demeanor at a recent Central City Council meeting. He also spoke about: the relationship between Gilpin County and Central City; gaming impact funds received by the County; the lack of gamblers anonymous meetings within the County; and law enforcement gaming impact funds received by the County.

Kathleen Balfour, 392 Tschaikovsky Road, congratulated Commissioner Berumen on being elected as Chair of the Board, and thanked Commissioner Mornis for serving as chair last year. She also expressed her views on finding Board meeting packets online, and the bids received for proposed contracts on the agenda.

Barbara Hardt distributed pamphlets on the Peak-to-Peak Chamber of Commerce to the Board and others at the meeting. The pamphlets contain information on the entire Peak to Peak region.

Being no others waiting, Chair Berumen closed the meeting to public or press comment.



Consent Agenda. The meeting minutes from January 9th, 2024, were removed from the consent agenda. Commissioner Hollingsworth moved to approve the consent agenda, which included the meeting minutes from January 16 and quarterly reports from most County departments. Commissioner Mornis seconded the motion, and noted some departmental reports were missing. County Manager Rears explained the reports would be submitted at a future meeting. The motion passed by a vote of 3 to 0.

Parks & Recreation 4th Quarter 2023 Report. Parks & Recreation Director Gabrielle Chisholm reported on operations in that department during the fourth quarter of 2023. In response to earlier public comments, she said there will be no charges to the senior rates under the insurance programs at the Community Center. Her report addressed membership numbers, youth programs, session program enrollments and quarterly facility usage, which was down slightly for drop-in visitors. Director Chisholm answered questions from the Board, gave details on several types of programs and noted that reduced hours of business can lower participation rates on classes and visitor drop-ins. During all of 2023, there were approximately 39,000 drop-in visitors of all ages including children and seniors age 60+.

Resolution 24-31, Adopting the New Position of Financial Analyst. Human Resources Director Chanda Johnson and Finance Director Joe Allaire presented a resolution proposing the new position of Financial Analyst. This had been discussed in a prior work session. Director Allaire cited several reasons a financial analyst was needed and emphasized that the organization is operating in “keep the lights on mode” and that changes were needed. He said the County needed to move from being reactive to long-term planning. Discussion followed regarding meeting state requirements and overall staffing. Commissioner Mornis moved to postpone Resolution 24-31, “Adopting the New Position of Financial Analyst,” and further discussion until after the February 20, 2024, work session. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-30, Adopting the New Position of Information Technology (IT) Specialist. Human Resources Director Johnson said the resolution was being proposed due to a recommendation from Coreflexion, the company who performed a staffing and compensation study for Gilpin County in 2023. County Manager Rears said Gilpin County has contracted for IT services for many years and has renewed the current contract until the end of June 2024, but now wants to hire an in-house IT Specialist. He added that the County needs to ensure there is no interruption in services, and that due to cybersecurity threats, prompt action is needed. Commissioner Hollingsworth moved to adopt Resolution 24-30, “Adopting the New Position of Information Technology (IT) Specialist.” Commissioner Mornis seconded the motion, which passed by a vote of 2 to 1, with Commissioner Mornis voting against.

Resolution 24-32, Adopting the New Position of Case Worker II – Prevention. Human Resources Director Johnson and Human Services Director Janey Barker presented a resolution proposing a new, budgeted position to address cases of child neglect and prevention activities. Fifty-percent of the position would be paid 80% by the state and 20% by the County; the newly added prevention activities would account for the remaining fifty-percent of the duties performed and would be paid 100% by the state. Overall, the anticipated expense to the County would be approximately \$583 per month. Commissioner Hollingsworth moved to adopt Resolution 24-32, “Adopting the New Position of Case Worker II – Prevention.” Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Resolution #24-34, Colorado Works Program. County Manager Rears stated that an amendment to the Memorandum of Understanding between the Colorado Department of Human Services and Gilpin County was necessary to include the Colorado Works Program. Commissioner Mornis moved to adopt Resolution 24-34, “Amending the Memorandum of Understanding Between the Colorado Department of Human



Services and Gilpin County to Provide the Colorado Works Program. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-23, Awarding a Contract to The Flynn Group of Companies for the Low Slope Roof Replacement at the Gilpin County Justice Center. Facilities Director Ryan Keenan proposed the approval of a contract to replace the roof on the Justice Center. He explained the steps of the request for proposals (RFP) process for different types of projects and answered questions from the Commissioners, including removing the contingency from each draft resolution and adding the not-to-exceed cost for all proposals today. Commissioner Hollingsworth moved to adopt Resolution 24-23, "Awarding a Contract to The Flynn Group of Companies for the Low Slope Roof Replacement at the Gilpin County Justice Center," for a total amount not to exceed \$1,416,210.00. Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-24, Awarding a Contract to The Flynn Group of Companies for the Low Slope Roof Replacement at the Gilpin County Community Center. Facilities Director Keenan proposed the approval of a contract to replace the roof on the Community Center, and noted that accurately routed roof drains need to be added to the building. Commissioner Mornis moved to adopt Resolution 24-24, "Awarding a Contract to The Flynn Group of Companies for the Low Slope Roof Replacement at the Gilpin County Community Center," for a total amount not to exceed \$484,945.00. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-25, Awarding a Contract to Bowman Consulting Engineers for the Multiple Site Engineer Services Project. Facilities Director Keenan proposed the approval of a contract to design plans to address the Justice Center electrical system, pinhole leaks in that facility's plumbing, and an emergency power back-up generator to protect the entire building. Also, lightning protection is needed at the Dakota Hill radio repeater site. Commissioner Hollingsworth moved to adopt Resolution 24-25, "Awarding a Contract to Bowman Consulting Engineers for the Multiple Site Engineer Services Project," for a total amount not to exceed \$336,383.00. Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-26, Awarding a Contract to Major Heating and Cooling for the Multiple Site HVAC Replacement Project. Facilities Director Keenan proposed the approval of a contract to replace the heating, ventilation and air conditioning (HVAC) systems at multiple Gilpin County facilities. Commissioner Mornis moved to adopt Resolution 24-26, "Awarding a Contract to Major Heating and Cooling for the Multiple Site HVAC Replacement Project," for a total amount not to exceed \$207,682.00. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-27, Awarding a Contract to Denver Fire for the Multiple Site Fire and Safety Alarm System Replacement Project. Facilities Director Keenan proposed the approval of a contract to replace the fire and safety alarms at multiple Gilpin County facilities. He noted some of the fire panels and sensors are 20 to 30 years old and replacement parts are no longer available. Commissioner Hollingsworth moved to adopt Resolution 24-27, "Awarding a Contract to Denver Fire for the Multiple Site Fire and Safety Alarm System Replacement Project," for a total amount not to exceed \$439,409.00. Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-28, Awarding a Contract to Boulder Water Well for the Justice Center Campus Well Pump Replacement. Facilities Director Keenan proposed the approval of a contract to replace the water well pump at the Justice Center. Commissioner Mornis moved to adopt Resolution 24-28, "Awarding a Contract to Boulder Water Well for the Justice Center Campus Well Pump Replacement," for a total amount not to



exceed \$60,325.00.” Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-20, Accepting Core Immunization Funding from the Colorado Department of Public Health and Environment (CDPHE). Public Health Director Alisa Witt stated that local public health agencies are charged with assisting residents in obtaining immunizations, then proposed the acceptance of funds from the state to help facilitate those immunization services. She further noted that since Gilpin County has ended its partnership with Jefferson County Public Health, who operates on a fiscal year, the current funding offered would cover the period from January 1, 2024, through June 30, 2024. A second amount will be provided for the second half of 2024. Director Witt also explained that because Gilpin County Public Health does not have a nursing staff to administer vaccines, the funds will be utilized by another approved agency that can do these services for Gilpin County residents. Commissioner Hollingsworth moved to adopt Resolution 24-20, “Accepting Core Immunization Funding from the Colorado Department of Public Health and Environment” in the amount of \$10,549.50. Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0. After further discussion about the draft resolution, Commissioner Hollingsworth retracted the prior motion then moved to adopt Resolution 24-20 in the amount of \$10,549.50, and to strike the second phrase in the fourth “whereas.” Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Recess. The Board recessed from 11:14 a.m. to 11:30 a.m.

Maverix Broadband Presentation. Grants Manager and Writer Jamie Boyle introduced David Lindauer, founder of Maverix Broadband, and Ben Coffey, Chief Engineer, whose company had been awarded an \$8.6 million grant from the Colorado Broadband Office for the expansion of fiber broadband services in the Town of Nederland and Gilpin County. Mr. Lindauer spoke at length about his company’s plan to install new high-capacity lines in mid and north Gilpin County and Nederland, with main lines completed first, then middle- and final-mile lines to homes. He said residents and small businesses would have service in some area within 24 months. Grant Manager/Writer Boyle spoke about the concurrent effort with Clear Creek County and other partners to expand broadband from the south into the middle of the county.

Resolution 24-21, Approving for the Department of Local Affairs Local Planning Capacity Grant Application. Community Development Director Rob Gutierrez and Grants Manager and Writer Jamie Boyle reviewed the steps Gilpin County has taken to develop its plan to establish a baseline of 205 affordable housing units plus an additional six (6) units each year for a total of 18 new units by the end of year 2026. Approval of the resolution being proposed today would authorize the Grant Manager to submit an application for the Local Planning Capacity Grant through the Colorado Department of Local Affairs (DOLA). The resolution would also declare Gilpin County’s commitment to a cash match of 20% of the proposed project budget. Commissioner Mornis moved to adopt Resolution 24-21, “Authorizing the Grant Manager to Submit a Grant Application to the Colorado Department of Local Affairs for the Local Planning Capacity Grant Program,” with amendments on the Resolution text regarding 205 baseline units and 18 single units. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-22, Acknowledging Broadband Ready Community Certification. Grants Manager and Writer Jamie Boyle gave an overview of Advanced Colorado Broadband (ACB) grant programs offered by the Colorado Broadband Office. Entities can complete ACB’s Broadband Ready Community Checklist, making them more attractive to potential broadband funders. Gilpin County is one of several counties that has successfully completed the program and has been designated as a Broadband Ready Certified Community (as of December 27, 2023.) Grants Manager/Writer Boyle said a memorandum of understanding is being



drafted for the local, multi-jurisdictional broadband planning group, which she will present to the Board in the future. Commissioner Hollingsworth moved to adopt Resolution 24-22, "Acknowledging that Gilpin County is a Broadband Ready Certified Community by the Colorado Broadband Office in the Governor's Office of Information Technology." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Local Liquor Licensing Authority. Commissioner Mornis moved to recess as the Board of County Commissioners and convene as the Local Liquor Licensing Authority for Gilpin County. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Liquor License Renewal—The Last Shot. Clerk & Recorder Sahari McCormick presented a renewal application for the Beer and Wine liquor license for The Last Shot, 17268 Highway 119, with a new expiration date of February 28, 2025. Commissioner Hollingsworth moved to approve at the local level the liquor license renewal application for The Last Shot. Commissioner Mornis 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.

Resolution 24-33, Adopting the Comprehensive Fee Schedule for 2024. County Manager Rears stated that any fees not set by the state are set locally via the proposed resolution. The attached schedule (Exhibit A) includes updated fees for all Gilpin County departments adjusted up by 7% due to rising costs to the County. Fees in elected offices are set mostly by the state and in part by individual offices. The Board discussed the proposed fees, rounding some up or down, and addressing the Parks and Recreation Department fees at a future meeting. Commissioner Hollingsworth moved to adopt Resolution 24-33, "Adopting the Comprehensive Fee Schedule for all County Departments for 2024," and to add text excepting changes to Parks and Recreation fees, and setting an effective date of March 1, 2024, for new Public Health fees. Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-29, Appointing Members of the Opioid Council for Region 10, Also Known as the Gateway to the Rockies Opioid Council (GROC). The Gateway to the Rockies Opioid Council (GROC), made up of local officials, is responsible for creating a two-year plan for using regional opioid funds to address the epidemic of opioid addiction. As a member of the Council, Gilpin County ~~must~~ may appoint certain voting members. The proposed resolution includes the following appointments for voting members:

- City: Troy Cooper, Commander for the Black Hawk Police Department
- Public Health: Alisa Witt, Gilpin County Public Health Director
- Human Services: Janey Barker, Gilpin County Human Services Director
- Law Enforcement: Kevin Armstrong, Gilpin County Sheriff
- County Commissioner: Sandy Hollingsworth, Gilpin County Commissioner

Commissioner Mornis moved to adopt Resolution 24-29, "Appointing Members of the Opioid Council for Region 10, Also Known as the Gateway to the Rockies Opioid Council (GROC)." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

County Attorney's Report. County Attorney Benning reported on the following topics:

- Water rights investigations and work with consultants on several matters



- Gilpin Senior Living—final meeting to conclude ground lease
- Memorandum on roads
- Collaboration with the Upper Clear Creek Watershed Association
- Review and follow up on several contracts
- Work with Gilpin Water and Sewer Company re: 2024 annual meeting
- Working with Special Counsel on 1041 to start project
- Declined the Small Business Administration's (SBA) request for assistance in recovering money value of Eagles Nest Early Learning Center
- Colorado U.S. Senator Michael Bennet and Colorado U.S. Senator Joe Neguse applauded the U.S. Forest Service's (USFS) withdrawal of their Record of Decision that would have authorized the issuance of a special use permit for the Uinta Basin Railway. The permit would have allowed for the construction and operation of a new rail line across 12 miles of the Ashley National Forest for the project.

County Manager's Report. County Manager Rears referred the Board to his report on his recent activities, then cited four topics for their February 20, 2024, work session agenda: staffing study; food pantry general discussion with project consultants as to design, purpose, etc.; a childcare facility; and general policies. He also confirmed all three Commissioners would be available for a work session on January 29, 2024.

Confirmation of Corrections to Resolution 24-19, Levying General Property Taxes for the Year 2023, to Help Defray the Cost of Government for Gilpin County, Colorado, for the 2024 Budget Year. County Manager Rears stated that Resolution 24-19, adopted by the Board in a special meeting on January 16, 2024, later required some minor corrections adding to the credits for the homeowners. He further stated that he had contacted each of the Commissioners individually to advise them of the corrections and ask if they agreed with the corrections. Today, each Commissioner confirmed they had spoken with County Manager Rears and had agreed with the corrections.

Board of County Commissioners Report. Meetings attended by each Commissioner:

Commissioner Hollingsworth: 1/10 Senior Leadership Team, January 10; Jefferson Center for Mental Health staff awards, January 22; Mountain Rail Stakeholders, January 12; CCAT human services and fiscal reform subcommittees January 12; Gilpin Water and Sewer Board, January 17; Northern Colorado Partners, Colorado Counties, Inc. legislative briefing and Veterans Services Officers bill, and Gateway to the Rockies Opioid Council, all on January 19.

Commissioner Berumen: Mountain Rail Stakeholders, January 12; Triad/Bright Futures Executive Committee meeting, and Triad/Bright Futures Mountain Group meeting, January 12; legislative reviews and Trails Executive Committee.

Commissioner Mornis: Black Hawk City Council, January 10; 911 Authority January 11; Mountain Rail Stakeholders January 12; Denver Regional Council of Governments Association on Aging, January 17; and with County Manager Rears regarding strategies with lobbyists.

Notice of Public Meetings: Upcoming public meetings that could be attended by more than one Commissioner and at which public business may be discussed will include: the Clear Creek Economic Development Council, on February 8 and 9 in Idaho Springs, and the Board's regular meeting on February 13, 2024.



Public or Press Comment. Chair Berumen opened the meeting to public or press comment. Comments included:

Donna Okray Parman, 529 Highpoint Circle, expressed her views on the work the Board performs and on the proposed fees for the Parks and Recreation Department.

Kathleen Balfour, 392 Tschaikevsky, expressed her views on the two new County positions approved today, helping another county's Human Services staff up to 10 hours per week, and discussing affordable housing while raising some building fees.

Adjourn to Executive Session. Commissioner Hollingsworth moved to recess to executive session for discussion of a personnel matter under C.R.S. §24-6-402(4)(f)(l) for 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, they adjourned to Executive Session at 2:12 p.m.

Reconvening Meeting. At approximately 2:57 p.m., Commissioner Mornis moved to reconvene as the Board of County Commissioners. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Amending the Employment Agreement for the County Attorney. Commissioner Hollingsworth moved to, adopt the first revision to the County Attorney's third amended employee agreement, to reaffirm decisions that were made based on those resolutions and salary increases and subsequent merit raise. Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Amending the Employment Agreement for the County Manager. Commissioner Mornis moved to adopt the second revision to the County Manager's first amended employment agreement, to include Resolution 23-112, Cost-of-Living adjustment and Resolution 23-111, Compensation assessment. Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Adjournment. Chair Berumen adjourned the meeting at 3:01 p.m.

Approved this ^{13th} ~~23rd~~ day of February, 2024.

Susan Berumen
Susan Berumen, Chair

Marie A. Mornis
Marie A. Mornis, Commissioner

Sandy Hollingsworth
Sandy Hollingsworth, Commissioner

Sharon Cate
Sharon Cate, Deputy Clerk

