



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

Tuesday, July 18, 2023

A special meeting of the Gilpin County Board of County Commissioners was held on Tuesday, July 18, 2023, at the Gilpin County Historic Courthouse and via Zoom. Chair Marie A. Mornis called the meeting to order at 9:02 a.m. In attendance were Chair Marie A. Mornis, Commissioner Susan Berumen, Commissioner Sandy Hollingsworth, County Manager Ray Rears, County Attorney Brad Benning and Deputy Clerk to the Board Margaret Keller.

Agenda Review. Commissioner Hollingsworth asked to add the United States Forest Service grant, Secure Rural Schools Allocation, as well as the regular public comment opportunity at the end of the meeting. Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Conflicts of Interest. No conflicts of interest were stated by the Commissioners.

Public or Press Comment. Sharon Perea, 627 Hughesville Road, spoke regarding the Senior Housing development plans for the County. Barbara Hardt, 245 Apollo Drive, requested work sessions be available online/virtually.

Consent Agenda. Commissioner Berumen moved to, "Approve the consent agenda, which includes the meeting minutes from June 27, 2023." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 23-51, Awarding a Contract to Corvinus Security and Automation Solutions of Wheat Ridge, CO for Camera Replacement Project for Justice Center / Jail. Division Chief Greg Demo presented, explaining the contract for justice center security cameras. There was discussion regarding the cost of the project and the budgeted amount. It was clarified that the contract amount shall not exceed \$185,000. County Manager Rears noted the resolution will authorize the County Manager to sign and execute the contract. Commissioner Hollingsworth moved to approve the resolution. Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Senior Housing Discussion. Former Senator Jeanne Nicholson and County Attorney Benning presented information about the senior housing needs within the County, and the associated water requirements. County Attorney Benning's recommendation, with recommendation from the water engineer, is that the water is not sufficient to support the project in the current area. Former Senator Nicholson formally asked the Board of County Commissioners to sign the lease for the senior housing project, so that they may pursue next steps in the process, such as water rights. Commissioner Hollingsworth shared additional background about the Senior Living group and the history of the housing project at large, based on previous presentations by Senator Nicholson. There was additional discussion regarding former Boards' support and the benchmarks that were previously set in order for a lease to be signed. County Manager Rears recommended that the Board be prepared to give guidance at the August 8, 2023, Board of County Commissioners meeting regarding the lease and future direction. The Board of County





Commissioners discussed having a work session prior to the August 8, 2023 meeting, to better inform their decision.

Due to the time of 9:55 a.m., it was discussed and decided to move to agenda item 10 for the public hearing, as it was scheduled for 9:30 a.m.

Public Hearing – New Liquor License Application for Very Nice Brewing. Chair Mornis opened the public hearing at 9:54 a.m., for a new liquor license application for the Very Nice Brewing Company. Chair Mornis asked for a motion to recess as the Board of County Commissioners. Commissioner Hollingsworth moved to, “Recess as the Board of County Commissioners and convene as the Local Liquor Licensing Authority.” (LLLA). Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Sahari McCormick, Clerk & Recorder, presented the application for a new liquor license for Very Nice Brewing that is currently being built at 180 Jankowski Drive, Black Hawk. It is owned by Jeffrey and Susan Green, both of which were in attendance for Very Nice Brewing. The notice of public hearing was published in the July 6th edition of the *Mountain-Ear*, and was posted on the property 10 days prior to the hearing. There were no comments received by Clerk & Recorder McCormick. Chair Mornis opened the hearing to public comment. There were no public comments in-person or online. Chair Mornis closed the hearing to public comment. The application details were presented by the Clerk & Recorder, including their plan to brew and serve beer on-site. She noted that the application is complete, all background and zoning checks are clear, and all fees have been paid. The Clerk & Recorder recommends approval of the new liquor license application for submittal to the State. There was discussion concerning the septic and water systems. Chair Mornis asked for motion. Commissioner Berumen moved to, “Approve the new liquor license application for Very Nice Brewing Company.” Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0. *(The legal recording of the public hearing, including any public comment, is an audio file available through the Clerk and Recorder’s Office.)*

Liquor License Renewal for Coyote Liquors. Sahari McCormick, Clerk & Recorder presented the annual liquor license renewal for Coyote Liquors located at 5312 Hwy 119, Black Hawk. The application is complete, all fees have been paid, and she gave a positive recommendation for approval. There was discussion about the application, specifically regarding a question on the application not being answered, and if the operating managers live on the premises. Clerk McCormick confirmed that the liquor store is on the same property, and is owned by the same owners of the Coyote Motel. The applicant was in attendance online, and was asked to speak to the questions asked. He did not respond to the request to speak after several requests, due to technical issues. It was decided to postpone the agenda item until the end of the meeting to allow for Clerk McCormick to contact the applicant.

Commissioner Hollingsworth moved to, “Adjourn as the Local Liquor Licensing Authority and reconvene as the Board of County Commissioners.” Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Resolution 23-53, Awarding a Contract for the Gilpin County Community Center Rooftop Units (RTUs). Ryan Keenan, Facilities Director, presented the resolution and outlined the history surrounding the





Request for Proposal (RFP). The RFP was approved in 2022, but supply chain issues put the project on hold. The amount budgeted for this project was \$625,000. The contract agreement states the cost not to exceed \$418,712.12. County Attorney Benning has reviewed the contract, made some minor adjustments, and recommended approval as it is presented. The Board thanked Director Keenan for the persistence in getting this project completed and coming in under budget. Chair Mornis asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 23-53, "Awarding a Contract for the Gilpin County Community Center RTU's Replacement with Major Heating & Cooling, with the edit to include the amount not to exceed \$418,714.12." Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Resolution 23-55, Reallocating Capital Spending for Planned 2023 Capital Improvements. Joe Allaire, Finance Director, and Ryan Keenan, Facilities Director, explained the request to reallocate funds to capital projects that are needing to be completed this year. This would include, replacing the Community Center roof, flooring, and the RTU's. There was further discussion about other projects not included in this list. It was clarified that funding for other projects will be moved to another year, based on priority and availability of contractors. Exhibit A reflects the proposed reallocations for 2023. Chair Mornis asked for a motion. Commissioner Berumen moved to adopt Resolution 23-55, "Reallocating Capital Spending for Planned 2023 Capital Improvements." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Cost Allocation Plan Presentation. Joe Allaire, Finance Director, introduced Meredith Miller, the Director of MGT Consulting Group to present the Cost Allocation Plan prepared by MGT. She gave an overview of the company, their role, and the process of cost allocation. She highlighted some of the major changes to fiscal year 2022 calculations. She also explained the Human Services allocations and reimbursements available from the State. There were questions regarding the various departments' allocations that were clarified by staff. There was further discussion concerning the need for completing the Cost Allocation Plan. It was explained that is required annually for Human Services reimbursement, as well as a range of internal uses. MGT and Director Allaire have already submitted the report, in advance of the June 30, 2023 deadline. There was further inquiry if the food pantry is included in the plan. It was clarified that the food pantry is included in the Human Services cost allocation, but an internal cost allocation is possible.

Resolution 23-56, Approving the Department of Local Affairs (DOLA) Limited Gaming Impacts Grant 2023 Application. Joe Allaire, Finance Director, explained that DOLA has \$5.6 million available for all eligible gaming community applicants for limited gaming impacts. The purpose of the grant is to provide financial assistance to eligible local governments in addressing documented impacts stemming from gaming. The various entities applying for the grant were responsible for providing rationale behind negative gaming impacts. This resolution requests for the Commissioners to prioritize/rank the entities based on the impacts. Commissioner Hollingsworth asked that the resolution be revised to reflect the rankings, once selected.

Chair Mornis called for a recess at 11:05 a.m. to allow time to finalize individual rankings.

Chair Mornis reconvened the Board of County Commissioners meeting at 11:17 a.m. Director Allaire calculated the rankings, and stated them from highest priority to least. Chair Mornis asked for a motion.





Commissioner Hollingsworth moved to adopt Resolution 23-56, "Approving the Department of Local Affairs (DOLA) Limited Gaming Impact Grant Program 2023 Application with the edit to add in a statement that the Commissioners indicated their ranking of priorities." Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Resolution 23-58, Electing to Continue the Establish Secure Rural Schools (SRS) Funding Allocation Without Change. Joe Allaire, Finance Director, presented information regarding the United States Forest Service (USFS) money received from the State of Colorado on May 3, 2023. The item was added to the agenda during agenda review. The various allocation amounts were reviewed and discussed. There was a similar resolution approved in 2022, allocating funds received from USFS, and it was determined to keep the percentage of allocations the same for 2023. Chair Mornis asked for a motion. Commissioner Berumen moved to adopt Resolution 23-58, "Approving the Secure Rural Schools Funding Allocation and electing Title 1 for roads and schools, with amendments reflecting the current amounts and updated language." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 23-54, Awarding a Contract to hrQ and Making Associated Allocations for the Staffing Study and Compensation Study. Sam Bower, Administrative Analyst, presented and explained the process behind selecting the firm through the Request for Proposal (RFP) process. After thorough review, hrQ was the top assessed firm. He mentioned that hrQ would be conducting two separate studies; one for an Organizational Staffing Assessment, and the other for a Compensation Study. Both of which were budgeted for in 2023, in the amount of \$140,000. Overall, the quoted amount for both studies came in under the budgeted amount. There was discussion regarding the contract, which the resolution authorizes County Manager Rears to negotiate and execute the contract, with review by County Attorney Benning. Commissioner Hollingsworth asked to amend the resolution to include the price, not to exceed \$129,180. Chair Mornis asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 23-54, "Awarding a Contract to hrQ and Making Associated Allocations for the Staffing Study and Compensation Study for an amount not to exceed \$129,180." Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Resolution 23-52, Core Services Program Allocation and Plan Approval for Gilpin County Human Services. Janey Barker, interim Human Services Director, presented virtually regarding the Core Services Program Allocation and Plan for Child Welfare Services. The Plan is required by state statute to provide various resources to families that Human Services works with in Child Welfare. It was clarified that the Plan must be approved by the Board of County Commissioners in order to receive the funding allocations. Chair Mornis asked for a motion. Commissioner Berumen moved to adopt Resolution 23-52, "The Core Services Program Allocation and Plan Approval for Gilpin County Human Services." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 23-57, Central City Urban Renewal Authority (CCURA) Request for Appointment. County Manager Rears overviewed the CCURA. Daniel Miera, City of Central City Manager, attended to answer questions and for discussion. County Manager Rears further explained the opportunity for the Board of County Commissioners to appoint a County representative to the CCURA Board. He is recommending to appoint Gilpin County Assessor, April Nielsen, to the Board of the CCURA, since there will be dealings with property values. City Manager Miera supported the recommendation, and gave further background on the need for the appointment of a board member from Gilpin County. The CCURA does





involve two different counties, Clear Creek County and Gilpin County. Mr. Miera stated that it is an unofficial position for Clear Creek to cede the seat to Gilpin County. The first board meeting of the CCURA is scheduled for August 1, 2023, so he is requesting for an appointment as soon as acceptable. There was further discussion about the structure of the board, the impacted areas, and any potential conflicts of interest. Chair Mornis asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 23-57, "Central City Urban Renewal (CCURA) Request for Appointment, and hereby appoint County Assessor, April Nielsen to the CCURA Board." Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Resolution 23-59, Approving the 2023 Healthy Forests & Vibrant Communities Grant Award for the Community Wildfire Protection Plan (CWPP) Update. The item was added to the agenda during agenda review. County Manager Rears outlined the background for the purpose of the resolution, and further explained that the Office of Emergency Management (OEM) received a letter approving a grant for \$100,000 from the United States Forest Service (USFS). This grant would help fund the CWPP, along with American Rescue Plan Act (ARPA) funds. He further clarified that this is a grant match, with a minimum of \$10,000 match requirement. Due to the addition of this item today, there was no resolution presented, but one will be compiled based on the decision the Board of County Commissioners would make. It was determined that the resolution number would be 23-59. It was also clarified that the grant is reimbursement based. Chair Mornis asked for motion. Commissioner Berumen moved to adopt Resolution 23-59, "Approving the United States Forest Service Financial Assistance Program Grant to fund the CWPP in the amount of \$100,000." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

County Attorney's Report. County Attorney Benning reported on his activities. There have been several contracts reviewed. He is assisting the Assessor's office with questions regarding hearing officer for County Board of Equalization (CBOE). East Portal Cabins – submitting information today. He is preparing the ballot language for the Parks and Recreation Mill Levy. He is also working on water rights; the RFP went out, and have received a couple inquiries.

Liquor License Renewal for Coyote Liquors (Continued) Clerk & Recorder, Sahari McCormick returned with the liquor license renewal for Coyote Liquors. Commissioner Hollingsworth moved to, "Recess as the Board of County Commissioners and convene as the Local Liquor Licensing Authority." (LLA). Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Clerk McCormick clarified the questions that were raised previously. She confirmed that the applicant does not have any other liquor licenses, and there is a manager that lives on-site. With these clarifications, Chair Mornis asked for a motion. Commissioner Berumen moved to, "Approve the renewal of the liquor license for Coyote Liquors." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

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

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County Manager's Report. County Manager Rears gave his report, highlighting that the July 25, 2023, regular meeting has been cancelled due to County Board of Equalization hearings at Central City, City Hall. The next regular meeting for Board of County Commissioners is on August 8, 2023. The next work session will be on August 2, 2023, with the Community Center campus for senior housing location tour. Future work sessions: August 15, 2023 on roadways, and GIS work. Broadband efforts are continuing. The CWPP will have a panel reviewing RFP's and moving forward. He also mentioned the interviews for the Human Services director position, and he expects an offer to be made soon. He recognized and commended the various departments involvement with putting on a very successful County Fair. While there were no formal number of people in attendance, the parking lots were full.

Board of County Commissioners Report. Commissioner Berumen thanked Krystal Meyer and staff for efforts on the fair. Commissioner Hollingsworth complimented the County Fair, then mentioned the NoCo PLACES 2050 meeting with the Forest Service about trails mapping project. She also attended the State Emergency Medical Trauma Advisory Council (SEMTAC) meeting as a guest. She is being considered for appointment to the Council in the future. Chair Mornis reiterated the positive remarks about the County Fair, and is looking forward to next year. She also announced events where two or more Commissioners may attend the following meetings: the County Board of Equalization meeting will be on August 2, 2023, at the Historic Courthouse; with a work session to follow at the Community Center campus. August 8, 2023, will be the next Board of County Commissioners meeting.

Public or Press Comment. No public comment in person or online.

Adjourn to Executive Session. Commissioner Berumen moved to, "Adjourn to Executive Session for a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions relative to the Newspaper of Record under C.R.S. §24-6-402(4)(b); and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators relative to the Newspaper of Record under C.R.S. §24-6-402(4)(e)." Commissioner Hollingsworth 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 12:26 p.m.

Approved ^{ED} Signed this 14th day of November, 2023.

Marie A. Mornis

Marie A. Mornis, Chair

Lyndsey Denton

Lyndsey Denton, Deputy Clerk

Sandy Hollingsworth

Sandy Hollingsworth, Commissioner

Susan Berumen

Susan Berumen, Commissioner

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