



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

Tuesday, August 8, 2023

A regular meeting was held on Tuesday, August 8, 2023, 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 Margaret Keller.

Agenda Review. No updates to the agenda.

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

Public or Press Comment. Chair Mornis opened the floor for public comment. There were no public comments from the floor nor online.

Consent Agenda. Commissioner Hollingsworth moved to, "Approve the Consent Agenda, which included second quarter reports from various County departments and elected officials." Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

New Hire Introductions. Chanda Johnson, Human Resources Director, introduced the department with one new hire. Gabrielle Chisholm, Parks & Recreation Director, introduced Katherine Harvey as a re-hire, her new position is a Recreational Generalist.

I-70 Floyd Hill Colorado Department of Transportation (CDOT) Project Update. Kurt Kionka, CDOT Floyd Hill Project Director; Stacia Sellers, CDOT Major Projects Communications Lead; and Jeff Hampton, CDOT Construction Manager presented their Strategic Communications Plan, which was a thorough update on the I-70 Floyd Hill CDOT Project. The entire presentation was included in the agenda packet.

PUBLIC HEARING – 1st Responders Day Liquor License Application. Chair Mornis asked for a motion to recess as the Board of County Commissioners. Commissioner Berumen moved to, "Recess as the Board of County Commissioners and convene as the Local Liquor Licensing Authority." (LLLA). Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Chair Mornis opened the public hearing at 10:12 a.m., for a special event liquor license application for the First Responders' Day event being held on September 9th, 2023. Sahari McCormick, Clerk and Recorder, presented the details of the application, which will be held at the Gilpin County Community Center complex located at 230 Norton Drive, Black Hawk. Krystal Meyer, Special Events Coordinator, was also in attendance for discussion and to answer any questions. Clerk McCormick stated that the application is complete, and there were no comments received. She is recommending approval of the application. Chair Mornis opened the hearing to public comment. There were no comments in-person nor online. Chair Mornis closed the hearing to public comment. There was some discussion regarding the layout of where alcohol would be available. It was also clarified that the Buck for the Badge event held in previous years, would be included in the First Responders' Day event. Chair Mornis asked for a



motion. Commissioner Hollingsworth moved to, "Accept the liquor license application for First Responders' Day being held on September 9, 2023." Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Commissioner Berumen moved to, "Adjourn as the Local Liquor Licensing Authority and reconvene as the Board of County Commissioners." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0. The public hearing was closed at 10:19 a.m.

Resolution 23-62, Temporary Employment Contract Agreement with Shannon Arrington. Chanda Johnson, Human Resources Director, presented the resolution to award a temporary employment contract agreement with Shannon Arrington. Ms. Arrington vacated her full-time position as Victim Services Coordinator with the Sheriff's Office recently, but is seeking temporary employment to assist the Sheriff's Office with the transition to a new Coordinator. The contract was overviewed, highlighting that her pay would be at the hourly equivalent of her previous salary. There were other questions asked in regard to the contract and resolution verbiage used. County Attorney Benning mentioned he would review the contract again and make any necessary revisions, but there is nothing substantial that will need to be revised. Exhibit 1 and Exhibit 2 stated in the contract were not included in the packet, but will be provided. There was further discussion about the terms of the contract, and temporary employment in general. Chair Mornis asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 23-62, "Adopt a Temporary Employment Contract Agreement with Shannon Arrington." Commissioner Berumen seconded the motion, which passed by a vote of 3 to 0.

Resolution BLA-23-2, Boundary Line Adjustment for 655 Pactolus Lake Road. James Shrout, Planner 1, presented a petition for Boundary Line Adjustment for 655 Pactolus Lake Road, Black Hawk. The applicant, Wayne Vaden, is requesting to adjust the boundary for two properties near the Lincoln Hills subdivision. The request stems from the desire to create more uniform lots, and to cease the need for an easement between the two properties. Both subject properties are currently vacant, and would remain as two buildable lots. The BLA will not create any new nonconformities under the current zoning regulations. Mr. Shrout is recommending approval of the BLA. There were questions raised about the easement and property access, and language used in the staff report; all were clarified by Mr. Shrout. Chair Mornis asked for a motion. Commissioner Berumen moved to adopt Resolution BLA-23-2, "Approving a Boundary Line Adjustment for 655 Pactolus Lake Road." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Parks and Recreation 2nd Quarter Report Presentation. Gabrielle Chisholm, Parks and Recreation Director, presented the second quarter report for the Parks & Recreation Department. She noted that it is also National Pickle Ball Day, as it is one of the most popular activities at the Community Center. She highlighted the number of check-ins and users, youth camp registrations, and other programs, events and capital improvement projects that occurred during the second quarter of 2023. The budget in respect to revenues and expenditures for the quarter were also emphasized, as well as upcoming capital improvement projects.

Resolution 23-61, Establishing the Master Policy & Procedure Manual as the Controlling Document for All Policies. Sam Bower, Administrative Analyst, presented information to establish the Master Policy &



Procedure Manual as the controlling document for all policies, including it taking precedence over any existing policies, if any conflicts shall arise. It was clarified that any policies added to the Master Policy & Procedure Manual, will also hold the same precedence. Chair Mornis asked for a motion. Commissioner Berumen moved to adopt Resolution 23-61, "Establishing the Master Policy & Procedure Manual as the Controlling Document for All Policies." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Draft Mill Levy Ballot Language for Parks & Recreation. Brad Benning, County Attorney, presented the draft for the Mill Levy Ballot Language. He highlighted the various aspects of the draft and different options available for the term of the Mill Levy. Attorney Benning clarified that the statement "be extended", was not correct. The Mill Levy being proposed is not an extension of the existing Mill Levy. The specific language for the Board of County Commissioners to decide upon is in regards to; Debrucing or not, whether or not to have a sunset, funding being available for operations only or operations and capital, and whether or not to have an automatic index for inflation. There was discussion regarding these items. Chair Mornis shared her preferences to have further clarification in the language regarding Debrucing and the index for inflation, but said no to Debrucing and no to the index for inflation, she would like to have a sunset, and funds to be used only for operations. Commissioner Hollingsworth shared her preferences: yes for Debrucing, yes to have the Mill Levy be in perpetuity, yes for operations and capital improvements, and yes to have the automatic index for inflation. Commissioner Berumen shared her preferences; yes for Debrucing, yes to have the Mill Levy be in perpetuity, yes for operations and capital improvements, and yes to have the automatic index for inflation. County Manager Rears posed the question to the Board of County Commissioners if they wanted to approve a resolution to support the ballot measure or not. There was discussion as to the timing of approving a resolution and approving the ballot language, but ultimately decided to have a resolution supporting the Mill Levy. There was further discussion with the ballot language for funding for operations and capital improvements, specifically, if there would also be the use of General Funds for capital improvements as well. It was clarified that the General Fund has been the sole resource for funding capital improvements in years past, and will continue to fund capital improvements, supplemented by the proposed Mill Levy. Commissioner Hollingsworth shared in response to misinformation, that she has never stated that if the Mill Levy does not pass, that the Community Center would close. There have not been any Board discussions as to what would happen if the Mill Levy does not pass. County Manager Rears mentioned that further discussion regarding what would happen will likely take place during budget discussions later this year.

Resolution 23-32, Gilpin Advertising Panel (GAP) Board Recommendations and Appointments. Sam Bower, Administrative Analyst, gave a brief history of the purpose of the GAP; to use a portion of the Lodging Tax funds to promote tourism in unincorporated Gilpin County. Mr. Bower then presented the requirements and applications for the GAP, noting the Board of County Commissioners task is to choose the three members, and to determine the term limits for each member; 1-year, 2-year, and 3-year terms respectively. It was also noted that there was no deadline for application submissions. The applications were reviewed and discussed. Three of the four applicants were in attendance at the meeting, so the Board of County Commissioners had an opportunity to ask questions to those in attendance, including any potential for conflicts of interest. The conflicts of interest section of the bylaws were read by Mr.



Bower. It was also clarified in the Bylaws that the applicants must reapply each term, which would be appointed in January of each year. Chair Mornis asked for a motion. Commissioner Berumen moved to adopt Resolution 23-32, "The Gilpin Advertising Panel (GAP) Board Recommendations that will appoint Margaret Keller as the Ex Officio Member, John Bryan appointed to a 1-year term, Barbara Hardt appointed to a 2-year term, and Jim Crawford appointed to a 3-year term." Commissioner Hollingsworth seconded the motion, which passed by a vote of 2 to 1. Chair Mornis being the opposing vote. County Manager Rears further clarified the term dates for each member, and to revise the resolution to appoint a new Ex Officio Member from Rob Gutierrez to Margaret Keller.

Resolution 23-45, Department of Local Affairs (DOLA) Affordable Housing Commitment and Proposition 123 Election Option Discussion. Rob Gutierrez, Community Development Director, presented the resolution proposing the Affordable Housing Commitment and Proposition 123 Election. He overviewed the tool that was provided by DOLA, and provided the rationale behind the number of units to commit to. The Proposition 123 was overviewed, and the potential benefits for the County to elect to participate in Proposition 123 funding. There was discussion regarding the inclusion of the incorporated cities within the County, and the deadline to submit for the commitment. There was further discussion to revise some specific language in the resolution. Chair Mornis asked for a motion. Commissioner Berumen motioned to adopt Resolution 23-45, "The Department of Local Affairs (DOLA) Affordable Housing Commitment and Proposition 123 Election Option for the purpose for establishing our baseline, as amended." Commissioner Hollingsworth seconded the motion, reiterating the amendments: Section 2, increase 156 existing units to 205 units, change "new affordable" to "increased affordable", and change from 5 to 6 units annually, and increase the total goal from 15 to 18 units; in Section 3 to reflect the same numbers as just stated, and in Section 4.1 take out "new", and in Section 4.3 to change to "promote and increase." Chair Mornis shared her opposition of Proposition 123 in its entirety. Chair Mornis then called for a vote, which passed by a vote of 2 to 1. Chair Mornis being the opposing vote.

County Attorney's Report. County Attorney Benning gave his report, noting the Ralston Creek Water Rights Case signed Stipulation for Settlement anticipated very soon. There are other water cases he is also working on. He is working on the Senior Living contract. His priority has mainly been the Mill Levy. He has also been working on various contracts. He spoke with the United States Forest Services regarding East Portal Cabins. He is also working on the Weed Control Board Bylaws for CSU Extension, and a Conflicts of Interest policy for the Board of County Commissioners.

County Manager's Report. County Manager Rears presented his report, highlighting the upcoming work sessions and upcoming meetings. Broadband efforts are underway, exploring partnerships and grant opportunities. There are various project RFPs in the works. Listening sessions with the Board of County Commissioners and individual departments are currently underway and being scheduled. He has had meetings with Timberline for mitigation efforts. Human Services Director has been named; Janey Barker has been promoted. The Staffing and Compensation study has started, in hopes that the final presentation in October. He also mentioned the video recordings of the Board of County Commissioners meetings are being worked on, as there have been technical issues preventing the videos from being posted, but a new computer has been purchased to be able to handle the videos going forward.



Board of County Commissioners Report. Commissioner Berumen shared her report regarding her involvement with the Universal Preschool Program being implemented. Commissioner Hollingsworth shared her report; highlighting the GROC meeting, the upcoming Proclamation for Opioid Awareness Day, Jefferson Center for Mental Health is working on a suicide awareness class and housing development for workforce, and NoCo is having stakeholder meetings in September regarding mapping efforts. Chair Mornis gave her report; highlighting the work session the Board of County Commissioners attended for potential sites for the Senior Living group and the Food Pantry near the Community Center. The Senior Living group was given direction from the Board of County Commissioners in a work session that the space would need to accommodate multiple family units instead of singular units. They would also need to continue to work with County Attorney Benning to revise the proposed lease agreement to add more defined benchmarks, and would need to find their own water sources. She also attended the Central City, City Council Meeting.

Chair Mornis then announced events where two or more Commissioners may be in attendance at the following meetings: August 14, 2023 – JeffCom tour, time and location TBD; August 15, 2023 – work session regarding roadways and GIS to be held at the Historic Courthouse at 9:00 a.m.; August 21, 2023 – Friends of the Gilpin County Community Center Town Hall to discuss the Mill Levy at 6:00 p.m. at the Community Center; the next Board of County Commissioners regular meeting will be on August 22nd, 2023 at the Historic Courthouse.

Public or Press Comment. Chair Mornis opened the floor for public comment. There were no public comments from the floor nor online.

Adjourn. Chair Mornis asked for a motion to adjourn. Commissioner Hollingsworth moved to adjourn the Board of County Commissioners meeting. Commissioner Berumen 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, the meeting was adjourned at 1:25 p.m.

Signed this 14th day of November, 2023.



Marie A. Mornis, Chair



Lyndsey Denton, Deputy Clerk



Sandy Hollingsworth, Commissioner



Susan Berumen, Commissioner