



Minutes of the Meeting of the Board of County Commissioners Gilpin County, Colorado, Tuesday, February 27, 2024

A regular meeting was held on Tuesday, February 27, 2024, at the Gilpin County Historic Courthouse and online via Zoom. Chair Berumen called the meeting to order at 9:00 a.m. In attendance were Susan Berumen, Chair, Commissioner Sandy Hollingsworth, Commissioner Marie A. Mornis, County Manager Ray Rears, County Attorney Brad Benning, and Deputy Clerk to the Board Lyndsey Denton.

Agenda Review.

Commissioner Mornis moved to, "Remove item 7 for Resolution 24-56, and to replace with Resolution 24-58 for the VALE Grant." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Conflicts of Interest.

County Attorney Benning asked the Board of County Commissioners if they had any conflicts of interest for today's meeting. Commissioner Mornis and Chair Berumen replied with no conflicts. Commissioner Hollingsworth asked if the Electioneering Policy is a potential conflict, since two commissioners are running for re-election. County Attorney Benning stated that he does not view it as a conflict, and if both commissioners recused themselves, there would not be a quorum to pass the resolution. It was mentioned that it may be more appropriate if the Board gave authority to the County Manager to approve the policy.

Public or Press Comment.

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

- Roxy Goss, 114 Gap Road, spoke in support of the new food pantry and its associated uses.
- Kathleen Balfour, 392 Tchaikovsky Road, spoke against the new food pantry.
- Jennifer Josselyn, 1507 Karlann Drive, read aloud two letters she received and submitted them to the Board of County Commissioners, from Sharon Bell, a volunteer, and Imogene Rich, a resident in support of the food pantry.
- Donna Okray Parman, 529 High Point Circle, spoke against building a new food pantry.

Consent Agenda.

Commissioner Mornis moved to remove the meeting minutes from February 13, 2024, and approve the February 21, 2024 meeting minutes. Commissioner Hollingsworth seconded the motion, adding the approval of the IT 2023 End of Year Report, which passed by a vote of 3 to 0.

Golden Gate Canyon State Park Update.

Todd Farrow, Park Manager, made a presentation with a general update about the State Park. The park is split between Gilpin County and Jefferson County, with 9,600 acres in Gilpin. Golden Gate Canyon State Park is the third largest State Park in Colorado and the fourth in visitation, with 1.3 million visitors in 2023. There are two major campgrounds, several backcountry campsites and group camping available; all camping requires reservations, up to six months in advance. He overviewed the Keep Colorado Wild Pass that is linked to vehicle registrations, which offers an annual State Park pass at a discounted rate. In 2023, it generated \$41 million. He went over recent and future projects within the park, and efforts for fire mitigation.



Taxes in Colorado Counties.

Samuel Bower, Administrative Analyst, gave a presentation comparing taxes of Colorado counties, based on the methodology of comparing a combination of property tax rate and sales tax. Colorado has the third lowest effective property tax rate in the nation. Gilpin County has the fourth lowest property tax rate in the state, with a rate of 0.84%. The average property tax rate in Colorado is 2.06%. Gilpin County has no sales tax, along with nine other counties in Colorado. Amongst the counties with no sales tax, Gilpin County has the lowest property tax. The average sales tax across Colorado counties is 1.79%. A Combined Tax Metric was used to easier compare the combined property tax and sales tax; the lower the number, the better. Gilpin County has the lowest combined taxes in the state of Colorado, with a metric of 0.84. The average amongst all Colorado counties was 3.85. The Board showed appreciation for the research efforts, and expressed they are better equipped to share this information. The entire presentation is available on the Gilpin County website.

Gilpin Advertising Panel 2023 Annual Report.

Jim Crawford, Gilpin Advertising Panel (GAP) Chair, presented the annual report for the GAP; the panel responsible for using a portion of the Lodging Tax to advertise and market tourism for unincorporated Gilpin County. The inaugural GAP members were appointed in August of 2023. He noted the approval of their first project, which allocated \$7,000 for the Heritage Tourism Route project. He also affirmed that one GAP members' term expires each year, and they will appoint a new member every January. There was discussion about future strategies and ideas, since the limited funds can only be used for marketing and advertising tourism in unincorporated Gilpin County. There are also other entities that have projects already in process, and rather than compete with them, the GAP would like to help support their efforts.

Resolution 24-58, Authorizing the Submission of a Grant Application to the Colorado Division of Criminal Justice for the Local Victim Assistance and Law Enforcement (VALE) Program.

This item was added during agenda review. Sheriff Kevin Armstrong presented the resolution to submit the VALE grant, which is an annual grant that must be reapplied for each year for operations for Victim Services. It was noted that these funds were budgeted for 2024. There was discussion around the stability of the funding of this grant. Sheriff Armstrong explained that the funds from this grant come from fines associated with criminal activity. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24- 58 "Authorizing the submission of a grant application to the Colorado Division of Criminal Justice for the Local Victim Assistance and Law Enforcement Program in the amount of \$42,300". Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Sheriff Armstrong also introduced the new Emergency Management Director, Melissa Lewis. She shared her history with Clear Creek County as the Emergency Management Coordinator, and prior to that she was with the US Forest Service. She also noted she is a Gilpin County resident. The Commissioners welcomed her and thanked her for her service thus far and into the future.

Resolution 24-48, Adopting the Over Hire of Public Works – Office Assistant Position.

Chanda Johnson, Human Resources Director and John Combs, Public Works Director, presented the resolution to over hire the Office Assistant position for a 6-month period. This resolution was previously presented as a temporary position at the February 13, 2024 meeting, and was continued to this meeting



for the purpose of discussing overall staffing at a work session on February 20. The request was revised after the work session to an over hire for the Office Assistant position in Public Works. There was further discussion about the staffing levels for administrative staff in Public Works. It was suggested to also include bilingual to desired qualifications on the job description. After discussion and amendment, Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-48, “Adopting the six-month over hire of Public Works-Office Assistant position, with the amendment, to assume the existing full-time position upon the anticipated retirement of the existing person.” Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-31, Adopting the Position of Financial Analyst.

Chanda Johnson, Human Resources Director and Joe Allaire, Finance Director, presented the resolution requesting approval of a new position of Financial Analyst. This resolution was continued from the January 23, 2024 meeting, with the purpose of discussing overall staffing at a work session in February. Director Allaire shared his concern for the department running as is, and the impending reporting requirements and legislative mandates from the state. A Financial Analyst would help support timely reporting and audit requirements, as well as assisting in making the department more efficient. There was further discussion around needing to file an annual audit extension most of the past years, the position, and staffing overall. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-31, “Adopting the Position of Financial Analyst.” Commissioner Mornis seconded the motion, which passed by a vote of 2 to 1. Commissioner Mornis opposed.

Project Selection Discussion for Congressionally Directed Spending.

Jamie Boyle, Grant Manager & Writer, was unable to attend, but submitted the presentation for the meeting. Ryan Keenan, Facilities Director, worked closely with Ms. Boyle to come up with options for selecting a project for Congressionally Directed Spending (CDS), and he presented those options to the BOCC. The Dakota Hill Tower renovation was staff’s highest recommendation, as it houses vital communication equipment, including emergency response. Ensuring it has back-up power during lightning outages, and improving the access to the tower are some of the main objectives for this project—even possibly build a new tower. Another option was to upgrade the backup power at the Community Center and Justice Center. The Community Center does not have a generator, and the Justice Center’s generator does not have enough capacity to power the whole building during outages. The last option was for improvements of county roadways and signage. There was discussion around the details of each project, funding timelines and match requirements. Ultimately, the Dakota Hill Tower project was agreed upon, as its services and public safety implications are more extensive compared to the other projects.

Resolution 24-55, Authorizing Submission of a Grant Application to the Colorado Trust for the Community Resilience Initiatives - Diverse Approaches to Behavioral Health.

Gabrielle Chisholm, Parks and Recreation Director, presented the resolution requesting the submission of a grant to keep funding the EAGLES Teen program and enhance partnerships with Jefferson Center for Mental Health (JCMH) and other mental/behavioral health programs for the Community Center. The maximum award amount is \$355,000 spread across thirty (30) months, with no grant match requirement. More grants would be pursued after that time, to continue these and other programs.



Staffing was discussed at length. Director Chisholm recommended to create a new Teen Coordinator position and a Youth Camp Coordinator, as there is high demand with the youth programs, while staff is being compensated as a Recreation Generalist. There is no plan to hire any new employees, but rather modify staffs' titles and main job duties. The grant would help fund the adjusted positions, and future grants could be pursued to ensure continuity of the positions and programs. Other part-time staff would be able to support the transition of the two staff members. Other potential uses for the funds were discussed, such as projects and program offerings, along with the inclusion of supporting mental health for all ages. Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-55, "Authorizing submission of a grant application to the Colorado Trust for the Community Resilience Initiatives - Diverse Approaches to Behavioral Health." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-46, Authorizing Staff to Submit a Grant Application to the Colorado Department of Local Affairs (DOLA) for the Rural Economic Development Initiative (REDI) Grant Program.

Rob Gutierrez, Community Development Director, presented the resolution requesting submission of a grant to complete an Area Specific Plan for developing a new mixed-use zoning district for the unincorporated area of Rollinsville. The zoning district will seek to create flexibility for commercial, residential, and light industrial uses, while ensuring the area can continue to develop, and promotes economic development for an area that has experienced economic rises and inadequate water and sewer infrastructure. This grant could build upon the work done with a prior REDI grant that was received for economic planning. The Better City Economic Development Action Plan for Gilpin County as a whole, was developed in 2023, which alluded to the development of the Rollinsville area. It was mentioned that property owners and other key stakeholders would have the opportunity to provide input regarding the goals of the plan during various community group meetings. This grant could also allow for an analysis on the feasibility of a passenger train station in the Rollinsville area, and the potential costs associated. The grant awards up to \$150,000, with a 20% grant match requirement, which calculates to \$30,000, and has been budgeted for 2024. The full \$150,000 is anticipated to be used, and thus a \$30,000 match required. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-46, "Authorizing Staff to submit a grant application to the Colorado Department of Local Affairs for the Rural Economic Development Initiative (REDI) Grant Program for an amount up to \$150,000 project cost, with a proposed 20% match, not to exceed \$30,000, which is budgeted." Commissioner Mornis seconded the motion—also confirmed that this resolution also includes the execution of the grant, which passed by a vote of 2 to 1. Commissioner Mornis opposed.

Resolution 24-44, Authorizing Staff to Submit a Grant Application to the Colorado Energy Office for the Automated Permit Processing for Solar Grant Program.

Rob Gutierrez, Community Development Director, presented the resolution requesting submission of a grant available through the Colorado Energy Office, and is recommended by building inspector, Charles Abbott and Associates (CAA). The grant is based off the size of the community, and will offer \$40,000 to setup and run an automated permitting system for solar permits, and there is no match requirement. The automated system would simplify the current process, reduce plan review time, and streamline the solar permit process for residents. Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-44, "Authorizing staff to submit a grant application to the Colorado Energy Office for the Automated Permit Processing for Solar Grant Program for \$40,000." Commissioner Hollingsworth



seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-52, Authorizing Submission of a Grant Application to Colorado Department of Local Affairs (DOLA) for the Energy/Mineral Impact Assistance Fund (EIAF) for Food Pantry Construction.

County Manager Rears presented the resolution requesting the submission of a grant, on behalf of Jamie Boyle, Grant Manager & Writer, who was not present at the meeting. He clarified that this grant being considered after a prior grant for the construction of a new food pantry was forgone at the previous Board of County Commissioners meeting, due to various time constraints and reporting requirements. The EIAF grant has more funding available, up to \$1 million, and the match requirement can also be met by using other grants. The requested EIAF grant amount is \$650,000, with a match amount of \$650,000, for a total budgeted cost of \$1.3 million. The first work session with the contractor occurred on February 20th, 2024, to further determine the total cost; as expansion beyond the food pantry, with the inclusion of a commercial kitchen and office spaces. There was also discussion regarding the grant requirement to include green energy technology in the project. Chair Berumen asked for a motion Commissioner Hollingsworth moved to adopt Resolution 24-52, "Authorizing the submission of a grant application to the Colorado Department of Local Affairs for the Energy/Mineral Impact Assistance Fund - Tier II, for an amount not to exceed \$650,000, with a match not to exceed \$650,000." Commissioner Mornis seconded the motion, which passed by a vote of 2 to 1. Commissioner Mornis opposed.

Resolution 24-53, Authorizing Submission of a Grant Application to the Colorado Trust's Community Resilience Initiatives - Accessing Healthy Foods (CRI-AHF) Program for Food Pantry Equipment / Fixtures.

County Manager Rears presented the resolution, and Jamie Boyle, Grant Manager & Writer, joined via phone. This funding could help purchase equipment for the interior of the proposed new building, provide healthier food options, and supplement salary costs. It was clarified that this grant can be used for new or existing buildings; however, it is not intended for infrastructure upgrades, real capital improvement projects, or construction projects. There was further discussion around staffing costs for the only employee currently running the food pantry, who is part-time. The grant allows for up to 25% of their salary to be paid for. Ms. Boyle overviewed the timeframe for the grant, which is paid over thirty (30) months, and does not have a match requirement. There was discussion around a non-profit taking over operations of the food pantry; which was clarified that Gilpin County would be the main holder of the grant, and be a pass-through entity to the non-profit. Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-53, "Authorizing submission of a grant application to the Colorado Trust's Community Resilience Initiatives - Accessing Healthy Foods Program for Food Pantry Equipment / Fixtures, with a dollar amount of \$355,000. Commissioner Hollingsworth seconded the motion, which passed by a vote of 2 to 1. Commissioner Mornis opposed.

Resolution 24-57, Adopting the Peak-to-Peak Regional Broadband Planning Group Memorandum of Understanding (MOU).

County Manager Rears presented the resolution, and Jamie Boyle, Grant Manager & Writer, joined via phone. Gilpin County has been working with regional partners regarding broadband efforts, and this MOU would formalize the arrangement and the roles of the various partners. It was clarified that the broadband effort began with the Roadmap to Resiliency group; which includes more entities, but this MOU only includes Gilpin County, Clear Creek County and the Town of Nederland. It was requested that the MOU reflect equal representation from each entity amongst the group, each with one



representative. The MOU was unable to be amended, as the Town of Nederland had already adopted it. County Manager Rears recommended to approve it as is, and if there are any other entities added, the MOU will be amended at that time. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-57, "Adopting the Peak-to-Peak Regional Broadband Planning Group Memorandum of Understanding." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-42, Appointing Members to the Historic Preservation Commission.

James Shrout, Historic Preservation Liaison, presented the resolution to appoint members to the Historic Preservation Advisory Commission. He requested to reappoint all the existing members, since appointments have not occurred by resolution in over five years, and since his time as Liaison. He shared that there were recent attempts to solicit interest in recruiting members, but received no other applications outside of those who are already on the Commission, and one who withdrew interest. Outreach will continue to occur until all the vacancies are filled, as there is still one vacant position. Chair Berumen asked for a motion. Commissioner Mornis moved to adopt Resolution 24-42, "Appointing members to the Gilpin County Historic Preservation Commission, as presented." Commissioner Hollingsworth seconded the motion, which passed by a vote of 3 to 0.

Chair Berumen recessed the meeting at 12:46 p.m., until 1:15 p.m. Chair Berumen reconvened the meeting at 1:15 p.m.

Resolution 24-50, Amending the Master Policy & Procedure Manual: P-13, Disposition of County Owned Real Property.

Samuel Bower, Administrative Analyst, presented the resolution to amend the Master Policy and Procedure Manual, specifically to add P-13: Disposition of County Owned Real Property. The policy provides direction for the County when disposing of parcels of land. This policy was discussed during a recent work session, with no revisions made. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-50, "Amending the Master Policy & Procedure Manual: P-13, Disposition of County Owned Real Property policy." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-51, Amending the Master Policy & Procedure Manual: P-14, Board of County Commissioners Meeting Hall Rental Policy.

Samuel Bower, Administrative Analyst, presented the resolution to amend the Master Policy and Procedure Manual, specifically to add P-14: Board of County Commissioners Meeting Hall Rental Policy; which provides guidance on renting the Board of County Commissioners Meeting Hall. This policy was discussed during a recent work session, with revisions to the room capacity made. There was conflicting information received, but will likely go with the more conservative number of 98 people, calculated by the Central City Fire Department. There was further discussion regarding insurance coverage requirements for larger events; which was amended to give the County Manager, or his designee, authority to waive the requirement, instead of the Board of County Commissioners. Chair Berumen asked for a motion. Commissioner Hollingsworth moved to adopt Resolution 24-51, "Amending the Master Policy & Procedure Manual: P-14, Board of County Commissioners Meeting Hall Rental Policy." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

Resolution 24-54, Amending the Master Policy & Procedure Manual: P-15, Electioneering on County



Owned Property Policy.

Samuel Bower, Administrative Analyst, presented the resolution to amend the Master Policy and Procedure Manual, specifically to add P-15: Electioneering on County Owned Property Policy. This policy was discussed during a recent work session, in which minor revisions were made. It was mentioned that the creation of this policy is mainly to put the existing policy of electioneering on County property into writing, and also references Colorado State Statute requirements. County Attorney Benning also referenced the Fair Campaign Practices Act, which states that providing space for electioneering could be considered a campaign contribution. This policy also helps to eliminate conflict with county employees and the public. There was lengthy discussion around what constitutes as electioneering. Since there was concern about conflicts of interest, as two commissioners on the Board who are also candidates running for election; it was recommended to approve the resolution, with the amendment to authorize the County Manager to approve the policy. Chair Berumen asked for a motion. Chair Berumen moved to adopt Resolution 24-54, "Amending the Master Policy & Procedure Manual: P-15, Electioneering on County Owned Property Policy, as amended, to authorize the County Manager to approve the policy, P-15: Electioneering on County Owned Property Policy." Commissioner Mornis seconded the motion, which passed by a vote of 3 to 0.

County Attorney's Report.

County Attorney Benning gave his report; highlighting the current water cases. He has been working on the road's memo and a response to road lawsuit that is due in early March. He has been working with the insurance company, County Technical Services Incorporated (CTSI) and Public Works department regarding an accident that occurred with a county vehicle. He has been working on a Political Activities memo for staff. He has provided some consulting work for the Upper Clear Creek Watershed Association (UCCWA) Board, as he is no longer on the board but consulting the new board Chair. He has been working on various contracts. He attended the Special Meeting with the Board of County Commissioners regarding the 1041 Regulations. His research showed that the County can trademark the County logo/seal from the State of Colorado. He has begun research on the fire suppression ponds, but is unsure if we have qualifying ponds. It will take some time to research, as the ponds have had to existed prior to 1972. He has drafted a letter to public, government, and other partners regarding identifying fire suppression ponds. He noted that the Paralegal, Sarah Baciak, is doing great with CORA requests, and is wonderful with the public. He also reported on the bank loan for the former Eagles' Nest building. The Small Business Administration (SBA) states they continue to own the collateral of the former Eagles' Nest building; he will work with them to get it resolved.

County Manager's Report.

County Manager Rears gave his report, highlighting various items he has been working on. He overviewed the future work session schedule and topics. He has started the IT Specialist position interviews. He noted the Commissioners' Listening Session with the Public Works Department; noting improved communication and a new credit card reader at Solid Waste. There will be a Building and Planning Review Community Town Hall on April 17th at 6:00 p.m., location to be determined. He clarified the two pending updates with the Colorado Parks & Wildlife (CPW) update – SB23-059 bill for State Park Road maintenance, and a discussion about the wolf reintroduction. He also noted a new Community Engagement report that will be included within the County Manager's Report, overviewing the conducted



outreach by the Community Engagement Officer.

Board of County Commissioners Report.

- Commissioner Mornis had no updates to share.
- Commissioner Hollingsworth shared her report; including attending the Public Works Listening Session; CCI Legislative updates, CCAT, lobbyist meeting, and the Central City Council Meeting. She said two or more commissioners may attend the GROC Regional Conference on 2/29/24, at which the Sheriff's Office will be recognized for their co-responder grant.
- Chair Berumen announced the upcoming meetings where two or more commissioners may be present:
 - 2/29/24 – Gateway to the Rockies Opioid Council (GROC) Regional Conference at Red Rocks Community College in Lakewood, CO
 - 3/11/24 – Lobbyist Work Session, virtual only
 - 3/12/24 – Board of County Commissioners, Historic Courthouse in Central City
 - 3/19/24 – Work Session with Central City @ 5:30 p.m. at City of Central, City Hall.

Public or Press Comment.

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

- Kathleen Balfour, 392 Tchaikovsky Road, commented against the approval of the electioneering on county property policy. She spoke in favor of repairing the existing food pantry, and in favor of updating the Zoning Regulations.
- Donna Okray Parman, 529 High Point Circle, expressed her dissent about the electioneering policy.

Adjourn.

There being no further public business to come before the Board, Chair Berumen adjourned the meeting at 2:45 p.m.

Approved this 12th day of March, 2024.

A signed and recorded copy of these minutes are available through the Clerk & Recorder's Office via Recep on Number 176129.