

The Office of County Commissioner: A Multi- Faceted Role

The office of county commissioner is a challenging, diverse, and complex assignment that encompasses a broad spectrum of issues and responsibilities.

The Gilpin County Board of County Commissioners (BOCC) consists of three elected officials, each representing a geographic district but all of whom are elected by voters across the entire county. Generally speaking, District 1 consists of the south and south east portions of the County; District 2 includes mid-county; and District 3 consists of the north portion of the County. The term of office is four years, and in Gilpin County, the commissioners are limited to two consecutive terms.

The office of county commissioner is one of several county elected officials. The others are the sheriff, clerk and recorder, treasurer, assessor, coroner, and surveyor. The BOCC has no direct authority over the other elected officials, except that the BOCC approves the budget for all of their offices.

As the governing body for Gilpin County, the BOCC has myriad responsibilities including, but not limited to:

- Policy-making and legislative functions
- Administering land use regulations
- Advocating for citizens at all levels of government
- Adopting the county budget and ensuring stewardship of county resources
- Establishing the vision and setting the strategic direction for county government activities, programs and infrastructure

The BOCC generally meets twice per month on Tuesdays to consider business and administrative matters. In 2011, the BOCC held approximately 25 business meetings and individual Commissioners attended more than 200 work sessions, community meetings, and other events or activities. View past [agendas](#) and [minutes](#) of business meetings on our gilpincounty.org website.

Policy Making and Legislative Functions

In Colorado, the BOCC can exercise only those powers granted to counties that are specifically authorized in either state statute or the Colorado Constitution. Counties are a constitutional subdivision of state government and are mandated to provide certain services in accordance with state law. Title 30 of the Colorado Revised Statutes speaks to the duties and responsibilities of county government.

By contrast, cities are not a construct or accorded specific responsibilities under the state constitution. Instead, cities are local governments created voluntarily by citizens desiring municipal incorporation and do not rely exclusively on statutes for their powers. (The City of Black Hawk, and the City of Central, both incorporated cities in Gilpin County, are home rule cities with their own charters.)

Within their mandated authority, the BOCC can make decisions and take actions that have the effect of law (i.e. establish regulations) as well as create policy that is ultimately implemented by county staff. The BOCC is also authorized to take administrative actions to manage the business affairs of the county and to establish such offices as are necessary for the efficient management of the business and concerns of the county.

To assist in the fulfillment of day-to-day administration of the county, the BOCC appoints and directs the county manager, who performs executive functions including appointing and supervising department heads and hiring staff, coordinating and administering county programs, developing and maintaining intergovernmental relationships, drafting budgets, and advising the BOCC on policy matters, as well as the county attorney, who serves as legal counsel to the BOCC.

Administration of Land Use Regulations

Colorado is a “local control state” when it comes to land use planning and decision making, and the BOCC’s authority to control land use in the unincorporated area of the county is a fundamentally important and challenging responsibility. (The unincorporated area of the county consists of all land outside the incorporated cities of Black Hawk and Central City.)

Gilpin County consists of approximately 95,360 acres: approximately 52,946 acres are public land; 42,414 acres are private land; 2,399 acres are within Black Hawk/Central City.

When the BOCC administers the county’s land use regulations, it is performing a “quasi-judicial function.” This means that the BOCC ultimately makes its decision after receiving written materials submitted by both county staff and the applicant, hearing evidence presented by county staff and the applicant, making findings with respect to compliance with the applicable land use code regulations, and ultimately making a determination on their findings.

Citizen Advocacy

Counties are the closest and most accessible government to the people, and the BOCC utilizes that strong connection to represent and advocate for the broad interests of the community on a local, state and national level. Commissioners do so by taking an active role in boards and activities that provide a voice to the citizens and residents of Gilpin County.

In addition, each commissioner serves in a number of county-appointed liaison assignments and participates in committees and organizations spanning a broad cross-section of local issues including economic development, affordable housing, senior services, criminal justice, transportation, health and human services, and children, youth and families. Participation in these organizations and activities enables the BOCC to create meaningful links to the community and stay both well informed and accessible to their constituents.

An ongoing responsibility of the BOCC is to advocate for our community through its engagement in the state legislative process. Commissioners participate in several committees of Colorado Counties, Inc. to carefully consider and offer direct comment to our state legislators on issues of importance to Gilpin County.

Stewardship of County Resources

On an annual basis, the BOCC establishes the county budget and appropriates funding for all departments and offices. Gilpin County is required to follow the Local Government Budget Law (CRS 29-1-101 et seq.), the Local Government Uniform Accounting Law (CRS 29-1-501 et seq.) and the Local Government Audit Law (CRS 29-1-601 et seq.). The county’s fiscal year is January 1 through December 31.

During the budget process, the BOCC examines the county's fund balances, projected revenues and proposed expenditures and works closely with the county manager and the other local elected officials (sheriff, treasurer, assessor, clerk and recorder, coroner, and surveyor) as well as other local governments and services agencies, to establish the annual budget to fulfill the mandated (statutory) requirements as well as provide valuable discretionary services that benefit the community. [View county budgets and financial statements](#) on our website. In addition to budgetary responsibility, the BOCC's stewardship also extends to the county's real property holdings, buildings and grounds, roads, bridges, and other infrastructure within the county's purview.

Strategic Planning

One of the BOCC's most significant roles is strategic planning, through which the Board establishes the vision and sets the direction for county government. The BOCC annually adopts goals that the county strives to attain through the wise utilization of its financial and human resources.

The Future

Initially counties were created to carry out programs and policies of the state; however, county duties, functions, and responsibilities have expanded far beyond what could have been imagined decades ago. Consequently, over time, the role of the county commissioner will continue to evolve as well. It is important for the public of Gilpin County to know and understand how the county government works for them.

County Commissioner Quick Facts and Qualifications:

- There are three County Commissioner seats (when the population is less than 70,000) [Colorado constitution art. XIV, Sec 6; CRS 1-4-205 (2); CRS 30-10-306.7]
- Term of Office: 4 Years [Colorado Constitution Art XIV, Sec. 8; CRS 1-4-206]
- Minimum Age Requirement: 18 yrs. [CRS 1-4-501(1)]
- Residency Requirement: Resident in the County (District) at least one year prior to the election [Colorado Constitution, Art. XIV, Sec. 10 and CRS 1-4-205(1)(b)]
- Citizenship: U.S. Citizen