

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

March 19, 2019

A regular meeting of the Board of County Commissioners of Gilpin County was held on March 19, 2019, at the Gilpin County Courthouse. Chair Linda Isenhart called the meeting to order at 9:00 a.m. In attendance were Chair Isenhart, Commissioner Gail Watson, Commissioner Ron Engels, County Manager Abel Montoya, County Attorney Jim Petrock, and Deputy Clerk to the Board Sharon Cate.

Agenda Review. The Board agreed to make the following two changes to the agenda:

- A work session with T-Mobile was rescheduled to April 9.
- A discussion on the food bank was added under the Board's status report.

Boundary Line Elimination Application—BLE #18-06. Community Development Director Stephen Strohming presented a Boundary Line Elimination (BLE) application; brief discussion followed, with Commissioner Watson asking that some minor errors in the resolution be corrected. Commissioner Watson moved to approve BLE #18-06 for Barbara S. Anton, S:3 T:2S R:72W, combining Parcel #171103200011 and Parcel #171103200033, Globe Flower Lane, to create a new 39.11-acre parcel known as Parcel A, all in S:3 TL2S R:72W. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Public Hearing—Temporary Use Permit Application—Thomas & Debora Dellinger. Chair Isenhart opened a public hearing for a Class B Temporary Use Permit (TUP) presented by Community Development Director Stephen Strohming. Thomas and Debora Dellinger applied for a TUP to host a wedding on their adjacent properties at 127 and 143 Tchaikovsky Drive that could be attended by more than 200 people. Director Strohming stated that Gilpin County Ordinance #00-01 allows for parking on one side of County roads for one-time special events. An alternative would be to have guests park at the extra parking lot at the Community Center and have shuttles to the wedding site on Tchaikovsky Drive. Commissioner Isenhart opened the hearing to public comment. There being none she closed the public hearing portion. Commissioner Watson moved to approve the Class B Temporary Use Permit for Thomas and Debora Dellinger conditioned upon parking being arranged through the Community Center and clarifying that this is a one-time use and is not for profit. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0. The Board ascertained that this wedding was not a commercial venture but did have concerns that both properties are being leased to a second party for short term rentals. The request was approved since the County has not been clear on what constitutes a residential business, but both Commissioner Engels and Watson stated that they needed to soon address short-term rentals as exemplified by VRBO and AirBNB.

Treasurer's Reports. Treasurer Mary Lorenz gave the following reports:

Semi-Annual, July 1, 2018, through December 31, 2018. After discussion of some items listed in the report, Commissioner Watson moved to approve Treasurer Lorenz' Semi-Annual report for July 1, 2018, through December 31, 2018. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Monthly, January 2019. Tax collections were slow in January, but increased in February.

Resolution #19-05—To Partner with Colorado Mountain College in Applying for and Distributing the Colorado Opportunity Scholarship 2018-2019 Match Funds Scholarship. The Board briefly discussed Colorado Opportunity Scholarship Program (COSI) and agreed more information was needed from the State regarding use of the previous COSI grant before they would consider matching funds for a new scholarship request.

Surveyor Position. Human Resources Director Susie Allen stated that because Gilpin County does not currently have a County Surveyor, she was asked to write a job description, draft a contract and write a Request for Proposals (RFP) for the position. It was agreed that in the RFP, the successful applicant would be strongly encouraged to also contract for additional surveying services. Discussion followed regarding the very low statutory salary for this position and possibly adding full-time benefits to this and other positions, and on contacting contiguous counties to network with their county surveyors to learn of quality candidates. Director Allen said she would continue to research state statutes to clarify some aspects of the RFP, and would also include verbiage stating that the position would be active until the next elected official swearing-in date in the event someone is elected. She will submit updated documents to the Board soon.

Utility Task Vehicle. Sheriff Kevin Armstrong and Division Chief Tom Ihme returned to the Board with their request to purchase a utility task vehicle (UTV) for rescue operations in off-road back-country areas, at an approximate cost of \$27,000. Division Chief Ihme explained: some vehicles and equipment are purchased with Seizure Fund monies; state law had ended the use of Seizure Funds once they are depleted; the revenue from the disposal of some donated vehicles goes into a separate fund; some vehicles donated by other law enforcement agencies must be returned to them or donated to another law enforcement agency if the vehicle is to be disposed of; and the currently owned Snowcat is 42 years old. Commissioner Watson cited other vehicle sales that could help them combine enough money for the UTV purchase. Commissioner Isenhart said the \$23,000 generated by the sale of the command van should have been earmarked for the Sheriff's Office, and that she thought using those funds plus some from the Payment in Lieu of Taxes (PILT) Fund would be an acceptable way to purchase a

new UTV. Commissioner Engels said that because the Board has denied vehicle purchase requests from other departments during budget planning, he would continue to deny unbudgeted vehicle purchase requests. After a discussion of the Seizure Fund, Commissioner Watson moved to approve the purchase of a UTV using \$23,000 from the sale of the command van and the balance from the PILT Fund. Commissioner Engels seconded the motion, which passed by a vote of 2 to 1, with Commissioner Engels voting against.

Legal Status Report. County Attorney Jim Petrock advised the Commissioners on the following legal issues:

- The County is named as a party in a minor quiet title suit in Russell Gulch in a unique situation in which a person owns a house, but not the land it sits on. The suit will involve three or four neighbors in an effort to assemble a parcel of land for this house, and will be decided by a Court order. If the County does not object, the matter should be concluded quickly and no further County approvals would be required.
- Four property assessment appeals have been filed with the state Board of Assessment Appeals. Three are from one owner who protests nearly every year and whose protests have been denied in the past; County Attorney Petrock doesn't anticipate anything different this year. The fourth appeal is related to the value of unimproved property in a Rural Residential zone. This is part of a major consolidated lawsuit at the state level as to constitutionality, and probably won't be resolved for a year or so.
- County Attorney Petrock is working with the County's insurer, County Technical Services, Inc., on the protocol for the recording of summons and notices of violation.
- In response to a question from Commissioner Watson, County Attorney Petrock said that determining the County's assets with the Gilpin Water Company is very complicated and he continues to work on it.

County Manager Status Report. County Manager Abel Montoya updated the Board of County Commissioners on the following items:

Monthly Leadership Team Reports. The monthly departmental reports that had been submitted were discussed. Sheriff Kevin Armstrong updated the Board on detention statistics, an inventory audit, building new internal policies, improved retention and disposal records, and staffing levels in the jail and dispatch. He said Division Chief Sean Wheeler is working on better, detailed reports of cases originating in Central City.

Southern Health Partners. Undersheriff Tonia Kapke spoke about the inmate healthcare contract with Southern Health Partners and explained how the cap of \$40,000 is managed. She said some inmates' expenses this year had been particularly high.

Board of County Commissioners Status Reports.

Ambulance Inspection Report. Erin Gibbs, Office Manager for Gilpin Ambulance Authority (GAA) stated that GAA had purchased a new ambulance that successfully passed inspection on March 8, 2019, and is now in service. Commissioner Watson moved to accept the ambulance inspection report for Unit #117. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Notice of Public Meetings. The only scheduled public meetings in the upcoming three weeks that could be attended by more than one Commissioner and at which public business may be discussed will include:

- Five-county monthly breakfast meeting, March 27 in Idaho Springs

Gilpin County Food Bank. Following the purchase of a building to house the Human Services and Public Health departments, the County's intention is to move the modular building, currently housing Public Health, to the west side of the new building to house the food bank. Commissioner Engels explained that Arwen Ek, of Holistic Homestead, had asked if the County would leave the modular at its current location and turn over operation of the food bank to her organization for not-for-profit food sales and the County food bank.

Each Commissioner stated whether or not they were in favor of the idea and gave reasons for their position. Commissioner Watson said she wanted to discuss the idea further; Commissioners Isenhardt and Engels said they were not inclined to, as they were comfortable with the Food Bank operation as it exists. Human Services Director Sherrin Ashcraft will relay the Board's discussion to Ms. Ek. Parks and Recreation Director Kyle Benedict joined the discussion and said the current arrangement with Holistic Homestead using the Community Center multi-purpose or activity room has worked well on Saturdays, and the operation will likely move outdoors after May, creating a curbside farmers market.

Minutes. Commissioner Engels moved to approve as presented the Board of County Commissioners Meeting Minutes for March 5, 2019. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Public / Press Comment. Brian O'Melia, 120 Plutus Drive, stated that he had received notice from Gilpin County that the many vehicles in his yard must be removed by a certain date, and that he thought he could have them out by June 6, 2019. The Board directed Mr. O'Melia to work with Code Enforcement Officer Tami Archer.

Adjournment to Executive Session. Commissioner Watson moved to adjourn into Executive Session in accordance with C.R.S. 24-6-402(4)(a)&(e) to receive legal advice on potential contract negotiations. Commissioner Engels

seconded the motion, which passed by a vote of 3 to 0. There being no further business to come before the Board, they adjourned at 11:03 a.m.

Signed this 09th day of April, 2019.