

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

April 23, 2019

A regular meeting of the Board of County Commissioners of Gilpin County was held on April 23, 2019, at the Gilpin County Courthouse. Chair Linda Isenhardt called the meeting to order at 9:00 a.m. In attendance were Chair Isenhardt, Commissioner Gail Watson, Commissioner Ron Engels, County Manager Abel Montoya, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

**Proclamation—May is Mental Health Month.** Kara Campbell, Mountain Services Manager for the Jefferson Center for Mental Health (JCMH), presented a proclamation—May is Mental Health Month—intended to help raise awareness of the need for improved mental health services. Commissioner Isenhardt said improved mental health services were important in view of numerous mass shootings across the country and children having to learn about school security measures, and that the “Red Flag” Bill is also important in relation to a dangerous person with a gun. She said we are in a new age and need to address mental health problems.

Manager Campbell thanked the Board for considering the Proclamation, saying mental health problems are more common than many other diseases, affecting people’s ability to hold jobs or care for families. She said organizations like JCMH couldn’t continue their work without the support of community partners, and that she hopes this Proclamation helps with the stigma of seeking help for mental health needs. Commissioner Engels said it was a shame the issue had to be called out in an effort to reduce the stigma of mental health needs and suggested it be acknowledged and that work should continue on this campaign. Sheriff Kevin Armstrong said he agreed with Manager Campbell and Commissioner Engels, especially regarding school safety.

Commissioner Watson moved to ratify the 2019 May is Mental Health Month Proclamation. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**Proposal to Fund Jefferson Center for Mental Health School Counselor.** County Manager Montoya stated that the Colorado Department of Local Affairs (DOLA) had made the decision to not fund the Jefferson Center for Mental Health’s (JCMH) full request for their Gaming Impact Grant for the school-based counselor salary, leaving a deficit for the remainder of the current school year. He said he had talked with Gilpin County School Superintendent Dr. David MacKenzie about the County and the RE-1 School District working together to fund the position through the end of the current school year in June; each entity would pay \$1,437.50. County Manager Montoya further noted that next year the counselor position would be funded at approximately 50%, but that Gilpin County’s support could raise that to 75%.

Commissioner Engels, Gilpin County’s representative on the Gaming Impact Fund Committee, said he had met with representatives from DOLA and JCMH to better understand this funding need; the three of them are working hard to find funding before June.

Commissioner Watson moved to approve Gilpin County’s contribution of \$1,437.50, but also raised a concern about not supporting the needs of students in the Boulder Valley School District. Commissioner Engels seconded the motion, and said the funding would go to JCMH, not the Gilpin RE-1 School. Commissioner Watson clarified that although the funding would go to JCMH, the *services* would go to the Gilpin RE-1 School. Manager Campbell said JCMH is trying to recruit a therapist to work at the Gilpin County outpatient office to hopefully transition Gilpin County students from both school districts to therapy. Commissioner Isenhardt said she agreed that the Board needed to continue to work on all parts of the counselor position, but that the immediate funding was a good stop-gap measure. The motion passed by a vote of 3 to 0.

**Request to Purchase Map/Plat Cabinets.** Clerk and Recorder Sahari McCormick stated that her office’s map/plat cabinets were nearly at full capacity, making it difficult to pull maps out, but that this need had not been included in the 2019 budget. She said she hoped additional cabinets could contain the maps and plats that would likely be recorded in the upcoming 10 or more years. By law, the maps/plats must be held on paper. Commissioner Engels moved to approve the purchase of additional map/plat cabinets in an amount not to exceed \$6,000.00. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Treasurer’s Monthly Report.** Treasurer Mary Lorenz reported on operations in her office for the month of March 2019, saying that tax payments continue to be received prior to the April 30 deadline. In response to a question from Commissioner Watson, discussion followed regarding how interest on the County’s various bank accounts are shown on monthly/quarterly reports. Treasurer Lorenz explained that \$2 million is kept in a checking account and revenue above that amount is held in interest-earning accounts; for a fee, the funds can transfer between the two accounts, as needed. She said she would soon provide more information to the Board to explain fees and interest. A work session with Finance Director Clorinda Smith, Treasurer Lorenz and the Board will be scheduled. Commissioner Isenhardt said she hoped staff would work toward scheduling work sessions on days other than the Board’s regular meeting days.

**Sheriff’s Office Proposal for New Copier Lease.** Sheriff’s Office Administrative Manager Cherokee Blake and Administrative Services Coordinator Vicki Nemecek presented information about why a new copier lease was needed

for the patrol and detentions divisions of the Sheriff's Office, outside the current lease, which will expire in January 2020. Coordinator Nemecek said Manager Blake had researched five copier companies and they both thought AllCopy Products offered the best deal, including picking up and storing the current machines, then shipping them back to the original lessor at the end of the lease period, at AllCopy Products' expense. Commissioner Watson moved to approve the Sheriff's Office's request to execute a copier lease with AllCopy Products at a monthly rate of \$1,038.99. Commissioner Engels seconded the motion, saying that although he appreciated the information, staff had already found a creative solution to a problem, had saved the County money and should be empowered to execute the new lease. The motion passed by a vote of 3 to 0.

**Vehicle Replacement Plan and Request to Purchase Four Vehicles.** Public Works Director Gordon Thompson distributed a draft of his plan for replacement of work trucks and other vehicles used by various departments and offices. Commissioner Engels thanked Director Thompson for the good information and for finding fuel-efficient vehicles for the County's fleet. He added that the Board needed to formalize its preferences for types of vehicles to purchase in the future. County Manager Montoya said Director Thompson's request related more to a policy decision to be made in order to maintain a consistent fleet, but that today's request was for four (4) small SUV's preferably Toyota Rav4 Hybrids.

Discussion followed regarding the potential purchases of some Dodge Ram trucks for use by the Sheriff's Office, in that Dodge might be starting a hybrid component on their trucks in the future; the system would assist a truck's main power source. Commissioner Watson stated that the Hybrid Rav4 is a low CO2 emission vehicle with low fuel expense and is available at the State contract price; if we purchase the Rav4 Hybrids and see the power that they have, it might change some opinions on hybrids. Director Thompson said the purchase should be within the budgeted amount. Commissioner Engels moved to approve the request for four (4) Rav4 Hybrids because it is within our policy. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Legal Status Report.** County Attorney Bradford Benning advised the Commissioners on the following legal issues:

Church Ditch Water Rights Lease—2019. County Attorney Benning said as part of its water Augmentation Plan, Gilpin County owns water in the Church Ditch in Golden and leases four (4) inches of water to a group of farmers for irrigation. He stated that because Colorado is a "use-it-or-lose-it" state regarding water, leasing water assures Gilpin County's right to use water from its well. Because this year is considered a good water year, there is less demand to lease water, and the City of Arvada has indicated no interest in Gilpin County's water this year. County Attorney Benning spoke briefly about how water is measured through a head gate and stated that the usual lessee, Gary Gambino, is in compliance with Church Ditch water use rules. Commissioner Watson moved to approve the Church Ditch Water Rights Lease between Gilpin County and Gary Gambino. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**Commissioner Watson moved to recess as the Board of County Commissioners and convene as the Board of Human Services. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.**

Ratifying Human Services Attorney Agreement. County Attorney Benning said the Human Services Attorney Agreement had been approved by the Board on April 9, 2019, and only minor changes had been made since then, plus the prorated compensation for Attorney Jeffrey Timlin through 2019. The Agreement became effective on the 9<sup>th</sup> and today's action is a formality. Commissioner Engels moved to ratify the Human Services Attorney Agreement with Jeffrey Timlin. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Commissioner Engels moved to adjourn as the Board of Human Services and reconvene as the Board of County Commissioners. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.**

Lake Gulch Property Purchase Contract and Extension Amendment. County Manager Montoya said the Board needed to ratify the Contract for the purchase of some property on Lake Gulch Road owned by William Fatur, and to authorize the Amendment to Extend the contract closing date to June 11, 2019; the transaction began in January of 2019. He added that the property is the site of the current law enforcement shooting range, used by multiple local law enforcement agencies, and that the County is trying to secure ownership of this land to continue that use. Gilpin County has applied for a Colorado Parks and Wildlife range grant and will know more about the status of that application next month. If the funds are granted in March of 2020, the County will continue the Scope of Work to find a site suitable for a public shooting facility. Staff will consult with shooting range experts as to best site and layout.

Commissioner Engels moved to ratify the Contract to buy Real Estate offering \$140,000.00 for the property. He said it was unfortunate that the prior handshake agreement for use of this land for 25 years was in error, but that today's actions were the most efficacious way to ensure law enforcement from Gilpin County, the City of Black Hawk and the Division of Gaming has a place for required training. Commissioner Watson said that for the record, the handshake agreement was the original problem and that the shooting range had been located on someone else's land. She further stated that as soon as Gilpin County became aware of the situation, action was taken to correct the circumstances. Commissioner Watson seconded the motion, which passed by a vote of passed 3 to 0.

Commissioner Watson moved to approve the Amendment to Extend for the purpose of extending the contract closing date, which was due to the difficulty of having a land survey done at this time of year. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Land Surveyor Contract. Commissioner Engels said Community Development Director Stephen Strohminger had solicited bids from numerous surveyors, then moved to authorize Director Strohminger to accept the lowest bid, which was received from Greg Markle. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**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.

- Parks and Recreation. County Manager Montoya said the report tracked the daily use of the Community Center, and that some events have had great turnout, including those for children. Discussion followed regarding the Board's request for a continuous report to allow them to make monthly comparisons, and the need for more detailed information as to number of unique visits. Commissioner Engels said Gilpin Ambulance Authority employees are listed under the residential total, and asked how many of them are actually county residents. County Manager Montoya said he would work with the Parks and Recreation director for the next report.
- Finance. The Board noted that they receive the Finance report monthly and it is available on the County's website. County Manager Montoya said Finance Director Clorinda Smith's position is that the data could be represented better in a summary sheet, and would work towards that rather than per-line-item information.
- Human Services. Director Sherrin Ashcraft is working on a Memorandum of Understanding (MOU) with Jefferson County Human Services to help with Gilpin County's caseload in the near term, and she is exploring some funding from the State from the Reserve Fund. In October, Director Ashcraft should know if she can hire a new case worker and maybe a case manager, as authorized by the State. Commissioner Engels said Human Services staffing is at an all-time low, and that the County needs to facilitate resources to keep the clients' work done and to help staff. County Attorney Benning said he had worked on the previous Human Services MOU and could see how preapproval could be acceptable. County Manager Montoya said he didn't see a need for additional appropriation, but that he would meet with Director Ashcraft. Commissioner Engels moved to authorize Director Ashcraft to sign an updated MOU with Jefferson County to keep Human Services' work moving along. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.
- Commissioner Isenhardt said she wanted to see the Human Resources reports resumed.
- Community Development. Director Stephen Strohminger was present and said the current report is a quarterly summary and that he continues to work on a report that shows trends throughout the year. Commissioner Watson noted that during a recent discussion of a temporary use permit, it became apparent that the term "residential business" needed to be defined. She requested a work session on the topic on a day separate from the Board's regular meeting day.

Update on Quality of Life Survey and Strategic Plan. The Survey is in its final revision and should be in the mail soon. The accompanying postcards notifying residents that the Survey will be available online or that prints will be provided at the Community Center, the Courthouse and the Library. The response period will remain open until June 7.

The Strategic Plan should be finalized by May 7, as SBrand completed work with a graphic designer. A draft should be ready for Board review in early May.

#### **Board of County Commissioners Status Reports.**

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

- Five-County monthly breakfast, April 24, Idaho Springs
- Sky Blue contractor interviews, April 25, Courthouse
- Sheriff's Office Town Hall, (Red Flag Bill) April 30, Community Center

Historic Preservation Advisory Commission Membership Updates. Community Development Director Stephen Strohminger stated that three updates to the Historic Preservation Advisory Commission (HAC) were needed: one member's letter requesting appointment to a new term after expiration of his current term; and appointments to fill two other vacant seats. The current HAC members met with two very qualified candidates on April 18 and have submitted their recommendations to the Board.

Commissioner Watson moved to appoint member Jack Hidahl to a new term ending December 31, 2021. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Commissioner Watson moved to appoint Sarah Russell to HAC for a term ending December 31, 2021. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Commissioner Watson moved appoint B. Travis Wright to HAC for a term ending December 31, 2021. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Gilpin Senior Living. County Manager Montoya said two meetings with members of Gilpin Senior Living were canceled, but that Community Development Director Stephen Strohming reports they have requested a 99-year lease on County property set aside for them.

Airline Flight Paths Over North Gilpin County Neighborhoods. In response to a question from Commissioner Watson about a letter received from the FAA, County Manager Montoya gave a brief, detailed summary of the FAA's public input process regarding flight paths over neighborhoods. The project is named Nextgen Airflight, and is in the initial phase at Denver International Airport to test take-offs and landings using new GPS software. The FAA is required to do this for noise modeling and to make take-offs and landings more predictable and efficient, and to produce a smoother trajectory, better timing for flights, and less need for runways. These public input meetings ensure nothing critical was overlooked and usually do not change the routes of the planes. Commissioner Watson said she thought the County should respond to the FAA's letter, saying she hears planes in the summer. The letter was released yesterday, is online, and has been sent to 77 public libraries including the Gilpin County Library.

**Minutes.** Commissioner Watson moved to approve the Board of County Commissioners Meeting Minutes for April 9, 2019. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**Public / Press Comment.** Gilpin County resident Geoffrey Gordon said he could hear the planes flying over his house; resident Randy Beaudette concurred, but added that planes don't bother him.

**Adjournment to Executive Session.** Commissioner Watson moved to adjourn to Executive Session for the following:

- To discuss the purchase, acquisition, lease, transfer, or sale of real, personal or other property interest under C. R. S. Section 24-6-402(4)(a) and for the purpose of receiving legal advice per C.R.S. 24-6-402(4)(b)
- For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) and for the purpose of receiving legal advice per C.R.S. 24-6-402(4)(b)
- For purpose of receiving legal advice on recently enacted legislation per C.R.S. 24-6-402(4)(b)

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 10:51 a.m.

Signed this 07<sup>th</sup> day of May 2019.