

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

July 9, 2019

A regular meeting of the Board of County Commissioners of Gilpin County was held on July 9, 2019, at the Gilpin County Courthouse. Chair Linda Isenhardt called the meeting to order at 9:01 a.m. In attendance were Chair Isenhardt, Commissioner Gail Watson, Commissioner Ron Engels, County Manager Abel Montoya, County Attorney Jim Petrock, and Deputy Clerk to the Board Sharon Cate.

**Public/Press Comment.** Commissioner Engels played a voice message from his cell phone from resident Tom Brienza, 1335 Dory Hill Road, in which Mr. Brienza expressed his frustration at the closure of Dory Hill Road for the installation of a natural gas pipeline by Xcel Energy. He was particularly concerned that emergency responders would not be allowed access, if needed. Commissioner Engels stated that he had contacted representatives for Xcel Energy and invited them and their contractor, Black Eagle, to attend today's Board meeting, but was told they could not attend. County Attorney Petrock advised the Board on the County's responsibilities and spoke to pursuing remedies as defined in the permit. Commissioner Watson said she had been contacted by another Dory Hill Road resident, Wes Arends, with the same complaint, but that she told him she thought the County had no control. She said it was interesting to learn that a "rolling closure" means they can't close the road completely, and that the Sheriff can shut the project down for obstruction of a public road. Discussion followed with County Attorney Petrock regarding the County's options for remedy.

**Quality of Life Survey Results and Report.** Jerry Lindsley, of the Center for Research and Public Policy, thanked the Gilpin community for responding to the County's recent Quality of Life Survey, which was available online, by mail or pick-up at various County facilities. He said 509 total responses had been submitted, quite impressive for a small community, as was the high percentage of replies indicating residents are pleased with the quality of life in Gilpin County. Mr. Lindsley then spent a considerable amount of time giving a detailed explanation of the findings and the methodology, and gave some key information and metrics the Board might want to use in the future. He suggested the next step might be a work session to determine which results the Board would want to address with staff. Discussion followed, with County Manager Montoya highlighting some crucial data, and requesting cross tabs for the results. Mr. Lindsley will send them soon.

**Insurance Broker Recommendation.** Human Resources Director Susie Allen stated that a request for proposals (RFP) had been issued for a broker to provide services related to the employee group insurance plans, with six responses received. She said a group of County employees had reviewed each and she was now presenting their recommendation to shift away from the current Cook and Associates, to Moody Insurance Agency, Inc., for an estimated savings of \$33,000 annually. Director Allen stated that if selected, they could take over the account on August 1, 2019, and that their pricing would begin on January 1, 2020, which is excellent timing for renewals. Moody would be responsible for implementing the transition to their system.

Discussion followed with Commissioner Watson asking about the insurance carrier paying the broker's commission, and Commissioner Isenhardt asking about "volunteer benefits," which are services such as long-term care. Commissioner Engels moved to approve Moody Insurance Agency, Inc., as Gilpin County's employee group insurance broker. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Boundary Line Adjustment Application—BLA—#19-01.** County Planner Daniel Horn presented a boundary line adjustment application—BLE #19-01—for Michael-Ryan McCarty, 1624 Upper Moon Gulch Road, and Elroy and Beverly Adams, 1830 Upper Moon Gulch Road. He explained that Elroy and Beverly Adams wish to convey 12 acres of their 20-acre parcel to Michael-Ryan McCarty to add to his adjacent 3.12-acre parcel, as a solution to numerous concerns on both properties. After a discussion about an access easement across the Adams' property for Mr. McCarty, Commissioner Engels moved to approve BLA #19-01, creating new Parcel #1 for Michael-Ryan McCarty, 1624 Upper Moon Gulch Road, S1&S2 T2S R73W, and creating new Parcel #2 for Elroy and Beverly Adams, 1830 Upper Moon Gulch Road, S2 T2S R73W. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Treasurer's Items—County Treasurer Mary Lorenz.**

US Forest Service Payment for Secure Rural Schools Act. After Treasurer Lorenz' overview of USFS payments in accordance with the Secure Rural Schools Act, Commissioner Isenhardt asked about the disparity between payments to the two local school districts. Treasurer Lorenz explained that it was based on student counts, for the two school districts. Commissioner Watson shared that some counties direct their entire SRS allotment to their schools and are made whole by an increase in PILT funding. County Manager Montoya will look into the distributions to see if they can be done differently.

Monthly Reports. Treasurer Lorenz stated that there is more money held now than this period last year, due mostly to funds earning more interest, and fewer delinquent taxes. Districts within the County will receive their distributions on July 10, 2019.

**Clerk and Recorder's Monthly Reports.** Clerk and Recorder Sahari McCormick reported on operations in her office for the months of April and May 2019, saying that her Chief Deputy Clerk, Elaine Lewers, compiles the actual reports. Chief Deputy Clerk Lewers stated that because there were anomalies in the reports, she had turned them over to the State Controllers Office to perform an audit of 2017 and 2018. She added that the State's new DRIVES motor vehicle system will be more user friendly. Commissioner Isenhart asked that if the State is able to determine why it seems like Gilpin County has been underpaid, could those funds be recovered. Commissioner Watson further asked if this same problem was happening to other counties. Chief Deputy Clerk Lewers will look into these questions and will report back to the Board with Clerk McCormick.

**Legal Status Report.** County Attorney Jim Petrock advised the Commissioners that further investigation is needed on the permit allowing Xcel Energy to close Dory Hill Road to through traffic, due to prescriptive easement. Residents might have to drive the longer route on Highway 119 to reach their home, but it is still feasible. Commissioner Engels said his biggest concern was the complete unavailability of emergency access, which was not in compliance with Xcel Energy's public information sheet, and that they cannot block the road with heavy equipment, but rather should put their steel plates in place to create access. County Manager Montoya said representatives from Xcel Energy would be looking into the problem and have assured him they are committed to resolving the road closure dilemma for emergency vehicles. Those representatives will attend a work session with the Board on July 12, 2019, as will Gilpin County Public Work Director Gordon Thomson, to talk about what the permits do and do not allow.

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

Monthly Leadership Team Reports. The monthly reports that had been submitted by the Public Works department were discussed, specifically: The County's many uses for recycled asphalt; carpet runners for the Courthouse should arrive soon; and the theft of a trailer, which will be covered by insurance.

#### **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:

- Commissioners' work session, July 12, at the Courthouse
- Commissioners' Road Trip, July 17, at the County's Rollinsville shop
- US Forest Service public meeting, Dispersed Shooting Decision, July 18, at the Community Center
- Incident Command Class, July 24, at the Black Hawk Emergency Operations Center

**Minutes.** Commissioner Watson moved to approve the Board of County Commissioners Meeting Minutes for June 25, 2019, with changes. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

#### **Public / Press Comment.**

- Mindy Leary, reporter for *The Mountain-Ear*, asked what topics would be covered at the Board's Road Trip in Rollinsville on July 17. Commissioner Engels explained that it is an open forum for residents.
- Tom Brienza, 1335 Dory Hill Road, apologized for the message he left with Commissioner Engels, saying it was done out of frustration. Commissioner Engels stated to Mr. Brienza that he had played his message (regarding the Dory Hill Road closure) during the first public comment session at the beginning of today's meeting, and had followed up with Xcel Energy, telling them they are in violation of the permit, which is unacceptable. Xcel Energy representatives assured Commissioner Engels that they will take action today.
- Shirley Arends, resident of Dory Hill Road, voiced her concerns that the online updates about the road closure are not done often, and that the project is not running according to their stated timeline.
- Sandy Hollingworth, 224 North County Road, complimented the County on its Quality of Life survey, saying that as one who does Human Services work, she believes this information gathering from the community is great. She asked if residents would be able to access the information. County Manager Montoya said the information would be available soon.

**Adjournment.** There being no further business to come before the Board, they adjourned at 11:05 a.m.

Signed this 23<sup>rd</sup> day of July, 2019.