

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

November 19, 2019

A regular meeting of the Board of County Commissioners of Gilpin County was held on November 19, 2019, at the Gilpin County Courthouse. Chair Linda Isenhardt called the meeting to order at 9:05 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.

**Public/Press Comment.** There were no comments.

**Update on Denver Metroplex, Flight Paths over Gilpin County.** Commissioner Isenhardt gave a brief summary of the Board's actions to date, regarding the Federal Aviation Administration's (FAA) Denver Metroplex Environmental Assessment. The Board has sent a letter to two FAA administrators requesting a roundtable meeting in Gilpin County with FAA representatives to allow the Board and residents to express their concerns; one administrator has confirmed receipt of the letter. The FAA has opened a 32-day comment period ending December 20, 2019.

**Radio Infrastructure Study and Recommendation.** Sheriff Kevin Armstrong, Communications Manager Lyssa Gray, and Brian Wilkerson, of Talion Defense, presented Talion's recommendations from the assessment of the County's public safety radio infrastructure. Sheriff Armstrong explained that the County's two main partner agencies, the City of Black Hawk and Clear Creek County, are moving to the State's Colorado Digital Trunked Radio System (DTRS) in early 2020, and said the same move would be a prudent step for Gilpin County toward increased interoperability. Discussion followed regarding three options for improving the radio communications infrastructure, plus a request for Talion to assist with the transition if the proposal were approved. The Board asked Mr. Wilkerson to perform additional calculations for equipment and implementation costs over a three- to five-year period. He returned to the meeting a short time later with the additional information. The Board agreed to conduct a budget work session on this proposal on November 25, 2019.

**Agreement for Cooperative Wildfire Protection.** Gilpin County Emergency Manager Nathan Whittington gave an overview of the Agreement for Cooperative Wildfire Protection between Gilpin County and the Colorado Division of Fire Prevention and Control, and recommended approval. Discussion followed, including questions about the State Emergency Fire Fund, and the US Forest Services working with Timberline Fire Protection District on controlled burns. Commissioner Watson moved to approve the Agreement for Cooperative Wildfire Protection. Commissioner Engels seconded the motion, which passed by a vote of passed 3 to 0.

**Shield 616 Funding Request.** Lewis and Diana Wagner requested \$40,000.00 in funding for protective vests and helmets for Gilpin County sheriff's deputies and Black Hawk police officers through Shield 616, a faith-based organization. Sheriff Kevin Armstrong was present and said the current body armor does not stop rifle bullets and that he hoped to protect deputies with trauma plates and ballistic helmets. Each Commissioner told his/her views on whether or not the funding should come from the County or through community groups. Sheriff Armstrong emphasized that he felt this should be a community-driven effort rather than a county-funded program. Commissioner Isenhardt concluded the discussion saying more work was needed on the topic of providing protective body armor.

**Ordinance #19-01—Historic Preservation Commission—First Reading.** Historic Preservation Consultant Deon Wolfenbarger and Gilpin County Historic Preservation Liaison Tami Archer presented Ordinance #19-01, Historic Preservation Commission, for first reading and potential revisions. Liaison Archer explained that Gilpin County's current ordinance for historic preservation does not meet the requirements for a Certified Local Government and that the proposed ordinance was far more comprehensive. Commissioner Engels stated that the document was incomplete and moved to continue first reading of Ordinance #19-01, Historic Preservation Commission, to a future Board meeting. Commissioner Watson agreed and seconded the motion, which passed by a vote of 3 to 0. A work session was scheduled for December 5, 2019.

**Treasurer's Monthly Report.** County Treasurer Mary Lorenz reported on operations in her office for the month of October 2019. She said this year's Tax Lien Sale was today and was being conducted entirely online, with 116 parcels listed and 156 registered bidders.

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

- Sheriff's deputies have responded to some complaints of shooting in the Russell Gulch area and have found a commercial shooting operation on land zoned Rural Residential, which is against County Zoning Regulations. Community Development Code Enforcement Officer Tami Archer has sent a Notice of Violation and the County has other affidavits prepared if the property owner does not come into compliance.
- A second Rural Residential property with an Air Bed and Breakfast operation offers shooting opportunities against the Zoning Regulations. A Notice of Violation has been sent, but the owner has not replied.

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

Policy on Facility Use Fees. Parks and Recreation Department Director Kyle Benedict and Assistant Director Gabrielle Chisholm were present to discuss a request from a local organization to waive the facility rental use fee for their annual event. The request has led to a larger discussion of some gaps in the Facility Use Policy. Gilpin County will begin using a new software program in the coming months for online applications for permits from several County departments and County Manager Montoya hopes the program can be structured to address this type of request and to achieve fairness to all organizations who use County facilities. Commissioner Engels moved to approve a waiver option from the 180-day application deadline for this class of event and to have the County's legal counsel complete this work. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Letter of Support by HAC for Belvidere Grant. Historic Preservation Liaison Tami Archer stated that the City of Central will apply for an Energy/Mineral Impact Assistance Fund grant for the rehabilitation of the Belvidere theater and that the Gilpin County Historic Preservation Advisory Commission (HAC) has approved a letter of support for the application. Commissioner Watson said the Board should be made aware of this type of support in advance of a letter being sent. Commissioner Engels agreed and moved to ratify the HAC letter and to direct staff to write a letter from the Board. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

**Recess.** The Board recessed from 11:08 a.m. to 11:21 a.m.

**Public Hearing—Resolution #19-10, Approving 2019 Budget Supplementals.** Chair Isenhart opened a public hearing for Resolution #19-10, "Approving 2019 Budget Supplementals," presented by Finance Director Clorinda Smith. Chair Isenhart opened the hearing to public comment. There being none, Chair Isenhart closed the hearing to public comment. Commissioner Engels moved to adopt Resolution #19-10, "Approving 2019 Budget Supplementals." Commissioner Watson seconded the motion, which passed by a vote of 3 to 0. Chair Isenhart closed the public hearing. (The legal recording of the public hearing, including any public comment, is an audio file available through the Clerk and Recorder's Office.)

#### **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:

- Senior Leadership Team, November 20, at the Sheriff's Office Emergency Operations Center (EOC)
- Local Emergency Preparedness Committee, November 21, in the EOC
- Crisis Services meeting, Gilpin and Clear Creek counties, Jefferson Center for Mental Health, arrangements to be determined
- Colorado Counties, Inc., Winter Conference, December 2 through 4, in Colorado Springs
- Board of County Commissioners special meeting, December 5, 1:00 p.m., at the Courthouse

Planning Commission Appointments. Gilpin County Planning Commission Chair Laura Jenéy said the Commission had two vacant seats for which they had interviewed two applicants, and that the terms had been adjusted a bit to keep the three-year rotation correct.

Commissioner Watson moved to make the following appointments to the Commission:

- Laura Jenéy to a new three-year term ending December 31, 2022
- Bob Haxel to a new three-year term ending December 31, 2022
- Move Shannon Arrington to a regular member seat for her existing term, ending December 31, 2021
- Dave Sietsema as a first alternate for an existing term ending December 31, 2021
- Dorothy Sweet as a second alternate for an existing term ending December 31, 2019, and a new three-year term ending December 31, 2022

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

NoCo PLACES 2050. Commissioner Watson distributed information from NoCo PLACES 2050, a collaborative effort to protect and conserve natural and cultural resource values while providing equitable access and a quality recreations experience for future generations to enjoy. The Problem Statement written by the group addresses the exploding population in Colorado and the expected impact on public lands through skiing, hiking, camping, fishing and other recreational activities.

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

**Public / Press Comment.** Kristian Blessington informed the Board that he is the new Census contract for Gilpin County and that he will be available for community events, staff trainings or other support. Commissioner Watson said the Board looked forward to seeing Mr. Blessington on December 14 at the County's Winter Arts Festival.

**Adjournment to Executive Session.** Commissioner Engels moved to adjourn into Executive Session in accordance with C.R.S. 24-6-402 (4)(b), for a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions. Commissioner Watson 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 11:53 a.m.

Signed this 10<sup>th</sup> day of December 2019.