

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

December 10, 2019

A regular meeting of the Board of County Commissioners of Gilpin County was held on December 10, 2019, at the Gilpin County Courthouse. Chair Linda Isenhart called the meeting to order at 9:07 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. Commissioner Isenhart added 15 minutes to the public comment period to accommodate residents' concerns about the Denver Metroplex EA—flight path plan.

Conflicts of Interest. There were no conflicts of interest.

Public/Press Comment. Public comment was given by:

Rebecca Strong Johnson, 244 Fiddler's Green Place, asked about the status of her application to vacate a road right-of-way, and if it would be on the Board's meeting agenda for December 17, 2019.

Margaret Tucker, 1777 Highpoint Circle, stated her opposition to increased air traffic over Gilpin County.

Elena Guiterrez, 1345 Dory Hill Road, advised the Board that residents of temporary housing on Dory Hill Road have likely been dumping raw sewage into the seasonal creek in that area. County Manager Montoya will look into the matter.

Arthur Gallegos, 2580 Coyote Circle, a combat veteran, listed some problems he has experienced due to increased air traffic over his home, and expressed anger that veterans do not receive better care.

Update on Denver Metroplex EA—Flight Paths. Commissioner Isenhart reminded those present that the Metroplex plan has not been implemented, that the final environmental assessment has yet to be issued, and that the FAA's public comment period will end on December 20, 2019. Commissioner Watson and Commissioner Engels listed their contacts with other counties in their many efforts to oppose proposed changes to the FAA's flight path plan over the Rocky Mountains west of the Denver metro area, which would greatly increase the number of flights over Gilpin County.

Resident Donna Okray Parman spoke extensively on items she had read on the internet reflecting conflicting information from the FAA and researchers, and on other aspects of similar flight path plans for other large cities. Commissioner Engels assured Ms. Okray Parman that the Board stood in unison with her and other residents against changes to the plan.

Public Hearing—Resolution #19-12, Adopting 2020 Budget. Chair Isenhart opened a public hearing for Resolution #19-12, "Adopting the 2020 Budget," presented by Finance Director Clorinda Smith. She spoke briefly about fund transfers, revenues and two capital improvement leases that will end in 2020. Commissioner Engels said the Board has been spending down the reserves to cover some projects. Commissioner Watson said this was a cautionary moment, and that the County would have to look for increased revenue sources in the future.

Chair Isenhart opened the hearing to public comment. There being none, Chair Isenhart closed the hearing to public comment. Commissioner Watson moved to adopt Resolution #19-12, "Adopting the 2020 Budget." Commissioner Engels 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.)

Resolution #19-13, Levying General Property Taxes for the Year 2019, to Help Defray the Costs of Government for Gilpin County, Colorado, for the 2020 Budget Year. After Finance Director Clorinda Smith brief comments about property taxes, Commissioner Engels moved to adopt Resolution #19-13, "Levying General Property Taxes for the Year 2019, to Help Defray the Costs of Government for Gilpin County, Colorado, for the 2020 Budget Year." Commissioner Watson seconded the motion, which passed by a vote of 3 to 0

Auditor's Letter of Engagement. Finance Director Clorinda Smith presented a Letter of Engagement for an audit of Gilpin County's basic financial statements from Hinkle and Company. Commissioner Watson moved to accept the Letter of Engagement with Hinkle and Company in the amount of \$20,000.00. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Updates to 2020 Pay Plan. Human Resources Specialist Christine Wilhelm proposed some changes to the 2020 pay plan, citing the increase to the minimum wage to \$12.00 per hour, three new employment positions and a title change to one other position. Finance Director Smith said the new minimum wage would affect some part-time positions and would slightly exacerbate wage compression. Commissioner Engels moved to approve the proposed changes to 2020 pay plan. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

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

Public Hearing—BOA #19-06, Request for Extension of Temporary Housing Permit. Chair Isenhart opened a public hearing to consider a request from Michael Price to extend his temporary housing permit by one year to allow him time to finish construction of a permanent single-family dwelling at 554 Old Hughesville Road. County Planner Tami Archer presented the request, saying the original building permit was issued on November 30, 2016, and a temporary housing permit was issued on June 6, 2017, allowing Mr. Price four additional months to complete construction. The temporary housing permit expired on October 16, 2017; the original building permit expired on November 30 2018. After receiving complaints of violations of the Zoning Code on the property, staff issued a warning letter to Mr. Price on October 23, 2019. On October 25, 2019, Mr. Price renewed his original building permit and paid the back fees, and was referred to the Board of Adjustments (BOA) to request an extension of his temporary housing permit, as the construction is not at 50% completion. Planner Archer also noted that the file on the onsite wastewater treatment system (OTWS) is incomplete, in that the plans lack an engineer's stamp. Further enforcement of the Zoning Code would require direction from the BOA.

Chair Isenhart opened the hearing to public comment. Those who spoke were:

Kristen McFarland, adjacent property owner, cited trash violations, negative interaction with Mr. Price, and asked that the BOA deny the request for an extension of the temporary housing permit.

Michael Nuzum, adjacent property owner, spoke of trash violations, negative interaction with Mr. Price, and asked that the BOA deny the request for an extension of the temporary housing permit.

Following public comment, Chair Isenhart closed that portion of the public hearing. County Attorney Jim Petrock advised the BOA to withhold any decision until Planner/Code Enforcement Officer Archer could perform an inspection of the property in question.

Commissioner Engels moved to continue today's public hearing for BOA #19-06, to the Board's January 7, 2020, meeting, to allow time for an inspection. 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 Health. The Board of Adjustments adjourned and convened as the Board of Health.

Public Hearing—BOH #19-01, Variance Request from Onsite Wastewater Treatment System Regulations. Chair Isenhart opened a public hearing before the Board of Health (BOH) for application BOH #19-01, for Paula Benjamin at 151 Tomonel Lane, west of Rollinsville, a seasonal residence. Community Development Code Enforcement Officer Tami Archer presented the application, saying that because the onsite wastewater treatment system (OWTS) regulations require a distance between the water well and the septic system that cannot be met on this parcel, and OWTS engineer has recommended a vault privy be installed. Brief discussion followed.

Chair Isenhart opened the hearing to public comment. There being none, Chair Isenhart closed that portion of the hearing. Commissioner Engels moved to approve the OWTS application for a vault privy at 151 Tomonel Lane, as presented. 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. Commissioner Engels moved to adjourn as the Board of Health and reconvene as the Board of County Commissioners. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Arena Maintenance Agreement. Public Works Director Gordon Thompson presented an updated agreement for maintenance of the arena at the Fairgrounds for the year 2020 with Larry Sterling Excavating, Inc. Minor errors in the document were noted. Commissioner Watson moved to approve the Arena Maintenance Agreement for 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Highway Users Trust Fund (HUTF) Annual Report. Public Works Director Gordon Thompson presented the annual Highway Users Trust Fund (HUTF) report, saying the number of lane miles had not changed. After brief discussion, Commissioner Engels moved to accept the 2019 HUTF report. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

First Amendment Auditors in Public Places. Public Works Director Gordon Thompson said that due to recent visits by the public to Gilpin County facilities, he thought it might be beneficial to post signs prohibiting access to unsafe or secure areas. He shared printed samples of signs and noted that some visitors just want to take pictures, and they cite their first amendment rights. Director Thompson said the County's Senior Leadership Team (SLT) and staff needed to be educated on how to avoid confrontation with these visitors. County Manager Montoya said the topic could be scheduled for an SLT meeting in January.

Recess. The Board recessed from 11:08 a.m. to 11:12 a.m.

The Arc—Raising Awareness of the Needs and Rights of People with Intellectual and Developmental Disabilities. Valerie Smith and Brent Belisle of The Arc spoke about their organization's work to raise awareness of the needs and capabilities of persons with intellectual and developmental disabilities (IDD). One of 700 chapters nationwide, locally The Arc works with Jefferson County and other entities to teach IDD people how to achieve their highest potential and to support full inclusion in communities, meaning increased opportunities and acceptance for jobs, activities and relationships. Communication and Outreach Director Smith said Community Outreach Coordinator Belisle and many other participants at The Arc are self-advocates, persons who make choices about and drive their own lives, and strive to dispel stereotypes about people with IDD. She said the perception that disabled persons are not able to do much affects those with IDD by lowering their self-expectations, which can prevent them from reaching their full potential. Coordinator Belisle said he has cerebral palsy, but that it doesn't limit his life, other than driving. He spoke at length about many IDD persons' desire to hold meaningful jobs, raise healthy families and be accepted members of communities. He then narrated a video presentation showing participants and activities at The Arc and spoke about his work with the Boulder / Denver Regional Mobility Committee. He said he understood the challenges of historic buildings in mountain communities and said most do a good job of accommodating IDD people.

Director Smith explained that The Arc is connected to ARC thrift stores, in that the stores allocate funding to each Arc chapter for advocacy, a model that works well. She further stated that the data on hiring IDD people supports their value as desirable employees, in that they are reliable, have fewer absences and have a better rate of workplace retention.

Coordinator Belisle closed their presentation with some suggestions for greater inclusion of IDD people: say Hi, speak to a person with disabilities, like you would anyone else, focus on their abilities, and have a conversation with us.

The Board gave their heartfelt thanks to Director Smith and Coordinator Belisle for their enlightening comments and wonderful presentation. Commissioner Isenhart said Gilpin County would include information about The Arc on its website, and that when the County's new Public Health / Human Services facility was completed, they would post information about The Arc as a significant community resource.

Legal Status Report. County Attorney Jim Petrock advised the Commissioners that Gilpin County was in great shape going into 2020, with no lawsuits pending or other concerns to discuss.

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. County Manager Montoya said the new permitting software that will be used and coordinated by several departments could probably go live in January, but that the facility maintenance segment would take a little longer. The permitting software includes reminders on expired permits, can track violations, has good record keeping features and allows various levels of information accessibility. Starting in January, the new business analyst employee will begin using the Sheriff's Office monthly and yearly reports as a model for assisting other departments with their reports.

Community Center Update. The heating system at the Community Center has been repaired, and office space is being planned for the new Events Coordinator.

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, December 12 at the Courthouse
- Crises Services in Clear Creek County, December 16 at the Gilpin County Public Health Building
- Regular Commissioners' meeting, December 17 at the Courthouse
- Holiday luncheon for employees, December 18 at the Teller House
- Congressman Neguse' aides discussion of Denver Metroplex, December 18 at the Community Center

Library Board Appointment. Commissioner Engels moved to appoint Alisa Witt, a current member of the Gilpin County Library Board of Trustees, to a new three-year term. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Minutes. Commissioner Watson moved to approve the Board of County Commissioners regular Meeting Minutes for November 19, 2019. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Commissioner Engels moved to approve the Board of County Commissioners special Meeting Minutes for December 5, 2019. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0. After brief comments, Commissioner Watson moved to amend the December 5, 2019, minutes to include mention of the

communication system with Motorola in the amount of \$67,000. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Public / Press Comment. Randy Beaudette, reporter for the Weekly Register-Call, encouraged all to ring the bell for the Salvation Army at the carousel in Black Hawk.

Adjournment. There being no further business to come before the Board, they adjourned at 12:15 p.m.

Signed this 07th day of January 2020.