

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

January 7, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on December 7, 2020, 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 Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

Conflicts of Interest. Commissioner Watson said she would recuse herself later in the meeting for a final plat application for her property.

Recognition of Jim Petrock, Retiring County Attorney. The Board of County Commissioners hosted a reception for retiring County Attorney Jim Petrock celebrating his 38 years of service to Gilpin County. Former Commissioners who attended the reception and spoke about their years of working with Mr. Petrock were Craig Nicholson, Jeanne Nicholson, Web Sill, Ron Slinger and Connie McLain. After their comments, Mr. Petrock addressed the Board and audience saying it had been an honor to serve Gilpin County through its many transitions, and told some stories of humorous incidents over the years. The Commissioners presented Mr. Petrock with a beautiful etched glass gift and thanked him for looking after Gilpin County for such a long time. The audience responded with a standing ovation.

Human Services Department Items. Human Services Director Sherrin Ashcraft and Caseworker Supervisor Taletha Pettis presented the following:

Memorandum of Understanding for Child Support Enforcement. Through a Memorandum of Understanding (MOU), Jefferson County has provided Child Support Enforcement services to Gilpin County for several years, but has notified Gilpin County that arrangement will end on December 31, 2020. A potential opportunity in 2021 and beyond would be for Gilpin County to self-provide those services and to offer them to Clear Creek County, to serve families in both mountain communities. Jefferson County has agreed to train and support workers after the current MOU ends. Commissioner Watson moved to approve the MOU for Child Support Enforcement Services through December 31, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Contract with Human Services Attorney. Current Human Services Attorney Jeffrey Timlin has requested no changes to the current Agreement for Special (HS) County Attorney and has agreed to extend it for a one-year period. Commissioner Watson moved to approve the First Amendment and Revival to the Agreement for Special County Attorney. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Request to Hire into the Pay Range. Supervisor Pettis proposed hiring a highly qualified candidate for a vacant Caseworker III position at an amount 15% above the current starting salary. The candidate is very experienced with training interns, in-take of new cases and child welfare. After brief discussion, Commissioner Engels moved to approve a starting salary of \$53,130.00 for the current applicant for the Caseworker III position. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

Department Update. The Board reviewed Director Ashcraft's monthly report and offered suggestions to improve terminology making it understandable to a lay person. Commissioner Isenhart commended some casinos for interfacing with Gilpin County seniors for holiday meals.

Recognition of Human Services Director Sherrin Ashcraft's Service to Gilpin County. To commemorate Human Services Director Sheriff Ashcraft's service to Gilpin County, several of her staff told how her efforts had guided the department to a more efficient, professional operation, and said she had been a great resource on many topics. County Manager Montoya said Director Ashcraft had been an amazing leader, relying on her staff for support, and had saved the County a substantial amount of money by correcting errors from the past and working well with the State Human Services department. The Board presented Director Ashcraft with a plaque and wished her well.

Update on Denver Metroplex Flight Paths. Commissioner Isenhart said U.S. Senator Cory Gardner's office had forwarded Gilpin County's letter to the Federal Aviation Administration (FAA) in Washington. Commissioner Watson said a Town Hall meeting with Representative KC Becker and Senator Tammy Story was being planned for January 13, likely at the Gilpin County School, to inform residents on the status of some state legislation and to hear their concerns about the Denver Metroplex flight paths plan. Also, Gilpin County will coordinate with the Centennial Airport Authority on an amicus brief. County Attorney Bradford Benning confirmed that work on the amicus brief continues, with facts about Gilpin County's circumstances being added.

Donna Okray Parman, of local group GRRift, requested the County's assistance in printing two large-scale maps of the current and proposed flight path plans for use at the upcoming Town Hall. County Manager Montoya said Historic Preservation Consultant Deon Wolfenbarger had written an excellent, informative letter to the FAA regarding the potential negative impacts of low-flying planes over the many historic sites and structures in Gilpin County.

County Attorney Contract. County Manager Montoya said that in preparation for the retirement of County Attorney Jim Petrock, interviews for the now in-house position had been conducted, with Bradford Benning rising to the top. A contract for that position was discussed, with several changes being requested by the Board and Mr. Benning. Commissioner Watson moved to approve the Employment Agreement to name Bradford Benning as the Gilpin County Attorney. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0. Commissioner Engels noted it was the first time in Gilpin County history to have an in-house County Attorney. County Attorney Bradford Benning said it was difficult to see Jim Petrock go, but that he had learned a lot from him.

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

Public Hearing (continued)—Follow-Up Report on BOA #19-06, Temporary Housing Extension Request. Chair Isenhart opened a public hearing continued from the Board's December 10, 2019, meeting to receive a report from County Planner/Code Enforcement Officer Tami Archer on a request for an extension of a temporary housing permit by property owner Michael Price. Code Enforcement Officer Archer gave a timeline of building permit expiration dates and reported on code enforcement for trash violations and the onsite wastewater treatment system following her inspection on December 17. She said construction of the single-family dwelling was not at the required 50% completion at that time, but that she had received a letter from a certified septic system installer stating the system had been installed according to the state's regulations.

Chair Isenhart opened the hearing to public comment. Comments were given by adjacent property owners Kristen McFarland and Michael Nuzum, 2021 Coyote Circle. Chair Isenhart then closed the hearing to public comment.

Each Commissioner gave their view of the circumstances on the incomplete construction of the house and how that related to the request for an extension. Commissioner Engels moved to deny BOA #19-06, a request for a one-year extension of a temporary housing permit. Commissioner Watson seconded the motion, which passed by a vote of 2 to 1, with Commissioner Watson voting against. Chair Isenhart closed the public hearing. Commissioner Engels requested that the County's regulations be updated to include a clear definition of "50% completion." (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 Adjustment and reconvene as the Board of County Commissioners. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0.

SBE #17-02F—Final Plat, Severance Lodge. Commissioner Watson said as the owner of the property at 19411 Highway 119, Black Hawk, Colorado, she would recuse as a County Commissioner for discussion of her request for approval of a final plat. Community Development Director Stephen Strohmingier cited the sequence of actions adjusting this property, said that all requirements have been met by owner Gail Watson, and recommended approval as submitted. Commissioner Isenhart said the adjustments to the property had been logical. Commissioner Engels moved to approve SBE #17-02F. Commissioner Isenhart seconded the motion, which passed by a vote of passed by 2 to 0.

Annual List of Appointments. The Board discussed the draft list of annual appointments for 2020, noting some necessary updates. Commissioner Engels moved to approve the list of appointments for 2020, as modified. Commissioner Watson seconded the motion, which passed by a vote of 3 to 0. The official appointments for 2020 are as follows:

- Commissioners to Convey—Gail Watson, Linda Isenhart, Ron Engels
- Chair, Board of County Commissioners—Gail Watson
- Chair Pro-Tem—Ron Engels
- County Manager—Abel Montoya
- County Attorney—Bradford Benning
- Administrative Assistant to the Board—Sharon Cate
- Budget Officer—Clorinda Smith
- Chief Building Inspector—Stephen Strohmingier

Emergency Preparedness Manager—Nathan Whittington
Road Supervisor—Gordon Thompson
Board of Adjustment—Gail Watson, Linda Isenhardt, Ron Engels
Local Liquor Licensing Authority—Gail Watson, Linda Isenhardt, Ron Engels
Depository Banks for Gilpin County—Wells Fargo, ColoTrust General, ColoTrust Reserve, and C-Safe
Newspaper of Record—*The Weekly Register-Call*
Location of Public Notice of Public Meetings—Old Courthouse (Building Front) and Gilpin County website
Staff Authorized to Use Facsimile Signatures—Clorinda Smith and Lorna Plamondon

Commissioner Watson then assumed the role of Chair for 2020.

Recess. The Board recessed from 10:48 to 10:54 a.m.

Moment of Silence. Commissioner Watson called for a moment of silence, saying resident Michael Schwab passed recently; he and his wife Lynn had lived in Gilpin County for many years.

Proclamation—January is National Radon Action Month. Public Health Coordinator Bonnie Albrecht informed the Board that because the Colorado Rocky Region has been ranked as an area with the highest radon potential possible, the Colorado Department of Public Health and Environment, the U.S. Environmental Protection Agency and the American Lung Association are promoting efforts to raise awareness of the issue and to take action to test homes and mitigate high test results. She said radon is an invisible, odorless, potentially fatal radioactive gas. Commissioner Isenhardt moved to proclaim January as Radon Action Month. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Temporary Ground Lease with Mountain Broadband, LLC. Public Works Director Gordon Thompson said Mountain Broadband, LLC, has been installing fiber for high-speed internet service in Gilpin County, and that they now need to lease space near the Library to store some construction equipment. The proposed lease would end in 14 months and rent would be set at \$200 per month. Minor changes to the lease were discussed, with County Attorney Benning saying that in the future, Gilpin County's lease agreements will be written in a standardized format. Commissioner Engels moved to approve the Temporary Ground Lease Agreement with Mountain Broadband, LLC. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

Finance Office Items.

Proposal for Bottled Water Service. Staff Accountant Lorna Plamondon said she had researched pricing on bottled water and on filtration systems for County-owned buildings to move toward using one vendor for these needs and to lower costs. After discussion, Commissioner Watson suggested that Staff Accountant work with Facilities Maintenance Supervisor Dirk Matthews on current water quality, and to conduct a poll of employees on their water needs. Finance Director Clorinda Smith said the goal is to have employees use filtered tap water in as many facilities as possible. Staff will continue their research.

DOLA Gaming Impact Grant Funding. Commissioner Engels stated that the State Department of Local Affairs (DOLA) had awarded gaming impact funds differently this year, and that the County would have to determine how to structure the distribution of some funds.; no recipient can receive more than they requested in their grant application. Commissioner Engels explained that although Gilpin County's requests had totaled \$2,639,883.00, the total award received this year was \$1,733,454.00. Commissioner Engels explained a complex formula he had developed for a fair distribution of \$135,113.00 to the eligible recipients. Commissioner Watson suggested making it clear to recipients that this type of distribution would not happen every year. Commissioner Isenhardt moved to allocate the \$135,113.00 difference to the recipients as defined on Commissioner Engels's spreadsheet, and to grant the entire \$1,733,454.00 as stipulated by DOLA. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Sheriff's Office Items.

Police Recruit Training Agreement. Detentions Division Chief Sean Wheeler proposed an agreement through which the City of Lakewood would train police recruits for Gilpin County as required by the County to moved from detentions to patrol duty. After brief discussion of the terms, Commissioner Engels moved to approve the Agreement with the City of Lakewood for Police Recruit Training. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

Law Enforcement Academy Repayment Agreement. Division Chief Wheeler proposed an agreement between the County and a newly hired deputy in which the deputy would be required to repay the cost of formal training at the County's expense, should the employee decide to terminate employment. Several changes to the agreement were discussed. County Manager Montoya said a request for a waiver from the agreement for an employee should be made by the Sheriff's Office to the Board, with the Board having sole discretion to

grant that request. Commissioner Engels moved to approve the Law Enforcement Academy Repayment Agreement with changes. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Single-Band Radio Purchase. Communications Manager Lyssa Gray provided updated prices for mics and earpieces as part of the new 800mhz radios for Sheriff's Office personnel; all deputies would also have dual band radios. The updated prices represent a \$19,000.00 savings over the original price of these components, but other factors will still increase the total purchase price. County Manager Montoya said that in September, the Sheriff's Office would have a better idea on the amount of a budget supplement, if needed. Commissioner Isenhart moved to authorize the purchase of single-band radios at the new price increased by \$22,500.00 for the 2020 budget. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Ambulance Inspection Reports. Gilpin Ambulance Authority (GAA) Director Brandon Daruna said new ambulance inspector Eric Schmidt had addressed items that had been overlooked in the past and that he was pleased with the quality of the inspections. Brief discussion followed regarding the replacement schedule for high-mileage ambulances. Commissioner Engels moved to approve the Ambulance Certifications for five GAA ambulances. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Ordinance #19-01 for Historic Preservation—Continued First Reading. Historic Liaison Tami Archer gave some clarifications to the language in Ordinance #19-01 for Historic Preservation, after which Historic Preservation Consultant Deon Wolfenbarger spoke to language addressing the impacts of vibrations on historic sites and structures, and the County's duty to protect them as valuable cultural assets. Commissioner Engels moved to approve Ordinance #19-01 on first reading, to order publication in the newspaper of record on January 16, and to set second reading for February 4, 2020. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Legal Status Report. County Attorney Bradford Benning advised the Commissioners they would need to discuss some legal issues in executive session.

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

Monthly Leadership Team Reports. The CSU Extension report was discussed, as was the news that Jennifer Cook has been hired as the agent for Gilpin County.

New Business Analyst Introduced. Jaime Tirado was introduced as the new Business Analyst for Gilpin County. He thanked the Board and said he had already held a conference call with OpenGov regarding implementation of their software.

New Building Construction Meeting. County Manager Montoya will meet with Sky Blue Construction later this week to discussion new information on the new Public Health/Human Services building.

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:

- Potential work session with Sky Blue Construction, January 14, 9:00 a.m. at the Courthouse
- Work session with Timberline Fire Protection District staff, January 14, 5:00 p.m. at Station #5
- State Legislators' Town Hall, January 13, location to be determined, likely Gilpin County School
- The next Board of County Commissioners meeting will be on January 21

Commissioners' Boards and Committees Assignments. The Commissioners discussed their annual list of boards and committees they are members of and any changes that were in order. Commissioner Engels moved to approve the 2020 list of Boards and Commissions, as modified. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Colorado Counties, Inc., Voting Proxies for 2020. Commissioner Engels moved to appoint County Manager Montoya as the Board's voting proxy for all Colorado Counties, Inc., steering committees. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Census Numerator to Gilpin County Website. The 2020 Census needs people in Gilpin County to work as temporary employees at an approximate wage of \$20.50 per hour. Gilpin County will add this information to its website, including a contact phone number.

Minutes.

Commissioner Engels moved to approve the Board of County Commissioners Meeting Minutes for December 10, 2019. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Commissioner Engels moved to approve the Board of County Commissioners Meeting Minutes for December 17, 2019, with amendments. Commissioner Watson seconded the motion, which passed by a vote of 2 to 0, as Commissioner Isenhart absent on December 17, 2019.

MOU to Establish the Healthy Foodsheds and Wealthy Forests Partnership for the Youth of Gilpin County and the City and County of Denver. Parks and Recreation Director Kyle Benedict and Youth Coordinator Jacob Rippy stated that Gilpin County had joined with Lincoln Hills Care and El Laboratorio to create a partnership for the purpose of youth development and to teach environmental leadership. The partnership will submit a grant proposal that would fund a full-time position for a youth coordinator, but would not commit Gilpin County to any financial amount. Director Benedict will update the Board on the status of the grant.

Parks and Recreation Grant. Gilpin County Parks and Recreation Department has been awarded a grant to fund the design and installation of a playground. Work will begin in late spring, with the Department requesting assistance with mulch and the use of some heavy equipment.

Adjourn to Executive Session. Commissioner Isenhart moved to adjourn into Executive Session in accordance with C.R.S. 24-6-402(4)(b) &(e). 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 12:35 p.m.

Signed this 04th day of February 2019.