

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

January 21, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on January 21, 2020, at the Gilpin County Courthouse. Chair Gail Watson called the meeting to order at 9:00 a.m. In attendance were Chair Watson, Commissioner Linda Isenhart, Commissioner Ron Engels, County Manager Abel Montoya, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

**Agenda Review.** The Board added a report on the FAA's Denver Metroplex flight path plan, and moved the Comprehensive Plan discussion and information on the Census Boundary validation program to January 23, 2020.

**Cost Allocation Plan and Consulting Services Agreement.** Finance Director Clorinda Smith presented the 2020 Cost Allocation Plan for work to be performed in 2020, using 2019 actual expenditures. The Consulting Services Agreement for work on the Plan is included in the 2020 budget at \$4,550.00, to receive approximately \$32,000.00 for indirect costs for the Human Services Department. County Attorney Bradford Benning said he had reviewed the Agreement and revised the term to only one year. Commissioner Engels moved to authorize Finance Director Clorinda Smith or her staff accountant to sign the Consulting Services Agreement with MGT Consulting Group in the future as the amount is under \$5,000.00. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Commissioner Engels directed staff to talk to MGT Consulting Group about performing the same type of work to identify indirect costs on gaming-related tasks. MGT Consulting Group would function as an independent vendor.

**Proposal to Amend Employee Handbook.** Human Resources Specialist Christine Wilhelm proposed a change to the Employee Handbook, based on County Manager Montoya's recommendation to allow employees to accrue an unidentified number of vacation hours, but that on December 31, anything over 208 vacation hours would be forfeited in the final pay period. After brief discussion, Commissioner Engels moved to approve the vacation hour accrual changes to the Employee Handbook as presented. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Commissioner Watson asked staff to work on the section of the guidelines for transfers to positions in a lower salary range, to require Board approval for any such transfers, which can affect the budget by \$20,000 or so.

**Hazard Mitigation Plan Grant Application.** Emergency Manager Nathan Whittington presented an application for a Hazard Mitigation Plan (HMP) grant that would meet the requirements of the Disaster Mitigation Act and the most current FEMA guidelines, and would be aligned with the current Colorado Hazard Mitigation Plan. He said the application was complete, but that on January 23, 2020, the County Manager Montoya would discuss including an HMP in the upcoming Comprehensive Plan. He emphasized that if awarded, the HMP grant would fund 100% of Gilpin County's recovery dollars for some types of emergencies, and that the grant match was in the 2020 budget. The discussion was tabled until the Board's January 12, 2020, special meeting.

**Request to Adjust Head Lifeguard Pay Rate.** Parks and Recreation Department Director Kyle Benedict and Aquatics Specialist Tabitha Oline made a request to raise the pay rate for the Head Lifeguard position from \$12.36 per hour to \$15.14 per hour, which would be mid-point in the range. Director Benedict explained that the position had been vacant for over 1.5 years, no applications have been received that the proposed increase would make Gilpin County more competitive with Clear Creek County and the City of Golden. Commissioner Isenhart moved to approve the increase to \$15.14 for the Head Lifeguard position. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**CC4CA—Colorado Communities for Climate Action.** Executive Director Jacob Smith gave a presentation of Colorado Communities for Climate Action (CC4CA), a coalition of local governments advocating for effective climate action, primarily at the state level. He listed numerous impacts to local communities due to climate change saying that much scientific work is being done at the local and federal levels and that it needed to move now to the state for greater efficacy. Also, the CC4CA 2019—2020 Policy Statement requires unanimous support of all members, that it can be adjusted to accommodate both the Front Range and the Western Slope, and that CC4CA continues to fine-tune the Statement.

Commissioner Watson said the Board would need to review the Policy Statement in detail, and noted that the State's lack of recycling and composting options is alarming. She said she was disappointed by how little support Gilpin County received from the State at the County's recent Bioenergy Day. Gilpin County has one of the most effective biomass facilities in the area and all of its buildings are now using wind-powered electricity, effective January 1, 2020. The Board will consider whether or not to join CC4CA at a future Board meeting.

**Agreement for Professional Surveying Services.** Community Development Director Stephen Strohming proposed the renewal of the Agreement for Professional Surveying Services, work that is performed outside that of the County Surveyor. Director Strohming said the renewal was identical to the previous Agreement, but had been extended to a three-year term to decrease administrative work. County Manager Montoya said an appraisal

of County-owned property would begin soon, but that a survey would likely be required to sell a parcel, or include a disclosure in a contract that the buyer is responsible for the survey. Commissioner Engels moved to approve the Agreement for Professional Surveying Services. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0. Commissioner Watson gave Director Strohming a letter and a DVD containing a map from the Census Bureau requesting confirmation of the boundaries of the County and the cities within.

**Commissioner Engels moved to recess as the Board of County Commissioners and convene as the Local Liquor Licensing Authority. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.**

**Resolution #20-01, Amending Regulations for Tastings at Retail Liquor Stores.** Commissioner Watson said the State Liquor Enforcement Division has increased the number of tastings to 156 per year, and that one local business had requested that the Local Liquor Licensing Authority consider increasing the local limit from the current 24. Commissioner Engels moved to adopt Resolution #20-01, "Amending the Regulations for Tastings at Retail Liquor Stores," which raises the local limit to not more than 52 dates per calendar year. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

**License Renewal Applications.** Deputy Clerk Sharon Cate presented the following annual renewal applications:

A retail liquor store license, XTRACT, LLC, dba Mid County Liquors, located at 17218 Highway 119, with a current expiration date of February 15, 2020. Commissioner Isenhart moved to approve the application at the local level, as presented, with a new expiration date of February 15, 2021. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

A hotel/restaurant license for Last Shot, LLC, dba Last Shot, located at 17268 Highway 119, with a current expiration date of February 28, 2020. Commissioner Engels moved to approve the application at the local level, as presented, with a new expiration date of February 28, 2021. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

**Commissioner Isenhart moved to adjourn as the Local Liquor Licensing Authority and to reconvene as the Board of County Commissioners. Commissioner Engels seconded passed 3 to 0.**

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

- An Executive Session regarding an FAA matter is needed; a brief has not been filed yet by any of the involved parties
- Update on a recent code enforcement case for a request to extend a temporary housing permit; new information from the Community Development Department might cause the County to pursue a notice of violation against the property owner. Commissioner Engels said the County could probably work with the property owner and his neighbors.

**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 by Human Services, the Sheriff's Office and Public Works were discussed. Commissioner Watson suggested taking \$12 million for a new jail building out of the budget. Commissioner Engels said a work session with the Sheriff and the Detentions Division Chief was needed to gain a sense of why the jail population had decreased.

Commissioner Watson pointed out that the Human Services report indicated no use of the Connector transportation service and that it might need to be opened up to more uses than medical appointments. County Manager Montoya he would pose that question to candidates for the Director position in the upcoming interviews, and that he would talk with Human Services staff to learn more about Medicaid transports. Commissioner Isenhart thanked Account Specialist Carol Takahashi for breaking out the information on CORE services in response to her request.

Letter of Support—Adams County Requesting Individual Area Agency on Aging Designation. County Manager Montoya said Gilpin County had received a request for a letter of support from Adams County for their request to the State Unit on Aging in the Colorado State Human Services Department to open the process for designating Planning and Service Areas (PSA) in the Denver Metro Region. Doing so would allow eligible individual counties to submit apps for PSA and Area Agency of Aging designation. After brief discussion, Commissioner Engels moved to approve sending a letter of support for Adams County. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Gilpin County Healthcare Committee Meeting. County Manager Montoya said he had attended a meeting of the Gilpin County Healthcare Committee on January 16, a group that operates with a non-profit type of business model and is focused on how to secure health care in the County by partnering with other counties. At the committee meeting, they discussed numerous concepts on programs, and asked if the Board of County Commissioners was committed to healthcare services in county. County Manager Montoya told the Committee that the County was committed, but that there are budget restraints to consider. Commissioner Watson cautioned that any engagement with other counties should be initiated by the Gilpin County Board.

Resident Sandy Hollingsworth joined the Board's discussion and said a clinic in Lafayette, Clinica, has offered to expand into Gilpin County, as they have other satellites in the metro area.

#### **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:

- A special meeting of the Board of County Commissioners, January 23, 2020, 9:00 a.m.
- Colorado Preservation, Inc., luncheon, January 30, Denver

Letter of Recommendation for Appointment to District 1 Judicial Review Commission. Commissioner Isenhart said one vacant position on the District 1 Judicial Review Commission has already been assigned, and the Commission can choose between Gilpin County's two candidates to fill the other position. Commissioner Isenhart moved to submit a letter to Governor Polis naming two candidates for a vacant position on the District 1 Judicial Review Commission. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**Adjournment to Executive Session.** Commissioner Isenhart 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 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 10:49 a.m.

Signed this 04<sup>th</sup> day of February 2020.