

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

May 19, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on May 19, 2020, in an online format; no physical meeting was held. 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 discussion of Public Health Order #20-07 to the agenda.

**COVID-19 Update.** Public Health Coordinator Bonnie Albrecht stated that there are currently two confirmed cases of COVID-19 in Gilpin County. She has been working on some documents to be included in the County's variance request to be submitted to the Colorado Department of Public Health and Environment in an effort to reopen the casinos earlier than was planned, and she is working to prepare a drive-up testing site for those residents who are symptomatic. Coordinator Albrecht clarified that the antibodies test will not be performed in the County, but will be available at a testing site in Wheat Ridge called STRIDE.

Emergency Manager Nathan Whittington said he is working with emergency response agencies in the County to continue effective management of COVID-19, and has been receiving personal protective equipment and supplies for the soft opening of the Courthouse and other County facilities when appropriate.

**Update on Committees Working on Casinos Reopening.** Commissioner Engels gave an update on work performed by two committees to complete Gilpin County's variance request to the Colorado Department of Public Health and Environment for a possible early opening of local casinos. He has met with representatives from some casinos, Teller County, the Colorado Gaming Association and others to compile a comprehensive package for the variance request, which will be submitted very soon.

**Resolution #20-06, Timberline Fire Protection District Impact Fee.** Commissioner Watson said today the Board would hold its third public discussion of the Timberline Fire Protection Districts (TFPD) proposed impact fees. Upon the advice of County Attorney Benning, Commissioners Isenhart and Engels stated they had spoken with members of the TFPD Board of Directors recently to receive additional information. TFPD Board members Rick Wenzel and John Bushey stated they had spoken with Commissioners Isenhart and Engels for informational purposes only. After discussion, Commissioner Engels moved to approve Resolution #20-06, "Approving Collection and Remittance of Timberline Fire Protection District Impact Fees," including the Intergovernmental Agreement Between Gilpin County and Timberline Fire Protection District for the Assessment, Collection and Remittance of Timberline Fire Protection District Impact Fees. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

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

**Public Health Order #20-08, Partial Opening of Library.** Library Director Michael Carlson and County Attorney Benning gave an overview of Public Health Order (PHO) #20-08, to open the Library to regulated use of the public computers there. Some curbside services are currently being provided, with materials received at the Library being set aside for a three-day quarantine. Commissioner Watson stated that she was unaware the Library was performing curbside services and that the Board of Health should have reviewed the protocols and should have been involved in that decision. Later in the meeting, after the Board's review of Director Carlson's documentation of protocols and his proposal, Commissioner Engels moved to approve PHO #20-08. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

**Variance Request for Wedding Gathering.** Commissioner Watson said a letter had been forwarded from Community Development Director Stephen Strohming by a local family requesting permission to host a wedding that would be attended by more than 10 people. Commissioner Engels noted the Board has the authority to grant a variance from PHO #20-07 that restricts non-resident travel on some County roads, but that the State's Safer at Home order prohibits gatherings of more than 10 people. After discussion, Sheriff Armstrong agreed to contact the family for additional information.

**Operation of Bed and Breakfast Businesses in Gilpin County.** Commissioner Watson said that although AirBNB is closed by the State's orders, some bed and breakfast (BNB) businesses continue to operate in Gilpin County, and asked how the State's orders could be enforced. County Attorney Benning noted that Gilpin County PHO #20-06 also prohibits these businesses, but that enforcement was difficult. Penalties include a fine of up to \$5,000.00 or 18 months in jail. Staff will compile a list of BNB businesses, will send them an informative letter, and will increase messaging on the County website.

**Board of County Commissioners.** Commissioner Engels moved to adjourn as the Board of Health and reconvene as the Board of County Commissioners. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

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

- The current Zoning cases are moving forward, with a Notice of Violation in one case; a case on Hornblend Road is in the court process.
- The discussion of combining dispatch services with area agencies continues with input from Jefferson County and Jeffcomm.
- In response to reports of visitors to the County removing barricades and accessing roads that are closed, County Attorney Benning said PHO #20-07 is effective to May 29, and could be extended.

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

Sheriff's Office Detentions Report. The monthly and multi-year Jail reports that had been submitted were displayed onscreen and discussed. Sheriff Armstrong said his staff will continue the protocols and the evaluations of people entering and leaving the jail. There is a quarantine area for inmates before they go into the jail population. County Attorney Benning said the County's variance request to the Colorado Department of Public Health and Environment would have to demonstrate the ability to manage increased numbers in the jail and that any issues can be addressed.

County Manager Montoya said other department's reports are on the County's website. The plexiglass order has been delayed over a week, but as soon as it is received, discussion will begin on Phase 2 of the soft opening for the Community Development and Human Services departments and the CSU Extension Office.

CSU Extension Office. Extension Agent Jennifer Cook said she has developed some guidelines for a soft opening and has made some appointments for the public. She will open a virtual education program this summer. The Extension Office has applied for a Tony Grampas Youth Services grant that will fund a three-year youth coordinator position to work with teens on leadership and substance abuse awareness. Funding will be routed through CSU, with no County involvement. Agent Cook should know by mid-June if this grant will be awarded. Also, this summer's tree and plant sales will be available by curbside pick-up in scheduled appointments.

**Board of County Commissioners Status Reports.**

Notice of Public Meetings. The Board's upcoming public meetings will include May 26, June 2, 9, 16, 23 and 30, 2020.

**Minutes.**

Commissioner Isenhart moved to approve the Board of County Commissioners Meeting Minutes for May 12, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**Adjournment to Executive Session.** Commissioner Engels moved to adjourn into Executive Session as follows:

- For a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b);
- For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e);
- For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f)(I)&(II) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees

Commissioner Isenhart 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 10:45 a.m.

Signed this 02<sup>nd</sup> day of June 2020.