

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

June 16, 2020

A special meeting of the Board of County Commissioners of Gilpin County was held on June 16, 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 Isenhardt, Commissioner Ron Engels, County Manager Abel Montoya, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

Agenda Review. Two items added to the agenda were: Treasurer Mary Lorenz' explanation of the State's recent changes on property tax late fees and interest; and a request from some casinos to open their doors tomorrow at 7:00 a.m. instead of the approved 8:00 a.m., to prevent long lines or a congregation of customers.

COVID-19 Update.

Emergency Manager Nathan Whittington: The Emergency Operations Center continues to receive personal protection equipment for reopening County offices, some of which was delivered to the Courthouse. He has been supporting Public Health Coordinator Bonnie Albrecht with permits to allow casinos to open on June 17.

Public Health Coordinator Bonnie Albrecht: Casino inspections were performed this week, with only two remaining, to help them prepare for partial reopening on June 17. Gilpin Ambulance Authority paramedics have been performing tests at the community COVID-19 testing site; five tests are scheduled for today. Currently, Gilpin County has six confirmed cases. Coordinator Albrecht has been studying the framework of the State's Protect your Neighbors public health order.

Colorado Communities for Climate Action Group. Commissioner Watson stated that Colorado Communities for Climate Action (CC4CA), a coalition of local governments advocating for effective climate action primarily at the state level, has asked the Gilpin County Commissioners if they intend to renew their membership in 2021. Some other members of the coalition have indicated they are not financially able to continue, potentially affecting the organization. The dues for the Board's second year of membership in year 2020-21 would be \$5,000.00. The Board agreed this item will be included in the 2021 budget discussions later this year.

Primary Ballot Delays. Clerk and Recorder McCormick informed the Board that Gilpin County's primary election ballots were delivered to the Denver post office hub last week, but were then lost in the postal delivery system. They arrived at post offices in Gilpin County last night and should be in post office boxes today, and the routes out of Black Hawk either today or tomorrow. There is an investigation at Denver post office hub to determine the reason for the delay. Commissioner Watson suggested that residents should put their ballots in one of the three drop boxes around the County and not rely on postal deliver at this time. Clerk McCormick noted that the last pick-up of ballots from drop boxes is on June 30 at 7:00 p.m., and postmarks on mailed ballots do not count. There is also funding in the COVID-19 CARES Act for local governments to add ballot drop boxes, which will be coordinated by the Colorado Secretary of State's Office. Gilpin County will consider placing an additional box on SH 72 near the shared boundaries with Jefferson and Boulder counties.

Proclamation for the Mountain Mask Project. The Board introduced the Mountain Masks Project Proclamation to honor the efforts of the people involved. Each Commissioner read a list of names, and noted the group has produced over 5,000 masks so far. Commissioner Isenhardt moved to ratify the Mountain Masks Project Proclamation. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Volunteers of America—Service Agreement Renewal. Human Services Director Laura Solomon and Senior Services Supervisor Mary Ellen Makosky presented two agreements with the Volunteers of America (VOA) for annual renewal. Through the agreements, Gilpin County provides the Seniors' Nutrition Program and all necessary components of the Transportation Program and receives reimbursement from the VOA. There were no changes to the agreements other than the renewal dates. Commissioner Engels moved to approve the Seniors' Nutrition and Transportation programs agreements through June 30, 2021. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

Treasurer Update. County Treasurer Mary Lorenz said House Bill 20-1421 has passed, allowing Boards of County Commissioners, upon approval of the Treasurer's information, to reduce, waive or suspend late fees or interest on delinquent taxes between June 15 and October 1, 2020. After adjustments for casinos on tax payments plans, the County is \$30,000.00 higher on collections this year than last. She advised the Board against waiving late fees or interest for casinos, as six of the ten that are delinquent had not paid the first-half taxes before the COVID-19 shutdown. The Board agreed to wait for more information from Treasurer Lorenz' discussions with casino managers.

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

Casinos' Request to Open One Hour Early. County Manager Montoya said some casino general managers have asked to be allowed to open one hour earlier tomorrow, the first day gaming partially resumes after the COVID-19 shutdown. They believe allowing early patrons inside at 7:00 a.m. could reduce large congregations of people at the doors, for the 8:00 a.m. opening. The director of the Division of Gaming has given approval and asked to be notified if the Board of Health agreed to the request. Commissioner Engels moved to amend Public Health Order #20-09 to allow casinos to open at 7:00 a.m. on June 17, 2020. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

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

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

- The zoning code enforcement case at 26 Hornblend continues, with the property owner working toward compliance. The County will proceed with a motion for summary judgment to keep the process moving and assure compliance.
- Public Health Coordinator Bonnie Albrecht and County Attorney Benning are working on the State's Protect your Neighbor order, and will provide their comments to the State by June 18.
- County Manager Montoya and County Attorney Benning are working on a plan for use of the CARES Act federal funding as administered by the Colorado Department of Local Affairs. The County's portion is approximately \$536,000.00, to be split with the cities of Central and Black Hawk by means of an intergovernmental agreement. The funds cannot be used for payroll, only expenses directly related to COVID-19. The plan must be submitted by June 19. County Manager Montoya said the Board would need to schedule an executive session for June 18 to go through the plan.

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

Employee Handbook Language Amendment—Volunteer Emergency Responders. During the executive session later today, the Board will need to provide guidance for a possible change to the Employee Handbook regarding pay for volunteer emergency responders.

Sheriff's Office Detentions Reports. The May 2020 and annual detentions reports were discussed.

Board of County Commissioners Status Reports.

Notice of Public Meetings. The Board's upcoming public meetings will include an executive session on June 18, plus regular meetings on June 23 and 30. Commissioners Watson and Engels will attend the annual retreat for Colorado Communities for Climate Action.

Minutes.

Commissioner Isenhart moved to approve the Board of County Commissioners Meeting Minutes for June 9, 2020. Commissioner Engels 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 June 11, 2020. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Public / Press Comment. In response to a question from *Weekly Register-Call* reporter Randy Beaudette, Commissioner Watson said the annual dues for Colorado Communities for Climate Action are \$5000.00.

Executive Session. Commissioner Engels moved to recess to 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.

Employee Handbook Amendment. Commissioner Watson referred to a change to the Employee Handbook that would allow a Gilpin County employee who is on the clock and chooses to respond specifically to a confirmed fire to be paid for the time away from their job; pay would not be provided for response to other types of emergencies. Also, these employees would not be covered by the County's liability insurance, worker's compensation or any other County insurance. County Manager Montoya said he has verified with the Timberline Fire Protection District and the Central City Volunteer Fire Department that volunteers are covered by those entities' policies. He recommended making that change and deleting the Gilpin County Animal Response Team (GCART) from that section of the handbook, as there are currently no County employees involved. Commissioner Engels moved to incorporate the new language into the Employee Handbook. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Adjourn to Executive Session. Commissioner Engels moved to adjourn to executive session under the same statutory citations noted above. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Public Comment. Emergency Manager Nathan Whittington advised the Board that GCART is under his direction and that Sheriff's Office staff and former GCART Director Vicki Nemecek are doing research on any agreement that might exist with this group. GCART is currently sheltering some livestock at the Fairgrounds arena. Manager Whittington has spoken recently with Boulder, Jefferson and Douglas counties about animal response teams, who consider them to be very valuable in the north central region of the state. County Manager Montoya said more work is needed to document the relationship legally, which would include Manager Whittington.

There being no further business to come before the Board, they adjourned at 10:34 a.m.

Signed this 23rd day of June 2020.