

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

June 23, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on June 23, 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.** Commissioner Engels added a discussion of a potential changes to Public Health Order (PHO) #20-09, in response to local casinos' request to follow state guidelines to open bars, pools, spas and gyms.

**Public / Press Comment.** Resident Sandy Hollingsworth thanked the County for postcards inviting residents to participate in the Land Use Comprehensive Plan, and asked the following questions:

- Is there an update on the Sheriff's Office grant funding? Commissioner Watson said it would likely be July 15 or 16 before there is more information.
- How has attendance been in the casinos? Commissioner Engels said June 17 was a big day, but the numbers have decreased since then. The protocols are working well.
- What are the Colorado Communities for Climate Action (CC4CA) priorities? Commissioner Watson said that the retreat on June 19 was a Zoom meeting and that the that group's policy would be ratified at their next session. Information will be posted on Gilpin County's website.
- Is there a decision on staff being paid during an emergency response? Commissioner Watson said that employees who are volunteer firefighters and have their supervisor's approval will be paid by the County while fighting a confirmed fire.

**COVID-19 Update.**

Public Health Coordinator Bonnie Albrecht:

- Gilpin County remains at six confirmed cases, with five more tests scheduled for today.
- Coordinator Albrecht has been working with casinos the past week; they are open, busy and working hard to follow all public health restrictions.
- Gilpin County Public Health Advisory Board member Jamie Fanselow said there are additional meals and supplies available for seniors, plus the Eagles Nest Early Learning Center has requested some meal kits for the families of children in their care. Commissioner Watson advised Coordinator Albrecht to let County Manager Montoya know if she doesn't have time for the meals project.

Emergency Manager Nathan Whittington:

- The Emergency Operations Center has been supporting election preparation with personal protective equipment and supplies.
- Manager Whittington and some Public Works employees helped Human Services with many boxes of food they had received. Six truckloads of boxed food were moved to the Scarlett's casino building with help from volunteers from all of the local fire agencies.
- Manager Whittington has been working with adjacent counties, the US Forest Service, Colorado Parks and Wildlife, local fire protection agencies and the Gilpin Ambulance Authority on a comprehensive fire restrictions plan, to have ready if and when a fire ban is needed. County Attorney Benning will help write the enforcement section of the plan. County Manager Montoya said it is a proactive plan, and the next step will be to review the draft.
- The Red Cross is working with three adjacent counties for evacuation sheltering. They will pay for 50 rooms at a local casino, and are working toward non-congregate sheltering (e.g. short-term rentals in the county), if need be.

**Census Status 360.** Jamie Fanselow spoke about Census Status 360, a program designed to help increase census participation via phone calls and text messages to residents. She emphasized that accurate numbers submitted to the Census ensures a community will receive funding for a variety of needs. Commissioner Isenhardt moved to invest between \$275.00 and \$375.00 to help pay for the text message part of the Census Status 360 program. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

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

**Liquor License Annual Renewal—Coyote Liquors.** Deputy Clerk Sharon Cate presented an annual renewal application for the retail liquor store license for Blackhawk Development Corp., dba Coyote Liquors, located at 5312 Highway 119, with a current expiration date of August 10, 2020. Commissioner Engels moved to approve the application at the local level, with a new expiration date of August 10, 2021. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

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

**Land Use Comprehensive Plan Update.** Community Development Director Stephen Strohming asked Francois de Kock of DTJ, and its subcontractors to give an update on the process to compile a Land Use Comprehensive Plan. Mr. de Kock and others spoke on several aspects of the Plan, particularly the public input component. He noted a public input online forum, a Town Hall, was scheduled for this evening, and that the information would be included in his next report to the Board.

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

**Amending Public Health Order #20-09.** Local casinos have asked Gilpin County to revise its most recent public health order to allow them to be current with State guidelines for activities, such as pools, bars, spas and gyms. County Attorney Benning said the amended order would become effective the day of Board approval. Discussion followed on the language that would amend the order. Commissioner Isenhart said that the casinos had been open for only a week, and they are now requesting approval of opening pools and other activities, but it wouldn't hurt to postpone the decision until we know how the first part of the reopening has been affected by COVID-19. Commissioner Engels said the amendment would only allow a business in the County to follow the State regulations. Commissioner Watson said she didn't want to be more restrictive than the state, and wanted to open businesses as safely as possible. The results will be shown using this measured manner. Commissioner Engels moved to approve the requested amendments to Public Health Order (PHO) #20-09. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

**Board of County Commissioners.** Commissioner Isenhart to adjourn as the Board of Health and to 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 Benning advised the Commissioners on the following legal issues:

- He has followed up with the State on the status of the County's variance request to partially open the Library, but has not received a response yet.
- Community Development Department is very busy with six zoning violation cases.
- An upcoming task will be to decide how to position Gilpin County to follow the State's Protect Your Neighbors phase.

**Public Health Core Services Contact Renewal.** After the Board confirmed there were no substantive changes to the contract between the State and the Gilpin County Public Health Agency for core health services, Commissioner Engels moved to approve contract #2019\*0395, Amendment #4. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

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

Community Development Department. The Community Development Director will need to begin providing the Board with a monthly written report on current code enforcement cases.

CARES Act Funding Plan. County Manager Montoya has been working with representatives from Central City and Black Hawk on an intergovernmental agreement (IGA) regarding the federal CARES Act funding, to be administered by the Colorado Department of Local Affairs (DOLA). The total allotment for Gilpin County entities is \$535,569.00 for certain COVID-19 related expenses. The County will receive 55% and the remaining 45% will be split between the other three entities, based on population. The IGA also defines how the funding is to be used; actual expenditures will be submitted for reimbursement. Commissioner Engels moved to approve The Intergovernmental Agreement regarding the CARES Act funding disbursement. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

#### **Board of County Commissioners Status Reports.**

Notice of Public Meetings. The Board's upcoming public meetings will include June 25 and June 30.

#### **Minutes.**

Commissioner Isenhart moved to approve the Board of County Commissioners Meeting Minutes for June 16, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**CCI Mountain District Meeting.** Commissioner Engels said a catch phrase he heard at the Colorado Counties, Inc., Mountain District meeting was, "Stay healthy to stay open," and said Gilpin County should start using the phrase in its marketing and for all businesses. He also said that of the 13 counties in the Mountain District, two public health directors have resigned their jobs due to ugly, negative feedback from their communities. He thanked the Gilpin County community for supporting local measures during the pandemic, and gave a huge "shout out" to Public Health Coordinator Bonnie Albrecht for her management of difficult things, and said that all has been great. Commissioner Isenhart and Commissioner Watson agreed. Commissioner Watson also thanked Emergency Manager Nathan Whittington, saying he and Coordinator Albrecht work well together, along with all of the

County's directors in a group effort. Commissioner Isenhart said that the directors deserved a salute, and that Finance Director Clorinda Smith has been doing a lot too.

**Community Center as Voting Center.** Clerk and Recorder Sahari McCormick stated that the Community Center is now open for voting in the community room and that the Voting Service and Polling Center is set up. She strongly advised voters to put their ballots in the ballot drop boxes instead of using the US Postal Service. The VSPC is open daily until 4:30 p.m., and 7:00 a.m. to 7:00 p.m. on election day.

Clerk and Recorder McCormick asked County Manager Montoya if Gilpin County was pursuing the \$13.7 million in Federal Emergency Management Agency (FEMA) funding that should be coming. County Manager Montoya deferred to Emergency Manager Nathan Whittington who explained that it is Public Assistance funding, but recipients must wait for FEMA direction. County Manager Montoya said the County's financial success is contingent on how frugal it can be.

**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 10:40 a.m.

Signed this 30<sup>th</sup> day of June 2020.