

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

July 14, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on July 14, 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. Agenda additions: a discussion of the Hot Rod Hill Climb event in Central City, and an Inclusivity Statement.

Public/Press Comment. Commissioner Watson reminded the meeting participants that the Board provides two public and press comment opportunities at the beginning and end of their meetings, with each person limited to three (3) minutes. The Board encourages residents to talk with their Commissioners; they welcome and rely on this feedback.

Laura Jenéy, resident of Rollinsville, spoke about the GIS maps on the Gilpin County website and thanked County Planner Tami Archer for reaching out to discuss the maps. Ms. Jenéy gave a brief history of what has possibly happened to the maps since the early 2000s, saying it seems that the lines of the subdivision have been expanded to include more lots. She asked if they could be corrected to not mislead anyone relying on the accuracy of the GIS maps, and noted that although they include a disclaimer on accuracy, the Assessor's property maps do not.

COVID-19 Update.

Emergency Manager Nathan Whittington:

- Evergreen fire: area fire departments were put on alert for firefighters, equipment and the Gilpin County Animal Response Team (GCART). A quick demo of new satellite imagery data showed how fires can be mapped aerially and showed real-time flight video with planes dropping fire retardant, all of which can help incoming firefighters understand the current circumstances.
- Lysol spray that purportedly kills the Coronavirus in 2 minutes is being sought for use in County offices; a quantity of Clorox wipes has been located.
- At day #133, the Emergency Operations Center (EOC) is preparing for a second wave of COVID-19, as Colorado is seeing an increase in the number of cases.
- Gilpin County has been appointed a FEMA recovery specialist to help with work towards a Public Assistance grant, and Emergency Manager Nathan Whittington continues to work with DOLA to see what other grants and funding mechanisms outside of the CARES Act might be available.

Public Health Coordinator Bonnie Albrecht:

- Gilpin County's has eight (8) confirmed cases, with nine (9) tests scheduled for today; there have been no positive cases as a result of these tests.
- Work continues on the variance request to the Colorado Department of Public Health and Environment to allow casino table games to resume. Dr. Mark Johnson, Gilpin County's Public Health Director, has advised against moving to the State's Protect your Neighbor order.

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

Application for a State Variance with Protocols to Open Casino Table Games. Public Health Coordinator Bonnie Albrecht read the proposed sanitization rules for cards, chips and dealers at table games in casinos. All measures from previous the variance request would continue to apply, including the maximum group size of 175 people. The current variance request package needs only a letter from the Board and from an area hospital and to be complete. Currently the north central region of Colorado has 85% of its ICU beds available and some hospitals have a patient count of zero.

Commissioner Watson said that this was a classic conundrum weighing the health of residents and visitors with the health of our economy, but with the upcoming Public Health Order requiring masks in public throughout the County, the spread of the virus could be greatly reduced. The County will be strict on protocols to keep people safe, and will continue to visit casinos to see if they are adhering to the protocols. Commissioners Watson and Isenhardt said some residents who work in casinos expressed concerns to them that casinos encourage masks but don't require them. Commissioner Isenhardt moved to approve submitting to the State the variance request to allow table games at casinos under Public Health guidance. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Consideration of Gilpin County Public Health Order #20-10, Requiring Masks in Public. County Attorney Bradford Benning gave an overview of Public Health Order #20-10, requiring masks in public in Gilpin County, saying there were exceptions for children under the age of three (3) and people with medical conditions. The proposed Order would apply to individuals and businesses; patrons can be prohibited from entering if they do not wear a mask.

Commissioner Engels moved to approve Public Health Order #20-10. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Hot Rod Hill Climb Event. Commissioner Engels gave an overview of an annual event—the Hot Rod Hill Climb—held in Central City in mid-September that attracts several hundred attendees and participants. The organizer wants the County to apply to the State for a variance request, but that process takes a considerable amount of time. The current group size limit is 175, but Public Health Coordinator Bonnie Albrecht said the event attracts approximately 250 participants and 500 to 1000 spectators. County Manager Montoya said he had heard from others that it actually draws closer to 2500 people. Discussion followed, with County Manager Montoya saying he and Coordinator Albrecht would talk with the Hot Rod Hill Climb organizer.

Public Health Order #20-2, First Amendment. The proposed First Amendment to Public Health Order (PHO) #20-2 would terminate the current Stage 1 fire ban and shooting restrictions. A new resolution on today's agenda proposes Stage 2 fire restrictions. Commissioner Isenhart moved to approve the First Amendment to PHO #20-2, as described. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

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.

Resolution #20-10, Imposing Temporary Stage 2 Fire Restrictions in Gilpin County. Sheriff Kevin Armstrong imposed Stage 2 fire restrictions in Gilpin County on July 10, 2020; today the Board will ratify that decision by resolution. Commissioner Watson noted that Emergency Manager Nathan Whittington and CSU Extension Agent Jennifer Cook have great literature on how to be prepared for a fire, and that all residents need to be ready and have an evacuation plan. Sheriff Armstrong agreed and added that some emergency resources are not as readily available as before, due to COVID-19 and because fires across the 5-state region have been using them. Commissioner Engels moved to approve Resolution #20-10, "Imposing Temporary Stage 2 Fire Restrictions in Gilpin County." Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Cost Allocation Plan. Finance Director Clorinda Smith stated that the County's Cost Allocation Plan is created to identify indirect costs within County departments in order to qualify and receive reimbursement from the State for the Human Services Department. Gilpin County pays a firm—MGT Consulting—that specializes in this work. To write the Cost Allocation Plan, MGT coordinates with staff in Accounts Payable, Facilities, Public Works and IT; Human Resources typically participates as well, but was unable to this year. The cost of the plan is approximately \$5,000.00 and generates a return of \$35,000.00 to \$40,000.00 to the County. Ellie Hennes, of MGT Consulting, gave an overview the current Plan, that should return State revenue for 2021 for actual expenses. The Board had no questions.

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

- **FAA Update:** Gilpin County, in conjunction with Arapahoe Airport Authority, Arapahoe County, Douglas County, and Greenwood Village, challenged the Denver Metroplex, a flight path plan that has routed more flights over Gilpin County and at lower altitudes. The briefing schedule for upcoming procedures should be received soon. Gilpin County and its associated parties will discuss joint or individual briefs to be submitted, then the process will move to Court action. Commissioner Watson noted that in a recent meeting of NoCo PLACES 2050 (Northern Colorado People-Land-Access-Conservation-Ecosystems-Sustainability) staff from the Rocky Mountain National Park spoke to the group about the impact of jet noise on wildlife population.
- **Zoning Enforcement Cases:** The Sheriff's Office has helped with process serving on property owners, with one case still outstanding.
- The Executive Session after today's regular meeting is for legal advice on litigation and other matters, plus legal options for elections in this cycle.

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

Community Center Campus Meeting. A public online meeting held on July 9 at 6:00 p.m. to discuss options for the Community Center was well attended. A survey was posted on the Gilpin County website that will help organize community input for these bi-weekly Wednesday meetings. The survey has provided good feedback, which is still being analyzed for presentation at a future Board meeting.

Code Enforcement Cases Analysis. Business Analyst Jaime Tirado gave a brief PowerPoint overview of the County's procedure for addressing violations of the Zoning Code. He explained different types of violations and the criteria that determines how and when a zoning case or building permit is considered to be closed. Afterward, County Manager Montoya explained how some types of cases are administered, with many of them not needing court action. Community Development Director Stephen Strohming answered the Board's questions about the data that was presented.

Board of County Commissioners Status Reports.

Notice of Public Meetings. The Board's upcoming public meetings will include: July 21, July 28, August 4, August 18, August 25.

Staff Vacation Days. In response to a question from Commissioner Watson about County Manager Montoya's vacation days as listed in his employment contract, he explained that he plans to take some vacation days and would more than meet what might be considered a contractual obligation. He will be off work on two Board meeting dates, August 4 and August 11. Deputy Clerk Sharon Cate also stated that she would be out of the office and not available for the Board's August 11 meeting. The Board later agreed they would not schedule a meeting for August 11.

In-person Board Meetings. Commissioner Watson said the Board needed to think about when to resume in-person meetings at the Courthouse, as they transition to more normal times. Commissioner Engels noted that Central City is doing a combination of virtual and in-chambers meetings, with some aldermen attending at City Hall and some via Zoom, but that the public was not allowed in City Hall. Their meetings are televised and are available in an online format. Commissioner Isenhart agreed it was a good system and said the virtual Zoom meetings allow many more people to participate. Staff will look into having a camera set up when the Board resumes in-person meetings, to accommodate online participants.

Administration Web Page. Commissioner Watson directed County Manager Montoya to post information on the County Manager web page that explains his job duties and the duties of his staff.

Inclusivity Statement. On behalf of the Board, Commissioner Isenhart read an Inclusivity Statement she had prepared expressing the Board's commitment "to serve this community of Gilpin County while we pledge our support to all citizens and reject the racism and hatred that afflicts our society." Commissioners Watson and Engels thanked her for the statement and directed staff to post the Statement on the Board's web page. Commissioner Isenhart thanked the Sheriff's Office, saying they share these same values, which Sheriff Armstrong strongly agreed with.

Parks and Recreation Services Funding. Commissioner Watson referred to the online community meeting regarding the future of the Community Center and said some participants would meet again today at 4:00 p.m. to seek philanthropic funding for services that had been provided by the Parks and Recreation Department, if possible. She welcomed anyone interested or grant writers to join the group.

Minutes.

Commissioner Engels moved to approve the Board of County Commissioners Meeting Minutes for June 30, 2020. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Commissioner Isenhart moved to approve the Board of County Commissioners Meeting Minutes for July 7, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Public / Press Comment. David Josselyn, reporter for the *Weekly Register-Call*, submitted an online comment saying that the quality of sound at the Courthouse is not so great, but the meetings will need to move back there at some point.

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 10:43 a.m.

Signed this 21st day of July 2020.