

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

August 18, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on August 18, 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.** Three items were added to the agenda for discussion: casino alcohol sales, Gilpin County's Colorado COVID-19 relief fund application, and an update on the County's potential ballot issues.

**COVID-19 Update.**

Emergency Manager Nathan Whittington:

- We continue efforts to ensure there is enough personal protective equipment (PPE) in stock for the upcoming increase of cases expected; the work we have done should protect all public agencies in the County through the end of the year.

Public Health Coordinator Bonnie Albrecht:

- There are 17 confirmed in the County, with six tests scheduled today; all of last week's tests were all negative.
- As part of the Agreement for Public Health Services, Jefferson County will hire an epidemiologist soon to assist Gilpin County with planning for COVID-19 protection.
- Gilpin County is applying to move to the State's Protect Our Neighbors phase. This gives communities that meet certain criteria less stringent restrictions than Stay at Home and Safer at Home. These criteria include the ability to contain surges in cases and outbreaks through testing, case investigation, contact tracing, isolation, quarantine, site-specific closures, and the enforcement of public health orders. With these measures in place and a low case count, Gilpin County is in a good position to qualify for this phase.

**State Clarification on Alcoholic Beverage Sales Restrictions.** In response to requests from the cities of Black Hawk and Central City, County Attorney Bradford Benning talked with Gilpin County's Public Health Director Dr. Mark Johnson of Jefferson County, who said the Colorado Department of Public Health and Environment (CDPHE) might consider a proposal from Gilpin County to differentiate casino bars from other bars regarding the State's restrictions on alcohol sales. Commissioner Watson explained that the cities are not asking to sell alcohol 24 hours per day, but somewhat later than the current 10:00 p.m. cut-off. In discussion, Commissioner Engels said he did not want to set up a scenario where non-compliant people would leave the metro area when alcohol sales ended and travel to Gilpin County casinos. He also noted that CDPHE has not said whether they are considering Gilpin County's variance request to allow table games to resume in casinos. Public Health Coordinator Albrecht and County Attorney Benning agreed CDPHE is looking less favorably on variance requests at this time. The Board agreed Coordinator Albrecht should begin writing a draft to move Gilpin County to the State's Protect Your Neighbor phase for consideration at their August 25 meeting. Commissioner Watson asked County Manager Montoya to advise Central City and Black Hawk of today's discussion.

**Treasurer' Monthly Report.** County Treasurer Mary Lorenz reported on operations in her office for the month of June 2020, and added that as of today property tax collections are at 96.43%. Her staff has been contacting property owners, which improves collection.

**Clerk and Recorder's Monthly Reports.** Clerk and Recorder Sahari McCormick Ashley Martin reported on operations in that office for the months of April, May and June, 2020. Clerk McCormick explained that Ms. Martin has been working with other Colorado counties to learn the correct procedures on these reports, including the motor vehicle section, which is quite complicated. The last page of the reports package compares these recent months to the same period in 2019. Revenues have been down due to COVID-19, but are beginning to increase.

**Census Text Reminders.** Gilpin County Public Health Advisory Board member Jamie Fanselow gave brief update on Census 2020 work, saying calls and text messages had gone out to County residents, reminding them to complete the census survey. Because the Census response period has been rescheduled to end on October 30, she recommended another round of text reminders, which improves response rates. Commissioner Watson noted that the impact of census data is significant for receiving state and federal funding. Commissioner Isenhart moved to approve up to \$400 for text messaging services for Census 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

**Request to Promote POST-Certified Deputy.** Sheriff Kevin Armstrong and Detentions Division Chief Sean Wheeler made a formal request to promote a deputy to a vacant Corporal position. Sheriff Armstrong spoke about the agreement approved in January, through which a deputy completes police officer standardized training (POST) and then agrees in writing to not seek employment outside Gilpin County for a period of three years. The County's first graduate of that program is Deputy Zachary Meyer, the candidate of choice for the Detentions Corporal position.

This salary would be covered by the grant recently awarded to the Sheriff's Office. Discussion followed regarding the current hiring freeze and practices, with the Board requesting a list of the positions that could be covered by the grant. Commissioner Isenhardt moved to promote Zachary Meyer to Corporal at grade 100, which has a beginning salary of \$65,200.00.

**Revision to Finance Software Contract.** Financial Director Clorinda Smith stated that due to a reduction in Finance staff, the Avenu software could be reduced by one license, resulting in a small cost saving for Gilpin County. Commissioner Engels moved to accept the revised contract for the Avenu software. Commissioner Isenhardt seconded the motion, which passed by a vote of 3 to 0.

**Compensation Study Preview Following Organization Restructure.** County Manager Montoya and People, Culture and Finance Department Director Lori Schrayner presented a draft of a compensation study started by Graves Consulting prior to the COVID-19 pandemic. He asked the Board to submit their questions and comments to him, for a formal presentation on September 1, 2020, noting that they are not required to adopt the compensation study, but can use in future discussions.

**Request to Amend Sick Time Related to COVID-19, Not Covered by FFCRA Policy.** People, Culture and Finance Department Director Lori Schrayner asked the Board if they wanted to revise the Employee Sick Leave policy as it relates to COVID-19 symptoms. The Board agreed that additional information from Public Health Coordinator Bonnie Albrecht was needed for further review.

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

- Due to the upcoming election, the Clerk and Recorder's Office has received many public records requests, asking about operations. He and Clerk and Recorder McCormick will continue to work with the Secretary of State's Office on these requests.
- The election intergovernmental agreements with local jurisdictions are in place and will be ready for Board review and approval next week.
- Resolutions for the ballot issues the BoCC is considering re Gallagher amendment and TABOR and the mil levies for the Sheriff's Office and Parks and Recreation. The Library District has presented a separate mil levy for Board review.
- FAA lawsuit: a group of entities protesting the Denver Metroplex has not received the Court's briefing schedule, but did receive other information on how the briefings should be conducted. In this group, Gilpin County's issues are unique.
- Many of the County's ongoing zoning violation cases have been closed, but in one case regarding too many junk vehicles on a property, the County was granted a court order to impose a \$1,000 civil penalty, plus \$100 per day starting August 7. In a separate case on Pitts Place regarding the accumulation of trash, a notice has been sent to the property owner, but the rental tenant is not cooperating. After the eviction process is complete, the County can remove the trash. In a third case, a property has built a large structure in the County's right-of-way and is a safety concern. The owner has ceased construction pending a variance request.

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

- **Second Survey on Community Center Campus.** Business Analyst II Jaime Tirado gave a video presentation on the results of the recent survey of 104 residents' views on the Community Center campus and what its future might be. Included were their responses to questions on a potential mil levy, "de-Brucing" some revenues, and TABOR restrictions, which were the most popular ideas, and a countywide sales tax, which was the least popular option. Residents consistently voted in favor of two 4.5 mil levies for the Sheriff's Office and Parks and Recreation. This information will be shared in the online Town Hall tonight.
- **Preview of Community Center Meeting.** In preparation for a meeting tonight with all of the interest groups working on ideas to reopen the Community Center, Business Analyst I Gabrielle Chisholm gave the Board a video preview of the talking points, including special district funding, seniors' needs, youth programs, the exhibit building, arts/crafts classes, and potential use of the gymnasium. County Manager Montoya said there are about 50 people participating in the groups, with another 60 following the conversations. These groups will do the work necessary to educate the public on mil levy ballot questions, as Gilpin County and the Commissioners are not allowed to express support or opposition of a ballot measure after adopting a resolution. Employees or elected officials are allowed to speak as private citizens, but not in any official capacity. County Manager Montoya said staff will complete a fiscal analysis of the potential ballot measures by September 21, and can submit pro and con statements for the "blue book" for elections.

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

Notice of Public Meetings. The Board's upcoming public meetings will include: August 21, 25, and September 1, 2020. They could attend the online meeting of Colorado Counties, Inc.'s Southern District on September 4.

Discussion of County Donations to Community Service Agencies. The Board discussed what the County's ability to provide some 2021 funding to the many local agencies who request this assistance. They agreed that

all of the groups and their work is worthwhile, but that due to the COVID-19 pandemic, the County is not in a position to help as they have in the past. Commissioner Engels said a qualified comment was needed from County Manager Montoya and Finance Director Clorinda Smith as to any possible funding. She will provide financial projections soon and the Board will decide whether to advise the groups now that funding is not probable, or to wait until the budget hearings provide greater detail.

Volunteer Recognition. People, Culture and Finance Department Director Lori Schrayner will provide a list of volunteers to the Board so they may formally thank them in November.

East Portal Parking Problems and Response. Commissioner Watson proposed distributing a warning notice (flyer) to owners of cars parked illegally at the East Portal. She showed the draft notice onscreen and said it has been sent to County Attorney Benning and Sheriff Armstrong for their input. Sheriff Armstrong said illegal parking is only one of several concerns in that area, and that when the US Forest Service is available, the two entities would need to work together on solutions. Commissioner Isenhardt said she is very concerned about recent reports of trash and vandalism in the East Portal area and that although there are State and County fire bans in place, visitors violate these orders, they shoot firearms and start fires. She asked if the County could increase patrol of this area or could the County consider closing some roads again until after Labor Day. Commissioner Watson said the paper notice to put on vehicles speaks to the owners' responsibility to pay the cost of their vehicle being towed, but wondered if a fine could be attached to the violations. County Attorney Benning will research this question.

Community Center Parking Lot Use by Holistic Homestead. Commissioner Watson said she had received a request from the Holistic Homestead to use the Community Center parking lot to transfer their deliveries of food from a large semi-truck to smaller vehicles that can access their facility. County Attorney Benning said that group needs to be insured, indemnify the County, and insure the people will help unload the deliveries. An agreement needs to make it clear this is at the discretion of the Board, who can end the arrangement at any time.

Homelessness and Eviction Prevention. Commissioner Isenhardt said she had attended a powerful webinar about cities and counties reducing homelessness and exploring ways to prevent evictions, perhaps by assisting with rent or mortgage payments. This would also help landlords by maintaining their business income. She said she would like to organize a group including the Sheriff's Office, the Human Services Department, Ermel's Emporium and the Gilpin Combined Courts to work on potential use of CARES Act funding. Commissioner Watson and Commissioner Engels agreed the Board would need to understand the impacts and try to design solutions.

**COVID-19 Relief Fund.** Commissioner Watson said she has just learned of the COVID-19 Relief Fund made available by Mile High United Way. A representative told her the County could be eligible for \$25,000, but that it could be up to \$100,000 if there were collaboration with the cities of Black Hawk and Central City. The submission deadline is August 20, which Commissioner Watson and staff will try to meet. Commissioners Isenhardt and Engels agreed Commissioner Watson should pursue this funding.

**Adjourn.** There being no further business to come before the Board, they adjourned at 11:45 a.m.

Signed this 08<sup>th</sup> day of September 2020.