

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

October 20, 2020

A regular meeting of the Board of County Commissioners of Gilpin County was held on October 20, 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. Commissioner Watson added discussion of the US Forest Service's (USFS) full closure due to high fire danger, as the USFS will likely release official notification of their Closure Order today.

Moment of Silence. Commissioner Watson called for a moment of silence for long-time resident Beth McChesney, who recently passed away.

Public/Press Comment. Laura Jenéy, 80 Willie's Lane, Rollinsville, asked if the County would post on its website information about local limits on the number of people allowed at a gathering.

COVID-19 Update.

Public Health Coordinator Bonnie Albrecht:

- Gilpin County currently has: 26 confirmed cases as of today; one probable case identified through contact tracing, is showing symptoms and is scheduled for testing today. Six other people are scheduled for testing today.
- The State is currently seeing about 1,000 new cases per day. All Colorado residents should follow the State's health safety guidelines, meaning stay home and wash their hands frequently.
- As to the limit on number of people allowed at a private gathering in Gilpin County, the safety measures in the State's Safer at Home phase still apply—10 people.
- Commissioner Engels emphasized that Gilpin County's Protect Our Neighbors (PON) gives the County the ability to impose public health rules, which the Board needs to consider.

Emergency Manager Nathan Whittington:

- Support operations at the testing site are status quo.
- He is moving personal protective equipment (PPE) out of the Conex storage unit and into Emergency Operation Center to prevent sanitizers or other liquids from freezing, and had been providing County offices and the election voting center and employees with PPE.
- Notification has been sent to all first response agencies about the increase in cases in the County.

Fire Danger and Response—Lefthand Canyon and Calwood fires:

- Gilpin County will help evacuees with mass shelters and animal sheltering at the Exhibit Building.
- Local casinos are prepared to shelter displaced residents, with 135 rooms offered by the Isle Casino. Central City, Black Hawk and other have acted very quickly to help evacuees. The Red Cross is managing the mass shelter, covering the cost of the hotel rooms, food and other needs.
- The Gilpin County Animal Response Team (GCART) will remain activated, as more animals are being brought in.

Liquor Tasting Application—Mid County Liquors. Commissioner Engels moved to recess as the Board of County Commissioners and convene as the Local Liquor Licensing Authority. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Deputy Clerk Sharon Cate presented an annual application for a list of tasting events for 2021 at Mid County Liquors, located at 17218 Highway 119, owned and operated by XTRACT, LLC. Per Gilpin County Resolution # 20-01, "Amending the Regulations for Tastings at Retail Liquor Stores," retail liquor stores are allowed up to 52 tasting events per year. Commissioner Engels moved to approve Mid County Liquors' application for 50 tasting dates, with the caveat that all public health rules are followed. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

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

Land Use Comprehensive Plan Update. Senior Planner Stephen Strohmingier gave an update on the County Land Use Comprehensive Plan, which is intended to produce a new zoning ordinance and engineering regulations. The topics by chapter included in the Plan are: Introduction/Purpose of Plan; Natural Resources; Social History; Demographic Conditions/Trends; Land Use; Housing; Transportation / Mobility; Parks and Recreation; Economy and County Services; Market/Economic Constraints/Opportunities; Development Potential and Development Impact.

Discussion followed regarding the availability of broadband service and a new satellite system being tested in Australia that shows promise for rural service. Activities that have brought the Comprehensive Plan to its current state include numerous meetings of a task force, the Planning Commission, and three online surveys, with very good response. County Manager Montoya said November 12 is the deadline to submit comments to DTJ Consultants, followed by a Planning Commission public hearing on November 24, and a Board of County Commissioners public hearing on December 15. He emphasized that public comments are very important and encouraged all residents to participate.

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

- **East Portal Work Camp Cabins:** Cost estimates for work on the five cabins owned by the Union Pacific (UP) Railroad at the East Portal Work Camp are being quoted much higher now. UP values the cabins at \$50,000 and has offered them to Gilpin County, or will plan to pursue a demolition permit. They would like to enter into an agreement with the County for work in late spring of 2021. Commissioner Watson said a value of \$50,000 for cabins UP has allowed to degrade on property they don't own seems too high. County Attorney Benning has asked for justification on this value.
- **Propane Tanks Near Community Center:** The long-ago placement of two 30,000-gallon propane tanks on property near the Community Center has come under scrutiny, as the tanks cross property lines. County Attorney Benning will send notification to Amerigas and the property owner(s) that the tanks require permits.
- **Law Enforcement Data on Changes Since Alcohol Service Hours Extended from 10:00 p.m. to 2:00 a.m.:** On September 22, the Gilpin County Board of Health (BOH) approved a change to its Protect Our Neighbors public health order to extend the onsite liquor service cut-off time at retail liquor businesses from 10:00 p.m. to 2:00 a.m. The BOH also asked that local law enforcement agencies and the State Patrol be made aware of this change and to try to track changes in the number of alcohol-related incidences. Business Analyst Jaime Tirado shared data onscreen that had been gathered from September 22 through October 7, a short review period. There was a slight increase in the number of DUIs and an increase in alcohol-related incidences in casinos.
- **Damage to Mountain Broadband Line.** A Gilpin County Public Works truck damaged a low-hanging broadband service line owned by Mountain Broadband; the claim is being managed by County Technical Services, Inc. The driver, who has a clean driving record and doesn't appear to be at fault, was ticketed. County Attorney Benning will contact the District Attorney to see if the ticket can be waived.

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

Jail Statistics. Casino visits have increased, so jail bookings have also increased. The comparison of annual trends between 2019 and 2020 are vastly different, as most bookings are related to gaming. Also tracked is traffic data as it relates to alcohol sales and time of day. This data is available on the County's website on the Sheriff's Office page. Detentions Division Chief Sean Wheeler added that most bookings are alcohol related and that few inmates are local residents. The jail has strict intake standards to protect inmates and staff against COVID-19, and staff expects the numbers to rise again after the pandemic.

Grants Update. Business Analyst Gabrielle Chisholm gave an onscreen update on some of the over 2 dozen grants and grant applications she is tracking. Of note was the Community Dev Block Grant for the food bank, which has been suspended as it was intended more for facility needs than services. She resubmitted a facility grant application to DOLA and should know next week if it will be awarded. The funds will be spent on the future location of the food bank, the current Public Health building on Norton Drive.

Commissioner Watson added that Gilpin County was not awarded the REDI grant for Eagles Nest Early Learning Center. County Manager Montoya said he had explained to Chris LeMay of DOLA that ENELC is the County's only licensed childcare facility and that Gilpin County is a unique economic situation.

Board of County Commissioners Status Reports.

Notice of Public Meetings. The Board's upcoming public meetings will include: October 21 (to address the potential closure of some national forests by the US Forest Service); November 3 and November 17.

Exemplary Employee Award to Tami Archer. Commissioner Watson shared some words of praise for County Planner Tami Archer, received from a person purchasing property in Gilpin County and needing assistance. This person told the Commissioners that County Planner Archer had gone "above and beyond" to help him with numerous Community Development issues and that he was most appreciative. A plaque was awarded to Planner Archer onscreen by the Board and in-person by staff, and each Commissioner thanked her for providing exemplary service.

Public Hearing—2021 Draft Budget Preliminary Review. Chair Watson opened a public hearing for a preliminary review of the Gilpin County draft budget for 2021, as presented by County Manager Montoya, supported by Financial Director Clorinda Smith and Business Analyst Jaime Tirado. County Manager Montoya shared onscreen

some graphs that compared the 2019 actual budget to the 2021 proposed budget, saying each department and elected office had been asked to cut 3% from their budget, but that they had achieved more than that. The Board had also made additional cuts to their budget.

Chair Watson opened the hearing to public comment at 10:38. There being none, Chair Watson closed the hearing to public comment. She asked that some of the colors in the graphics be changed to better illustrate the different categories and that the abbreviations be spelled out to make them more user friendly. The Board thanked County Manager Montoya and all staff who have worked on a very difficult budget for 2021. Chair Watson closed the public hearing at 10:34a. *(The legal recording of the public hearing, including any public comment, is an audio file available through the Clerk and Recorder's Office.)*

Minutes.

Commissioner Isenhart moved to approve the Board of County Commissioners Meeting Minutes for September 15, 2020. Commissioner Engels 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 September 22, 2020. Commissioner Engels 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 September 29, 2020. Commissioner Engels seconded the motion, which passed by a vote of 2 to 0, as Commissioner Watson was absent on September 29, 2020.

Commissioner Isenhart moved to approve the Board of County Commissioners Meeting Minutes for October 6, 2020. Commissioner Engels seconded the motion, which passed by a vote of 3 to 0.

Commissioner Isenhart moved to approve the Board of Equalization Meeting Minutes for September 29, 2020. Commissioner Engels seconded the motion, which passed by a vote of 2 to 0, as Commissioner Watson was absent on September 29, 2020.

US Forest Service Closure of National Forests. Commissioner Watson stated that the Board was waiting to hear from the US Forest Service about a potential full closure of the national forests in some Colorado counties due to fires. The Board agreed a special meeting was needed to adopt a resolution to support such a closure.

Todd Farrow, Golden Gate Canyon State Park Manager, said he had not heard if the governor and the director of Colorado Parks and Wildlife were planning to close the Park. Commissioner Watson said of particular concern is the hunting activities in the Jefferson County portion of the Park, as most of the recent fires in the state have been human caused.

Adjournment to Executive Session. Commissioner Engels moved to adjourn into Executive Session in accordance with C.R.S. 24-6-402(4)(b), to receive legal advice. 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 10:53 a.m.

Signed this 03rd day of November 2020.